

Appeal Decision

Site visit made on 16 January 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29.01.2024

Appeal Ref: APP/Y1945/D/23/3328528
51 Vicarage Road, Watford, WD18 0DE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Stuart Taylor against the decision of Watford Borough Council.
 - The application Ref 23/00435/FUL, dated 9 May 2023, was refused by notice dated 21 July 2023.
 - The development proposed is a two storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant submitted a copy of a recent planning decision relating to permission at the appeal property for the development of a single storey rear extension.

Main Issue

3. The main issue in this case is the effect of the proposed development on the living conditions of the occupiers of Number 53 Vicarage Road, with regards to outlook and daylight.

Reasons

4. The appeal property is a two storey terraced dwelling, with a front gable providing for rooms at roof level. It forms part of a terrace of similar properties, purposefully designed with front gables at roof level.
 5. Like its neighbours in the terrace, the brick-built appeal property has an attractive bay window to the ground floor and ornate decorations to the front façade. It has a small front garden area which is separated from the pavement by railings.
 6. Vicarage Road in this location is largely characterised by the presence of two storey residential dwellings, albeit there are non-residential uses present, including nearby offices and a sports centre directly across Vicarage Road from the appeal property. Further, the presence of trees and glimpses over a wall separating Vicarage Road from a nearby sports field, provide for a sense of greenery and spaciousness.
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7. The appeal property, like other dwellings in the terrace, enjoys private amenity space to the rear. During my site visit, I observed that the private amenity area to the rear of Number 53 Vicarage Road, adjacent to the appeal property, comprises an attractive garden area.
8. The appeal property has an existing two storey flat-roofed extension to the rear. The proposal would effectively extend this extension, at the same height and width, further to the rear.
9. This would result in the creation of a long and tall rear projection close to the appeal property's side boundary with No 53. The height, projection and close proximity of the proposal would result in it drawing attention to itself as an unduly dominant feature to the extent that it would loom above No 53's rear garden area to an overbearing degree.
10. In addition, I find that the harm arising from the above would be exacerbated as a result of the scale and proximity of the proposal leading to a reduction in the amount of daylight reaching the rear of No 53 and there is no substantive evidence before me to demonstrate that this would not be the case.
11. Taking all of the above into account, I find that the proposed development would harm the living conditions of the occupiers of Number 53 Vicarage Road with regards to outlook and daylight. This would be contrary to the National Planning Policy Framework; to Watford Local Plan 2021-2038 Policy CC8.5; and to the Watford Residential Design Guide (2016), which together amongst other things, seek to protect residential amenity.

Other Matters

12. The appellant, in support of the proposal, draws attention to the important role of the appeal property as a HMO. However, this is not something that mitigates the significant harm identified and hence the decision below.

Conclusion

13. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR