



Appeal Decision

Site visit made on 1 November 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 November 2024

Appeal Ref: APP/Y1945/W/24/3346670

51 Vicarage Road, Watford, Hertfordshire WD18 0DE

- 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 Stuart Taylor against the decision of Watford Borough Council.
 - The application reference is 24/00254/FUL.
 - The development proposed is the erection of a part single and part 2-storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development firstly, on the character and appearance of the host building and the local area; and secondly, on the living conditions of the occupiers of 53 Vicarage Road with particular regard to outlook and visual impact.

Reasons

Character and appearance

3. The appeal property is a 2-storey mid-terrace building in use as a House in Multiple Occupation (HMO) within a predominantly residential area. The proposal is to elongate the existing 2-storey flat roof projection at the back of No 51 with a part single storey, part 2-storey extension using materials to match those of the host building. The Council has recently granted planning permission for the ground floor element of the appeal scheme. Therefore, I shall focus on the new first-floor component and the totality of the proposal.
4. The proposed first-floor addition would include a different roof form and be shorter in length than a similar proposal that was recently refused planning permission on application and at appeal. These changes seek to overcome the previous Inspector's concerns regarding the effect of the proposed extension on the living conditions of the occupiers of the attached property to one side of the site, which is 53 Vicarage Road.
5. With the new built form in place, there would be a lengthy 2-storey rear projection from the main building with an awkward juxtaposition of different roof forms close together. Specifically, there would be a mono-pitched and flat roof next to a rear parapet wall and the dual pitched roof of the main building just beyond. This arrangement would be unconvincing because there would be

an awkward transition between the existing and new first floor rear additions. It would lead to an incongruous detail in which the upper righthand corner of the existing 2-storey rear projection would remain visible with the new addition in place. The overall visual effect would be unconvincing because the proposal would appear to have been 'tagged on' to the end of the existing house as an obvious later addition. As a result, the new development would detract from the intrinsic character and appearance of the host building and the local area.

6. The Council's Residential Design Guidance (RDG) advises that an extension should have a roof form, pitch and angle that respects the host property. For the reasons given, the proposal would not comply with this guidance.
7. I saw that several properties in the local area have been extended and altered at the rear and noted the photograph and details provided of 23 Merton Road in particular. The planning decision at No 23 dates from the 1980s and so is before current planning policy, against which the proposal is to be assessed. I am unaware of the circumstances that relate to other residential extensions that have come forward, including those that are visible from the site. In any event, each proposal should be assessed on its own merits, as I have done.

Living conditions

8. The new flank wall would be close to, and broadly parallel with, the shared rear boundary with No 53. The new side elevation would project well beyond the rear elevation of this adjacent property and above the fence that marks their shared boundary. Consequently, the upper section of the new side and rear walls would be evident from the back garden of No 53, which appears to provide the main outdoor space for its occupiers. When seen from the rear garden of No 53, the proposed extension would draw the eye as being overly long and large, and as a result, visually dominant to the extent that it would overbear on the occupiers of this neighbouring property.

Conclusion on the main issues

9. On the main issues, I conclude that the proposed development would have an unacceptable effect on the character and appearance of the host building and the local area. It would also materially harm the living conditions of the occupiers of No 53. As such, the proposal conflicts with Policies QD6.2, QD6.4 and CC8.5 of the Watford Local Plan 2021-2038 (LP) and the advice within the RDG. These policies and guidance aim to ensure that development is well designed and safeguards residential amenity. It is also contrary to the National Planning Policy Framework (the Framework), which notes that development should be sympathetic to local character; add to the overall quality of an area; and create places with a high standard of amenity for all users.

Other matters

10. In reaching this conclusion, I note that the site does not fall within a conservation area nor is No 51 a listed building. Once complete, the proposal would provide valuable additional living space for room No 3 and a larger kitchen that would enhance the living conditions of the occupiers of No 51. The Framework supports proposals that meet the needs of groups with specific housing requirements, as does the LP, which also acknowledges the important role that HMOs play in the availability of housing. The appeal scheme would also make efficient use of the available space at the rear of the property.

11. There would be no significant loss in natural light to the rear of No 53 if the new development were to proceed, which the appellant's Daylight and Sunlight Assessment confirms. Several interested parties also support the proposal with reference made to the appeal property as a well-managed HMO and the laudable aim of the appellant to improve the living conditions for its occupiers. I am sympathetic to this desire and note that some residents of the HMO have called No 51 their home for some time. However, on balance, these matters do not outweigh the significant harm that I have identified.
12. The occupier of Victoria House raises additional concerns in relation to privacy, light and access. These are important matters, and I have considered all the submitted evidence. However, given my findings on the main issues these are not matters that have been critical to my decision.

Conclusion

13. Overall, the proposed development conflicts with the development plan, when read as a whole. There are no material considerations, including the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR