



Appeal Decision

Site visit made on 23 October 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 October 2024

Appeal Ref: APP/Y1945/D/24/3342609

24 Cassiobury Park Avenue, Watford, Hertfordshire WD18 7LB

- 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 and Mrs Patel against the decision of Watford Borough Council.
 - The application reference is 23/00909/FULH.
 - The development proposed is the erection of a 2-storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The appellants have provided an additional plan¹ at the appeal stage, which shows an extra rear dormer extension, a taller rear wall to the new ground floor addition and retention of a chimneystack compared to the drawings that accompanied the planning application. To my mind, these changes result in a scheme that is different in substance to that determined by the Council insofar as the effect on the character and appearance of the host building is concerned. The Council has neither formally considered this additional drawing nor consulted others on it. As a result, interested parties could be prejudiced if I were to consider this extra drawing. Therefore, I have not done so.

Main issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

Reasons

4. The appeal property is a detached dwelling within a predominantly residential area, wherein buildings are typically 2-storey with some variety in their scale and design. Although not a listed building nor located within a conservation area, No 24 is identified as a locally listed building. As such, it is a non-designated heritage asset (NDHA). In weighing applications that affect NDHAs, the National Planning Policy Framework (the Framework) states that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
5. To my mind, the significance of No 24 as a NDHA is principally derived from its general style, which can be mostly attributed to the Arts and Crafts period, and

¹ Drawing number 3293 Prop 1Cb

its largely unaltered built form at the front of the building. When seen from the road, notable features include its asymmetry, a forward projecting gable, a subordinate hipped roof, decorative brickwork, casement windows, a hipped porch hood above the main entrance and substantial chimneystacks. These features combine to give No 24 a distinctive style and there is a consistency to the front elevation that positively contributes to its heritage value. Overall, the appeal dwelling has a distinguished presence within the local street scene.

6. Despite later built additions, replacement windows and altered openings, the original rear elevation of No 24 remains legible. It, too, retains an asymmetry and includes features that contribute to the significance of No 24 as a NDHA, including the projecting gable and eaves, as well as the variety of roof planes. While the locally listed building entry refers only to the front of the building, the heritage value of No 24 is not confined solely to this aspect of the property. The significance of the appeal dwelling as a NDHA includes the rear elevation.
7. Along Cassiobury Park Avenue, I saw that several properties are generally modest in scale and include features in the Arts and Crafts style. In that context, the appeal dwelling adds to a welcome sense of cohesion to the existing buildings in the streetscape. It also offers an interesting insight into the area's historical development as part of the wider Cassiobury Estate. Given that contribution, I am unable to share the appellants' view that No 24 is an asset with low (if any) overall significance in heritage terms.
8. The proposal is to extend and alter the main house with a 2-storey rear extension. No change is sought to the front elevation of No 24. I note that different schemes to enlarge or replace No 24 have recently been refused planning permission on application and at appeal. The appellants consider that the amendments made to the proposal overcome the objections that were previously raised and take into account the advice provided by the Council at the pre-application stage.
9. The main rear roof slope would be flanked by asymmetric gables. However, the new built form and flat roof between these gables in a prominent high-level position would add undue bulk to the hipped element of the host roof and disturb the asymmetry to the upper part of the building. The removal of a chimneystack would also be an unfortunate loss of an original feature.
10. The new ground floor extension would also be a sizeable addition. It would project across the full width of the host building with a flat roof and overhanging eaves that would establish a visually strong horizontal line across the finished rear façade. This arrangement would accentuate the considerable width and mass of the ground floor extension. The scale of the extension, coupled with its uniformity in built form, would fail to respect the proportions and asymmetry of the host building and its varied main rear roofscape.
11. For these reasons, the appeal scheme would dominate the rear elevation, distort the scale and proportions of the host building and unduly compromise its original form. While non-original extensions to the rear of No 24 detract from the qualities and character of the original building, it seems to me that additional harm cannot be justified on the basis that some harm already exists.
12. For all these reasons and having carefully considered the appellant's Heritage Statements that accompanied earlier planning applications, the proposed development would cause significant harm to the character and appearance of

the locally listed building and unacceptably diminish its significance as a NDHA. In doing so, the proposal would reduce the positive contribution of No 24 to the character and appearance of the local area, to its detriment.

13. Reference is made to other properties along Cassiobury Park Avenue that include rear extensions. In the absence of further information in relation to these cases, I am unable to conclude that their circumstances are the same or very similar to those of the proposal. On that basis, few direct parallels can be drawn between these developments and the appeal scheme. In any, event, each proposal should be assessed on its own merits, as I have done.
14. On the main issue, I therefore conclude that the proposed development would cause significant harm to the character and appearance of the host building and the local area. Accordingly, it conflicts with Policies QD6.1, QD6.2, QD6.4, HE7.1 and HE7 of the Watford Local Plan 2021-2038. These policies aim to ensure that development contributes to high quality design, and, in relation to NDHAs, enhance the building's character, setting and features and does not adversely affect the significance of the building. There would also be a conflict with the Framework, which states that development should be sympathetic to local character and add to the overall qualities of an area.
15. Once complete, the proposal would provide additional living space that would better suit the appellants' family needs. I saw that the useable space at first floor level within the existing house is limited due to restricted floor to ceiling heights and the awkward shape of some rooms. Remodelling the internal layout would also assist in providing access for people with restricted mobility. A neighbouring occupier supports the proposal. However, these matters do not outweigh the significant harm that I have identified.
16. The appellants are critical of the Council in failing to communicate their concerns about the proposal before it was refused planning permission. However, my remit is solely to determine this appeal.

Conclusion

17. Overall, the development conflicts with the development plan, when read as a whole. There are no material considerations, including the policies of the Framework, which indicate that the decision should be taken other than in accordance with the development plan.
18. For the reasons set out above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR