

Appeal Decision

Site visit made on 5 December 2024

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCIArb MCIL

an Inspector appointed by the Secretary of State

Decision date: 20.02.2024

Appeal Reference: APP/Y1945/W/23/3320320

Land at 8 Holtsmere Close, Watford, Hertfordshire WD25 9NG

- 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 Kanew Properties Ltd against the decision of Watford Borough Council.
 - The application (reference 22/01107/FUL, dated 23 August 2022) was refused by notice dated 17 October 2022.
 - The development proposed is described in the application form as the demolition of an existing detached bungalow and the construction of three two-bedroom detached houses.
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Decision

1. The appeal is dismissed.

Main issues

2. The first main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the surroundings. The second is the effect of the proposed development on the residential amenities of neighbours and of occupiers of the new development (whether unacceptable harm would be caused by intrusion on privacy).

Reasons

3. Holtsmere Close is located in the northern part of Watford, off St Albans Road, which is a main traffic route (the A412). The surrounding area is closely built-up for the most part, although there are also some open spaces. Holtsmere Close is a residential cul-de-sac, with a range of different building types. At the end of the cul-de-sac, the properties are two-storey semi-detached or detached houses, but there are a number of lower buildings nearer the main road junction. Obviously, there is a lack of uniformity in the streetscene in Holtsmere Close.
4. There is also a much larger building at Pheasant Court, behind frontage development in Holtsmere Close and with an access from the Close, but with a frontage also to St Albans Road. Pheasant Court is a block of flats, described as "retirement homes", with an associated car parking area.

5. Number 8 Holtsmere Close is sited on the southern frontage of the road, in front of Pheasant Court. The existing dwelling is an undistinguished bungalow with a small garden, while its neighbour at 8A is a chalet bungalow, having been redeveloped, apparently. The appeal site includes both the dwelling at number 8 and a small plot of land alongside, between the dwelling and the entrance drive to Pheasant Court.
6. It is now proposed to demolish the existing detached bungalow and to construct three new two-bedroom detached houses on the appeal site.
7. A revised version of the National Planning Policy Framework was published in December 2023 and it has been taken into account in this appeal. It encourages the construction of new homes, in principle, subject to other planning considerations of course.
8. Thus, the 'National Planning Policy Framework' also emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and being visually attractive and sympathetic to local character and history, although it is also recognised that appropriate change may include increased densities. The achievement of good design includes protecting existing residential amenities and providing good standards of accommodation.
9. Policies in the Development Plan share all these basic principles. The "Spatial Strategy" of the 'Watford Local Plan' identifies a particular need for new housing, while other parts of the 'Local Plan' emphasise the aim of designing for an "Attractive Town".
10. As a Supplementary Planning Document, the Council's 'Residential Design Guide', (which was adopted in July 2014 and amended in August 2016) is also relevant but it does not have the force of the statutory Development Plan.
11. The proposed development would create three new houses in an existing residential area that includes a variety of dwelling types, including houses and flats of different sizes. The new houses would be appropriate in that sense but they would be cramped on the site. The buildings would be sited close to the edge of the highway and to their side boundaries. The design of the houses, involving a layout in which the parking provision for each house would be accommodated in an "undercroft" feature, would appear awkward and incongruous (in spite of the existence of such features elsewhere).
12. The front line of the existing bungalow need not be treated as a fixed "building line" but, in the context this scheme, the forward siting of the buildings combined with their overall scale would make them especially obtrusive in the streetscene. This visual impact and the unsuitable design of the buildings themselves indicate that the scheme represents an overdevelopment of the site with an excessive number of dwelling units.
13. Turning to the second main issue, I have noted, of course, the existing relationship between the existing bungalow at number 8 and the flats at Pheasant Court. The flats overlook the rear of the existing bungalow as well as its back garden. Conversely, the front elevation of the flats can be seen from

the rear of the appeal site (as well as from the car park that serves Pheasant Court). Although the appeal site would be more densely developed, the new dwellings would be in a similar relationship as regards privacy considerations, especially by comparison with any new box dormer that might be constructed on the rear elevation of the existing bungalow.

14. Bearing in mind the existing layout and the historic development of the flats at Pheasant Court on land behind the buildings in Holtsmere Close, I am persuaded that the proposed development would provide a reasonable degree of protection to the residential amenities of the residents of both Pheasant Court and the new dwellings. Furthermore, I accept that the appeal scheme would not have an undue effect on the outlook from Pheasant Court or on the light available to it (notwithstanding the comments that have been made).
15. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms. I am conscious that in this appeal the Council's failure to achieve its housing targets is an important consideration and, based on the evidence submitted, I consider that a "tilted balance" should apply in the decision-making. In this context, the proposed new houses would make a useful contribution to housing needs, even though it would be a relatively small one. Moreover, I have concluded that the effect of the proposed development on the residential amenities of both existing neighbours and occupiers of the new development would not be so harmful as to justify a refusal of planning permission.
16. Nevertheless, each proposal must be considered on its own merits and I am convinced that the visual harm that would be done to the streetscene and the surroundings significantly and demonstrably outweigh the benefits of this project. Hence, I have also concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan). Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C. Shrimplin

INSPECTOR