



Appeal Decision

Site visit made on 17 September 2024

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2024

Appeal Ref: APP/Y1945/W/23/3333469

93 Ridge Lane, Watford, Hertfordshire, WD17 4SX

- 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 Nick Chaytor against the decision of Watford Borough Council.
 - The application Ref is 23/00632/FUL.
 - The development proposed is described as 'the erection of a dwelling house'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During my visit, I noted that the building had been erected in a manner consistent with the plans before me. However, a fence subdivides the plot, which is not shown on the plans. I have considered the appeal on the basis of the plans before me.

Background and Main Issues

3. The description of development was agreed during the validation of the application to the 'erection of outbuilding to be used as habitable accommodation in connection with the main dwelling (retrospective)'. However, the reasons for refusal refer to a 'proposed dwelling', the Council assess the building as a 'separate dwelling' and the appellants statement refers to a 'new small dwelling house'. On this basis, the parties were asked for views on a revised description of development. Both parties agreed to an amended description; 'the erection of a dwelling house' which is reflected in the banner heading above. I have therefore determined the appeal on this basis. Accordingly, the main issues are:
4. The effect of the development on:
 - the character and appearance of the area; and
 - the living conditions of the occupiers of 91, 93 and 95 Ridge Lane in respect of privacy.

Reasons

Character and appearance

5. Ridge Lane is a residential road characterised by large, detached properties in spacious plots. Dwellings face the road and have good sized verdant rear

gardens. Where outbuildings are within rear gardens, these tend to be small and subservient to the main dwelling. The layout of the houses and their large respective plots positively contributes to the verdant character and appearance of the area. General comings and goings are typically focused to the front of the properties, with more subdued private garden spaces to the rear.

6. The outbuilding is large and introduces a scale of development into the rear garden that negatively affects the prevailing character of private rear gardens containing limited built form. Whilst the materials and accommodation provided would be acceptable and the dwelling occupies less than 50% of the garden, the scale of the building, which has a commensurate width to the main property appears incongruous in this setting.
7. The new dwelling has resulted in the subdivision of the large existing plot, creating two uncharacteristically smaller plots at odds with the prevailing pattern of built form. This awkward arrangement is accentuated by the dwelling having no road frontage.
8. The dwelling introduces an uncharacteristic intensity of use to the rear of 93 Ridge Lane due to occupiers, visitors and deliveries accessing the property. This negatively changes the character of this former subdued private garden area to an active access for a new dwelling.
9. For the reasons given above, I conclude the development has an unacceptable effect on the character and appearance of the area. It is therefore contrary to Policies QD6.2 and QD6.4 of the Watford Local Plan 2021-2038 (WLP). These policies amongst other things require new buildings to include active frontages, the scale and massing of buildings to relate to local context and development to reflect the character of an area.
10. Reference is made to Policy H03.10 of the WLP but this refers to the nationally described space standards, building regulations and dementia friendly design principles. These matters are not relevant to this main issue.

Privacy

11. The dwelling is positioned at the end of the rear garden of 93 Ridge Lane between Nos 91 and 95. The side boundaries with 91 and 95 are demarcated by brick walls. The dwelling has bifold doors on its front elevation and windows either side of the doors.
12. The habitable rooms between the appeal dwelling and 93 Ridge Lane face one another. There is currently a fence in place between the dwellings which does not form part of the appeal, but nevertheless demonstrates that it would be possible to maintain privacy between the dwelling and the main property. Accordingly, the retention of this fence or securing details of an alternative, could be dealt with by condition to overcome privacy issues between these properties. I have not pursued this given that I am dismissing the appeal for other reasons.
13. The impact on 91 and 95 Ridge Lane is limited. This is because the boundary walls restrict views of the ground floor and rear gardens of these properties from the dwelling. As a result, the only views of 91 and 95 Ridge Lane from the dwelling would be of the first floor rear and side facing windows. However, this view is oblique, at a distance and would be no different from views when

stood in the garden looking towards a neighbouring property. This is not an uncommon situation between neighbouring properties and in my view would not unacceptably affect the privacy of the occupiers of No 91 and 95 Ridge Lane.

14. For these reasons, I conclude that the development has an acceptable effect on the living conditions of the occupiers of 91, 93 and 95 Ridge Lane. As such, it would not conflict with the aims of the Residential Design Guide 2016 insofar as it seeks for development to have an acceptable impact on privacy.

Other Matters

15. Reference is made to Strategic Policy QD6.1 but its relevance is unclear as there is no reference to which of the three areas the appeal site lies within.
16. The appellants statement advises that the dwelling is required to fulfil the needs of a growing family and provide temporary shelter whilst the main dwelling is being renovated or constructed anew. However, there is no supporting evidence before me detailing plans to renovate or rebuild the main dwelling. Additionally, it has not been demonstrated that the appeal scheme is the only way that the needs of the growing family can be met.
17. Reference is made to the Permitted Development Technical Guidance, but this would not be relevant to an application for a new dwelling requiring planning permission.
18. Paragraph 123 of the National Planning Policy Framework (The Framework) refers to promoting an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Whilst the development provides a new home, given the harm to the character and appearance of the area identified, it fails to improve the environment and as such this aim of the Framework is not met.

Conclusion

19. The development conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Accordingly, for the reasons given above the appeal should be dismissed.

V Goldberg

INSPECTOR