



Appeal Decision

Site visit made on 3 January 2025

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

an Inspector appointed by the Secretary of State

Decision date: 17th February 2025

Appeal A Reference: APP/Y1945/D/24/3350024

18 Eastfield Avenue, Watford, Hertfordshire WD24 4HG

- 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 Miss E. A. Cirdei against the decision of Watford Borough Council.
 - The application reference is 24/00515/FULH.
 - The development proposed is described in the application form as follows: *"First-floor rear infill extension. Improve the state of the staircase and update it to the standard building regulations. Installing a bathroom on the ground floor. Improving the state of the house and the bedroom size, There is no private/ direct access to bedroom 3".*
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Appeal B Reference: APP/Y1945/D/24/3351136

18 Eastfield Avenue, Watford, Hertfordshire WD24 4HG

- 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 Miss E. A. Cirdei against the decision of Watford Borough Council.
 - The application reference is 24/00594/FULH.
 - The development proposed is described in the application form as follows: *"The erection of a single-storey rear extension which would extend beyond the rear wall of the original house by 6.00m, for which the maximum height would be 2.90m and for which the height of the eaves would be 2.90m".*
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary points

3. In the planning application form for each of these two proposals, the "Description of Proposed Works" includes some unnecessary detail. The nature of the proposals can more clearly and succinctly be expressed as set out in the Council's decision notices. For appeal A, the proposed development is described as "Erection of First Floor Infill Extension". For appeal B, the proposed development is described as "The erection of a single-storey rear extension".
4. The National Planning Policy Framework was revised in December 2024 but, in this instance, the issues most relevant to the appeal remain unaffected by the revisions that have been made to it. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action. In this appeal, I have had regard to the most recent version, of course.

Main issues

5. The first main issue to be determined in both of these appeals is the effect of the proposed development on the character and appearance of the host building and its surroundings. The second is the effect of the proposed development on the residential amenities of neighbours (whether unacceptable harm would be caused by loss of light or loss of outlook in each case).

Reasons

6. The appeal site is located in a built-up residential area of Watford, to the north-east of the town centre. This part of Eastfield Avenue is characterised by semi-detached pairs of houses, although many have been extended and altered over the years to create a more closely built-up frontage. Furthermore, many of the houses have provision for off-street parking on their frontages. This creates a rather hard urban townscape, in spite of the fact that the streetscene is softened by mature trees within the footpaths either side of the road.
7. Number 18 Eastfield Avenue is one of a pair of semi-detached houses (with number 20) at the junction with Tavistock Road. Due to its closeness to the junction, the rear of the houses is clearly visible from the side road.
8. The pair is traditional in design, with some Tudor-style details, primarily of rendered walls under a pitched, tiled roof. Other pairs in the street are similar. This pair has a large, shared gable feature on the front elevation and each of the two houses has a two-storey rear projecting outshot. The site of number 18 is narrower than that of number 20, which is a corner plot, but it also has access to Tavistock Road, through a strip of land at the rear that includes an outbuilding. Number 20 has been significantly extended at the side, alongside Tavistock Road, but the single-storey flat roofed side extension is broadly in keeping with the character of the surroundings.
9. Two separate and different proposals are now put forward for extensions to number 18 Tavistock Road. The first, to which Appeal A relates, is for a first-floor extension, above an existing area on the ground floor. The second, to which Appeal B relates, is for a ground-floor extension, projecting from the rear of the existing rear outshot, further into the back garden of the house.
10. The 'National Planning Policy Framework' 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 in new development.
11. An emphasis on the importance of encouraging good design more generally is also to be found in the Development Plan. In particular, Policies QD6.1, QD6.2 and QD6.4 of the 'Watford Local Plan 2021-2038' underpin the aim of achieving good design, including specific criteria for achieving well designed buildings that reflect the character of the area. Local Plan Policy CC8.5 is particularly directed towards protecting the amenities of occupants of adjoining land.

12. The Council's 'Residential Design Guide' (which was adopted in 2014 and amended in 2016) is also relevant and it underpins Policies in the Development Plan, although it does not have the same statutory force.
13. The proposed "first-floor infill extension" identified in Appeal A would be built over part of the existing kitchen that itself may well have been an infill construction on the ground floor, between the two-storey rear outshot and the side boundary of the property.
14. The new construction would be topped by a flat roof at approximately the level of the existing eaves and it would be discordant with the traditional character of the existing building and its roof form. The new flat-roofed extension at high level would be visible from Tavistock Road and from nearby properties and it would be visually intrusive and ungainly. Thus, it would conflict with policies that promote good design.
15. It is also necessary to consider the impact of the proposed extension on the amenities of the neighbouring property at number 20. There is an existing single storey extension at the rear of number 20, but the proposed new first floor extension at number 18 would have an impact on the outlook from the rear of number 20, at first floor level. A first floor window at the rear of number 20 can be seen from Tavistock Road and it is clear that the new extension would have an effect on outlook. The window at number 20 would face its own rear garden across the roof of the ground floor element, between two flanking walls.
16. Nevertheless, I am not convinced that the outlook would be unacceptable in its urban context. Both the new extension at number 18 and the existing outshot at number 20 would encroach on the outlook from the window and would infringe the "45° line" that is referred to in the design guidance. This should not be interpreted as a strict "rule", however, and in the circumstances of this case I am convinced that, on balance, the effect on the neighbours' outlook, in itself, would not justify a refusal of planning permission.
17. To summarise, in respect of Appeal A, I am convinced that the proposed first floor infill extension would cause undue harm to the character and appearance of the host building and its surroundings and that it is unacceptable in planning terms, therefore. Although the first floor extension would have an impact on the residential amenities of neighbours at number 20 (as a result of loss of light or loss of outlook), the impact would have been acceptable in an urban context.
18. Appeal B concerns a proposed ground-floor extension, projecting from the rear of the existing house. It would extend into the back garden of the house, with a six-metre wall along both side boundaries. Its maximum height is given as 2.8 metres on the submitted drawing of the proposed elevations (although the application form indicates that it could be higher).
19. The proposed single-storey extension would have only a limited effect on the character and appearance of the surroundings and, although it would add a significant bulk to the volume of construction on the appeal site, it would not harm the architectural qualities of the existing house.
20. On the other hand, it would have a significant impact on the amenities of the neighbouring properties either side. The construction of long, high, blank walls on the joint boundaries would be oppressive and unsightly. In the case of number 16,

the new extension would seriously overshadow the garden immediately to the rear of that house, for a significant part of the year. In this case, I am convinced that the proposed extension, of the scale currently proposed, would cause real harm to neighbours' amenities, by reason of loss of light and loss of outlook and in consequence of its unnecessarily oppressive impact.

21. In respect of Appeal B, therefore, I am convinced that the proposed single-storey rear extension would not cause undue harm to the character and appearance of the host building and its surroundings. It would, however, cause unacceptable harm to the residential amenities of neighbours, especially at number 16 Eastfield Avenue, and I am convinced that it ought not to be allowed, therefore.
22. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and each of the current proposals would make a useful addition to the existing house. For the reasons given, however, and having regard to the Development Plan and other planning policies, I have concluded that the benefits of the schemes are clearly outweighed by the objections that I have identified and that both these appeals must fail. Although I have considered all the matters that have been raised in the appeal submissions, I have found nothing to cause me to alter my decision.

Roger C. Shrimplin

INSPECTOR