



**WATFORD
BOROUGH
COUNCIL**

DEVELOPMENT MANAGEMENT COMMITTEE

Wednesday, 12th October, 2016

7.30 pm

Town Hall

Publication date: 4 October 2016

Contact

If you require further information or you would like a copy of this agenda in another format, e.g. large print, please contact Ishbel Morren in Democracy and Governance on 01923 278375 or by email to legalanddemocratic@watford.gov.uk .

Access

Access to the Town Hall after 5.15 pm is via the entrance to the Customer Service Centre from the visitors' car park.

Visitors may park in the staff car park after 4.00 p.m. This is a Pay and Display car park. From 1 April 2016 the flat rate charge is £2.00.

The Council Chamber is on the mezzanine floor of the Town Hall and a lift is available. An induction loop is available in the Council Chamber.

Fire /Emergency instructions

In the event of a fire alarm sounding, vacate the building immediately following the instructions given by the Democratic Services Officer.

- Do not use the lifts
- Do not stop to collect personal belongings
- Go to the assembly point at the Pond and wait for further instructions
- Do not re-enter the building until authorised to do so.

Mobile Phones

Please ensure that mobile phones are switched off or on silent before the start of the meeting.

Filming / Photography / Recording / Reporting

Please note: this meeting might be filmed / photographed / recorded / reported by a party other than Watford Borough Council for subsequent broadcast or publication.

If you do not wish to have your image / voice captured you should let the Chair or Democratic Services Officer know before the start of the meeting.

An audio recording may be taken at this meeting for administrative purposes only.

Speaking at Development Management Committee

Only one person will be permitted to speak on behalf of objectors and one in support of a proposal. Precedence to speak in support of the proposal will be given to the applicant or their representative.

In order to speak, a person must register before 12 noon on the day of the meeting by contacting the Democratic Services Team. The contact details are available on the front of this agenda.

If a speaker wishes the Development Management Committee to consider any documentation at the meeting, then it must be submitted to the Democratic Services Team by 12 noon on the day of the meeting.

Committee Membership

Councillor R Martins (Chair)

Councillor S Johnson (Vice-Chair)

Councillors D Barks, S Bashir, N Bell, A Joynes, J Maestas, I Sharpe and M Watkin

Agenda

Part A – Open to the Public

1. **Apologies for absence/Committee membership**
2. **Disclosure of interests (if any)**
3. **Minutes**

The minutes of the Development Management Committee held on 1 September to be submitted and signed.

Copies of the minutes of this meeting are usually available seven working days following the meeting.

All minutes are available on the Council's [website](#).

Conduct of the meeting

The Committee to take items in the following order:

1. All items where people wish to speak to the Committee and have registered to do so by telephoning the Democratic Services Team.
 2. Any remaining items that the Committee agrees can be determined without further debate.
 3. Those applications where the Committee wishes to discuss matters in detail.
-
4. **16/00890/FUL 187 - 189 Harwoods Road, Watford (Pages 5 - 30)**

Retain and refurbish existing properties at 187-189 Harwoods Road to form one 2 bedroom flat and two 3 bedroom flats. Demolish existing main building to rear and erect attached 3 storey building comprising one 1 bedroom flat and five 2 bedroom flats.

5. 16/00946/FUL Land to the rear of 177-187 Gammons Lane, Watford (Pages 31 - 56)

Demolition of existing garages and erection of five houses with associated car parking spaces, integrated garages and the provision for vehicular access and landscaping.

	PART A	Item Number
Report to: Development Management Committee		
To Committee:	Committee Date: 12th October 2016	
Site address:	187 - 189 Harwoods Road Watford, WD18 7RP	
Reference no.	16/00890/FUL	
Description of development:	Retain and refurbish existing properties at 187-189 Harwoods Road to form 1no. 2 bedroom flats and 2no. 3 bedroom flats. Demolish existing main building to rear (former West Watford Conservative Club) and erect attached 3 storey building comprising of 1no. 1 bedroom flat and 5no. 2 bedroom flats.	
Applicant:	Mr Khalid Chaudry 187 - 189 Harwoods Road Watford, WD18 7RP	
Date received:	21st June 2016	
8 week date (minor):	14th October 2016	
Ward:	Vicarage	

1. Summary

The West Watford Conservative Club has stood vacant for six years. It stands on the corner of Harwoods Road and Princes Avenue, and it is not protected by any special planning designations. It consists of two former Victorian houses with an extension to the rear that is larger than the houses to which it is attached.

