



Appeal Decision

Site visit made on 29 July 2025

by **G Sylvester BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19th August 2025

Appeal Ref: APP/Y1945/W/25/3364487

Land rear of 750 St. Albans Road, Watford WD25 9FH

- 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 Reekhay Investment Limited against the decision of Watford Borough Council.
 - The application Ref is 25/00043/FUL.
 - The development proposed is the demolition of existing bin and bike store and the erection of a single storey studio bungalow and erection of new communal bin store.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing bin and bike store and the erection of a single storey studio bungalow and erection of new communal bin store at Land rear of 750 St. Albans Road, Watford WD25 9FH, in accordance with the terms of the application, Ref 25/00043/FUL, and subject to the conditions in the attached schedule.

Main Issues

2. The main issues in this appeal are the effect of the proposed development on:
 - the character and appearance of the area, and
 - the living conditions of the occupants of the flats within Number 750 St. Albans Road, with particular regard to the size and shape of the retained outdoor amenity space.

Reasons

Character and appearance

3. The area of the appeal site is broadly reflective of character area 18C of the Watford Character Area Study, Adopted December 2011. It describes this area of the Town as largely made up of interwar two storey semi-detached houses that display a strong degree of visual consistency, along with various larger 3 storey flatted developments along St Albans Road.
4. Most buildings fronting First Avenue are two storey semi-detached dwellings set in closely spaced rows. However, the heights and sizes of buildings in the area of the appeal site and close to the junction with St Albans Road are more variable. These include the 3 storey buildings at Number 750 St Albans Road and Beken Court, the latter a substantially sized building, the modestly sized dormer bungalow at Number 750A St Albans Road and the small storage building on the appeal site.

5. The façade of the proposed dwelling would respect the established building line, and its domestic style door and window would result in an obvious residential appearance that would clearly relate to the residential character of the area. Whilst it would erode a small part of the spacious gap between the flanking buildings at Numbers 750 and 750A, this would not be visually harmful as wide gaps would remain and most gaps between buildings in the street scene appeared narrower.
6. The proposed dwelling would be smaller than the buildings at Number 750 and 750A, yet larger than the building to be replaced. However, the differences between their roof levels would not be jarringly abrupt, particularly given the spaces that would remain between them. The transition between the roof level of the proposed dwelling and that of Number 750A would be relatively gentle.
7. Overall, given the variation in the heights and widths of buildings in the area, and the space that would remain around the proposed dwelling, I find that it would be sympathetic to the established residential character and appearance of the area.
8. Taking all the above into account, the siting, scale, proportions and domestic appearance of the proposed dwelling would be consistent with the guidance in the Watford Residential Design Guide, Adopted 2014 and Amended 2016 (“the WRDG”), insofar as it advises that development should respect the established character and appearance of an area, including through building forms, heights and building lines.
9. For those reasons, I conclude on this main issue that the proposed development would not be harmful to the character and appearance of the area. Consequently, it would be consistent with Policies QD6.1, QD6.2 and QD6.4 of the Watford Local Plan 2021-2038 (“the WLP”) insofar as they require development of a high quality design that reflects and reinforces the character of an Established Area, including through the scale, proportions and footprints of buildings.
10. For the same reasons it would be consistent with Paragraph 135 of the National Planning Policy Framework (“the Framework”) insofar as it requires planning decisions to ensure that developments are sympathetic to local character and the surrounding built environment.

Living conditions

11. The evidence indicates that the proposed dwelling would be built on part of the communal outdoor amenity space serving the upper floor 1-bed flats within the block fronting St Albans Road at Number 750. The ground floor flat has its own private outdoor amenity space. Based on the Council’s figures the proposed development would reduce the size of the communal space from some 78 to 28 square metres, which would also accommodate refuse and cycles.
12. WLP Policy HO3.11 supports the provision of shared private outdoor amenity space, which should be provided on development’s comprising of more than 10 flats. However, this proposal is not for flats and the Policy does not provide minimum quantitative space standards for shared private outdoor amenity space. Therefore, in assessing the acceptability of the size of the retained communal outdoor amenity space in this appeal, I have used the Policy’s minimum space standards for non-shared private amenity space as an indicator. The quantitative space standards in the WRDG are different to those in the more recent WLP and

they do not have the weight of policy. Consequently, I attach significantly greater weight to the WLP in my assessment of this matter.

