

Appeal Decision

Site visit made on 29 July 2024

by P Terceiro BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th September 2024

Appeal Ref: APP/Y1945/W/24/3339593

Rear of 135 Gammons Lane, Watford, Hertfordshire WD24 5JD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Sanjay Pashine against the decision of Watford Borough Council.
 - The application Ref is 23/01167/FUL.
 - The development proposed is the conversion of gym/study into a one bedroom dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is located at the end of the rear garden of No 135 Gammons Lane (No 135) and accommodates a detached single storey outbuilding with a flat roof design. The appeal outbuilding sits next to a block of garages and is accessed from Leaford Crescent.
4. Whilst there are examples of subservient, utilitarian style outbuildings within rear gardens, the area in the vicinity of the appeal site predominantly comprises two-storey dwellings which sit under gabled or hipped roofs. Despite some variation in terms of plot size and presence of back-land development, the dwellings face the road and have legible frontages, with their front doors addressing the street.
5. There would be no external alterations to the existing outbuilding. Due to the single storey profile, flat roof design, modest scale and size, the proposed dwelling would not harmonise with the established character of the area, as it would fail to reflect the prevailing features and characteristics of established housing. Even though the dwelling would be largely hidden from public view, the proposal would nevertheless harm the character of the area through the nature of its independent residential use.

6. The dwelling would be located behind a tall fence and gates and next to the existing garages which have an appearance of domestic outbuildings, thereby appearing disconnected from the surrounding houses. Moreover, the lack of a street frontage would result in poor legibility and would be highly uncharacteristic of the area, where the dwellings front the road. Therefore, the proposal would appear as a piecemeal development that would fail to respect the surrounding pattern of development.
7. The dwelling would be accessed from Leaford Crescent along the existing driveway. Although the travel distance from the highway would not be uncommon and the property would have its own street number displayed outside, the entrance to the plot would not be easily understandable from the road due to its set back and location next to other garages. Consequently, the dwelling would have poor wayfinding.
8. The spacious driveway would be overlooked from the road and neighbouring windows, it would be lit and the appellant has advised that CCTV would be installed. Whereas this would improve the natural surveillance of the access provided and also benefit the occupants of nearby properties, it would not overcome the harm to the character of the area by reason of the dwelling's scale, design and siting, as I have set out above.
9. Consequently, the proposal would have an unacceptable effect on the character and appearance of the area. It would not comply with Policies QD6.2 and QD6.4 of the Watford Local Plan 2021-2038, which require development to be well designed and make a positive contribution to place-making. Further, the proposal would be contrary to the National Planning Policy Framework (the Framework), where it supports development that is sympathetic to local character.

Planning Balance and Conclusion

10. The appellant advises that the Council has failed to provide the number of new homes required resulting in a severe shortage and, while there is no evidence before me to contradict this, no details have been provided by either party to indicate if there is a shortfall in the Council's five-year housing land supply. Even if I were to accept that the Council is failing to meet its housing land supply requirement, Paragraph 11 d) of the Framework requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
11. The proposal would be acceptable in relation to other matters, including, living conditions of adjoining neighbours, quality of internal and external accommodation provided, parking and site security. However, these are neutral factors that neither weigh for or against the development.
12. The adverse impacts of the proposal on the character and appearance of the area attract substantial weight, for the reasons set out above.
13. Set against the identified harm, the proposed development would meet the Framework's objectives of boosting the supply of housing and would deliver a new dwelling within a settlement area on a main bus route and close to

local shopping facilities. There would be social and economic benefits during the period of construction and once the dwelling is occupied. Further, the scheme would make use of brownfield land. However, as the proposal would deliver a net gain of one dwelling, these benefits taken together would be limited.

14. Whilst I accept that the proposed dwelling would be a small unit of accommodation and may, therefore, command a low market price, this does not render it affordable housing. There is no legal agreement before me which would secure the proposal as affordable housing. As such, I assign this argument in favour of the scheme very little weight.
15. Consequently, the adverse impact of the developments would significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies in the Framework taken as a whole.
16. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

P Terceiro

INSPECTOR