Planning permission was granted in 2012 for a scheme that would have involved demolishing the extension and replacing it with a three storey building to contain sheltered housing, but that permission expired without having been implemented.

The current application similarly involves demolishing the extension and erecting a three storey building, but it would consist of nine self-contained flats. The principal of the development is considered acceptable, as is the design. Whereas the plans that were initially submitted would have threatened the privacy of neighbouring gardens to the rear,

the revised plans would not cause any significant harm to the amenity of the neighbours. The site is suitable for car-free living, and the new flats will not be eligible to claim any permits for the local Controlled Parking Zones so they should not cause any increase in parking congestion in the area. The flats are all large enough to provide an adequate standard of accommodation.

The Development Management Section Head recommends to the Committee that the application be approved as set out in the report.

2. Background

In October 2012 planning permission 12/00855/FUL was granted for the demolition of the former West Watford Conservative Club and number 191, and for the erection of a three storey building which was to be a supported living establishment, with a community facility, and also for a loft conversion at 187-193 Harwoods Road. Subsequently some of the conditions of that planning permission were discharged, but the development was not carried out and the permission has now expired.

3. Site and Surroundings

The site is the former West Watford Conservative Club, which was a private political and social club. Its ground floor consisted mainly of a private bar, and there were other rooms upstairs on the first floor. It occupied two former Victorian houses which front onto Harwoods Road, and a large extension was built onto the back of those. Because this site is on a street corner, that extension faces onto Princes Avenue. The extension is considerably larger and taller than the original buildings that it is attached to, and it can only be described as ugly. It does not respect the character of Princes Avenue – its style is out of place, it presents a dead windowless frontage to the street, and its building line stands forward of the main building line of the Victorian houses, making it all the more obtrusive.

The premises have stood empty since 2010, and parts of the bar, including some of its floor boards, have now been removed. There is a small flat at first floor which is for a caretaker. That has a door onto Princes Avenue. Planning permission has not been granted for that flat, and we were unaware of it until recently.

There are no special Planning designations on this site. It is not locally or nationally listed, it is not in a Conservation Area, there are no Article Four Directions on it, and there are no protected trees here.

The site is opposite a primary school and close to Whippendell Road, which has some local

shops. Whippendell Road is a bus route. The site is within walking distance of the town centre.

This side of Harwoods Road is covered by a Controlled Parking Zone (CPZ) that currently applies only on days when matches are played at the nearby stadium. The opposite side of Harwoods Road is covered by a full CPZ. Consultations have recently been carried out which have established that a majority of residents are in favour of the match-day CPZ being changed to a full CPZ. A final round of consultation is now underway on the precise details of how that full CPZ will be designed.

4. Proposed Development

Full planning permission is sought for the demolition of the large extension behind 187-189, and for the erection of a new three storey building there. Its crown roof would be 1.4m lower than the existing building's ridge, and it would be set back further from Princes Avenue, so that it would be in line with the terraced houses, rather than standing in front of them as the existing building does. The two former houses at 187-189 are to be retained and refurbished, and converted into three flats. The new building would contain a further six flats. A range of one, two and three bedroom flats are proposed.

There would be a small communal garden at the rear. A secure storage area with gates onto Princes Avenue would contain bin store and bicycle racks.

5. Planning History

The site has an extensive planning history going back to the 1950s. The most relevant records are:

12/00855/FUL – Conditional planning permission was granted on 23.10.2012 - Demolition of Former West Watford Conservative Club and No.191 to provide Three Storey Supported Living Development with Community Facility and Loft Conversion to No.193 at 187-193 Harwoods Road

16/00602/PREAPP - A letter of advice was sent on 19.05.2016 by Team Leader Paul Baxter. The proposal was similar to that which has been submitted with the current application, and the assessment of it was generally positive.