13. In this instance, the retained shared private outdoor amenity space for the existing upper floor 1-bed flats would, in my judgement, be of a practical shape to establish a modest seating area for relaxation or for domestic activities like drying clothes, and for storage of bins and cycles. Those 1-bed flats would be expected to have low occupancy levels. The size of the retained space would be broadly consistent with the minimum private outdoor amenity space standards in WLP Policy HO3.11 for either 2 x 1-bed houses or a single 2-bed house. It would also exceed the minimum standards for private outdoor amenity space for 2 x 1-bed apartments and would be well screened by fencing offering a good standard of privacy.
14. I therefore conclude on this main issue that the appeal proposal would not harm the living conditions of the occupants of the flats within Number 750 St Albans Road, with particular regard to the size and shape of the retained outdoor amenity space. As such, the appeal proposal would be consistent with WLP Policies QD6.4 and HO3.11 insofar as they support the provision of shared private outdoor amenity space and its benefits to the health and well-being of users.
15. For the same reasons the proposed development would be consistent with paragraph 135 of the Framework insofar as it requires planning decisions to ensure that developments create places which promote health and well-being, with a high standard of amenity for existing and future users.

Conditions

16. I have considered the Council's suggested planning conditions against the tests for imposing conditions set out in the Framework and the Planning Practice Guidance (PPG). Where necessary, I have amended the wording of the suggested conditions to ensure compliance with the tests.
17. In the interests of certainty of the planning permission granted, it is necessary to specify the approved plans. In the interests of the character and appearance of the area, the external materials of the proposed dwelling need to be approved, and the development landscaped appropriately, including securing satisfactory bin storage facilities. However, I have omitted the lists of details relating to external materials and components of the landscape scheme, not because they were necessarily unacceptable, but to give the parties flexibility over the details that need to be addressed.
18. To meet relevant development plan policies, it is necessary to ensure adherence to optional accessibility and water efficiency standards under the building regulations. To encourage cycling as a sustainable transport mode it is necessary to ensure that suitable storage for them is provided.
19. The approved dwelling would occupy modest grounds near to buildings that are markedly larger. Considering Framework Paragraph 55, the evidence before me does not amount to clear justification, on the grounds of safeguarding the area's character and appearance, for the removal of national permitted development rights for small scale domestic development. Therefore, I have not done so in this instance.

20. The PPG¹ advises that any permission granted will be subject to the deemed biodiversity gain condition under separate statutory provisions² and therefore it should not be included in the list of conditions imposed in the written notice when granting planning permission.

Conclusion

21. For the reasons given above, I conclude that the appeal proposal is consistent with the development plan when read as a whole. There are no other material considerations, including the provisions of the Framework, to indicate otherwise. Consequently, the appeal is allowed and planning permission granted, subject to the attached conditions.

G Sylvester

INSPECTOR

¹ Paragraph: 024 Reference ID: 74-024-20240214

² Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended).

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: A22-084-SLP001; A22-084-SP001; A22-084-PL001; A22-084-PL002.
- 3) No development above ground floor slab level shall be carried out until details of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) The dwelling hereby permitted shall not be occupied until details of hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The approved landscaping scheme, except for the planting, shall be completed prior to occupation of the development. The approved planting shall be completed not later than the first available planting and seeding season after completion of the development. Any new trees or plants which within a period of five years, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the local planning authority.
- 5) The development hereby permitted shall not be occupied until the bin and cycle storage facilities shown on the approved drawings have been installed in accordance with details that have first been submitted to and approved in writing by the local planning authority. The approved facilities shall thereafter be retained.
- 6) The development hereby permitted shall be constructed to The Building Regulations (2010) Access to and Use of Buildings, Approved Document M (2015 as amended), Volume 1: Dwellings, M4(2): Accessible and adaptable dwellings.
- 7) The development hereby permitted shall be constructed to meet the water efficiency optional requirement of 110 litres of water per person per day, as set out in The Building Regulations (2010) Approved Document G, Requirement G2 and Regulation 36.

End of schedule