



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/25/3362617

274A St. Albans Road, Watford WD24 6PE

- 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 Constantin Aursului against the decision of Watford Borough Council.
 - The application Ref is 24/01107/FUL.
 - The development proposed is a single storey rear extension to existing restaurant to provide seating area for customers.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. There is an existing structure on the appeal site which consists of blockwork walls, pillars and a concrete hardstanding. It is not shown on the existing drawings, and I have not been made aware of its planning status. For the avoidance of doubt, I have assessed the proposal on the drawings before me.

Main Issues

3. The main issues in this appeal are the effect of the proposed development on (i) the character and appearance of the host property and area, and (ii) the occupants and users of nearby properties with particular regard to outlook, and noise and disturbance.

Reasons

Character and appearance

4. The appeal site is land at the rear of a ground floor restaurant that is set within a row of traditional period style terraced buildings in mixed commercial and residential uses that front St Albans Road. The rear gardens and outdoor spaces of those buildings back onto the rear gardens of the period style dwellings that front Sandringham Road. There is a regular pattern of outdoor spaces between those buildings. The rear elevations of the buildings on St Albans Road and Sandringham Road follow a broadly consistent building line, often with a regular pattern of two storey gabled outriggers. This gives them a distinctive appearance in views from their outdoor spaces and gardens.
5. The environment between the backs of the buildings fronting St Albans Road and Sandringham Road is therefore characterised by a well ordered and visually consistent pattern of buildings and spacious outdoor spaces, reflective of its period of development. Although not visible from the public roads and footways, this area

can nonetheless be seen by the many members of the public that occupy those properties. There is also a discernible change in character from the mixed use buildings on St Albans Road, to the exclusively residential character on Sandringham Road.

6. The proposed extension would cover almost the entirety of what the existing drawings indicate would have been open land at the rear of the appeal property. Although not visible from St Albans Road, it would be clearly visible from a sizeable number of windows and gardens of several nearby properties. In those views, the size of the proposed extension would be visually dominant and disproportionate to the host building and those in the area. It would appear as a visual intrusion into the spacious outdoor environment between the backs of the buildings fronting St Albans Road and Sandringham Road, where it would disrupt the broadly consistent pattern and line of their rear elevations, and blur the distinction between the residential and mixed-use buildings.
7. The existing single storey rear wings that project off the rear outriggers of a number of buildings in this area are considerably smaller than the appeal proposal. As such they would not justify its harmful effect on the character and appearance of the host property and area.
8. For these reasons, the proposed development would be significantly harmful to the character and appearance of the host property and area, contrary to Policies QD6.2 and QD6.4 of the Watford Local Plan 2021-2038 insofar as they require well designed buildings that reflect the character of an area in terms of their scale, massing, proportions and footprints. For the same reasons it would be contrary to 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

9. The proposed extension would extend a considerable distance from the rear wall of the host building and along the full length of the common boundary with the outdoor area of Number 272 and alongside the entirety of the rear garden of Number 276A. Number 272 appears to be in a comparatively less sensitive use as a food and drink establishment with an outdoor seating area. Number 276A appears to be a residential unit at the rear of a shop with a garden that is separated from the appeal site by a narrow communal path.
10. The proposed extension would be clearly visible from the flanking properties given the combination of its height, length and position along the side boundaries. In those views it would have a dominant and overbearing effect on the occupants of Number 276A, in views from their garden area, resulting in a moderate degree of harm to their living conditions. There would also be some limited harm through visual intrusion to the users of Number 272, in views from the outdoor seating area.
11. The scale of the proposed extension would be expected to lead to a sizeable increase in customer occupancy levels at the appeal property. This would lead to an intensification of the activities intrinsic to its use in a position closer to nearby residential properties and a likely increase in noise levels. The appellant has expressed a willingness to submit a noise assessment in response to the concerns raised by the Council’s Environmental Health Officer. However, a noise

assessment is not before me, and I have not been provided with any measures to manage the effects of noise. Therefore, I have determined the appeal on the evidence before me and my experiences at my site visit.

12. Whilst there are a number of commercial uses in the area, I am not aware of their opening times, and the proposed development would be in addition to those. Although my visit was a snapshot in time, I was aware on my visit that background noise levels in the area around the appeal site and nearby gardens were modest, with regular traffic flows being the most noticeable source
13. Noise generated by activities within the proposed seating area would be expected to emanate out from the sizeable number of roof lights, particularly when opened to provide ventilation. Such concerns are raised by nearby residents. To my mind, those activities would likely include noise and disturbance from customers and staff moving around, holding conversations and potentially the playing of music. Opening hours of the premises are not before me and it could be occupied late at night when nearby residents would reasonably expect background noise levels to be lower.
14. No substantive evidence has been advanced to the contrary or to demonstrate that fitting noise attenuating glazing to the roof lights would be effective in mitigating the likely effects of noise and disturbance on nearby occupiers. I am not satisfied on the evidence before me that it would not be necessary for some or all those roof lights to be opened to provide ventilation.
15. For these reasons, I conclude that the proposed development would, on the evidence before me, be harmful to the occupiers of nearby residential properties with particular regard to outlook, and noise and disturbance. As such, it would be contrary to Policy CC8.5 of the Watford Local Plan 2021-2038, insofar as it requires the impacts of development to be managed, including noise effects, to protect the amenity of adjacent land uses and their occupants.
16. There would also be conflict 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.

Other Matters

17. The appeal proposal would provide a facility for customers and would benefit the appellant's business in accordance with the Framework's encouragement for expanding businesses and supporting economic growth.
18. The Council does not expect the proposal to generate an unacceptable additional demand for on-street parking. Even if I were to agree this is not a matter that weighs in favour or against the development. There is limited information before me to demonstrate that the appeal proposal would resolve drainage issues at the site, or that it would be the only means of doing so.

Conclusion

19. The proposal's economic benefits would be outweighed by the significant weight that I attach to its harmful effects on the character and appearance of the host property and area, and the living conditions of nearby occupiers. Those harms bring the proposal into conflict with Policies QD6.2, QD6.4 and CC8.5 of the

Watford Local Plan 2021-2038, and the development plan as a whole. The conflict with the development plan is not outweighed by material considerations, including the benefits of the proposal and the provisions of the Framework. I therefore conclude that the proposed development is not acceptable, and the appeal should be dismissed.

G Sylvester

INSPECTOR