6. Relevant Policies

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and seeks to make the planning system less complex and more

accessible, to protect the environment and to promote sustainable growth. The NPPF was published on 27th March 2012 and is a material consideration in planning decisions. It does not change the statutory status of the development plan as the starting point for decision making. Planning Policy Guidance Notes and Statements have been cancelled and replaced by the NPPF. Particularly relevant sections are:

- Requiring Good Design
- Decision Taking

The Development Plan

In accordance with s.38 of the Planning and Compulsory Purchase Act 2004, the Development Plan for Watford comprises:

- (a) *Watford Local Plan Part 1: Core Strategy 2006-31 (adopted Jan 2013)*
- (b) the continuing “saved” policies of the *Watford District Plan 2000*
- (c) the *Hertfordshire Waste Core Strategy And Development Management Policies Document 2011-2026*
- (d) the *Hertfordshire Minerals Local Plan Review 2002-2016*

Watford Local Plan, Part 1: Core Strategy 2006-2031

This document was adopted on 30th January 2013. The following sections are particularly relevant to this case:

- SD1 Sustainable Design
- SS1 Spatial Strategy
- UD1 Delivering High Quality Design

The Watford District Plan 2000 (saved policies)

Many of the policies in this plan were replaced on 30th January 2013 when the Watford Local Plan, Part 1 was adopted, but some of them were saved. The following saved policy is relevant:

- CS3 Loss of Community Facilities
- T26 (Car Free Residential Development)

Hertfordshire Waste Core Strategy And Development Management Policies Document 2011-2026

There are no policies that are relevant to this case.

Hertfordshire Minerals Local Plan (saved policies)

There are no policies that are relevant to this case.

Supplementary Planning Guidance

The following Supplementary Planning Documents are relevant to this application:

Residential Design Guide (SPD adopted July 2014)

Background Documents

Technical Housing Standards – Nationally Described Space Standard (Department for Communities and Local Government 2015).

Watford Borough Council has formally adopted these standards in 2016. They are included in the Residential Design Guide supplementary planning document (updated Aug. 2016) sections 7.3.5 to 7.3.8.

7. Consultations

7a. Neighbour consultations

38 notification letters were sent to neighbouring and nearby properties. Responses were received from ten people, all of which were objections. A summary of the points that were raised is included in the section of this report below entitled Consideration of Objections Received.

7b. Statutory consultations

Hertfordshire County Council were consulted in their capacity as the **Highway Authority**. The following comments were received from them on 26.07.2016

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Condition 1. Prior to the commencement of the site works the applicant shall submit a construction management plan setting out details of parking for all contractors, sub-contractors, visitors and delivery vehicles, storage of materials to be approved in writing by the Local Planning Authority in consultation with the Highway Authority and that area shall be maintained available for use at all times during the period of site works.

Reason;- To minimise danger, obstruction and inconvenience to users of the highway.

Advisory Note.

AN1. Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

Reason: This is to minimise the impact of construction vehicles and to improve the amenity of the local area.

AN2. The developer should be aware that the required standards regarding the maintenance of the public right of way and safety during the construction. The public rights of way along the carriageway and footways should remain unobstructed by vehicles, machinery, materials and other aspects of construction works.

Reason: In the interest of highway users safety

Details: Planning Application'

Application is for retention and refurbishment of existing properties at 187-189 Harwood Road to form 1 no 2 bed flats and 2 no 3 bed flats, the demolition of the main building to the rear of former West Watford Conservative club and the erection of an attached 3 storey building comprising of 1 no 1bed flat and 5 no 2 bed flats.

Site and surrounding

The site is located in West Watford on the north-west corner of the junction between Harwood Road and Princes Avenue. The local area is a line of Victorian terraced residential properties with narrow roads and no off-street parking facilities.

Local Road Network

Harwood Road is a key road in West Watford linking A412 Rickmansworth Road and A4145 Vicarage Road forming a junction with A4145 near the Watford Health Campus main entrance. Harwood Road also form a cross road junction with Whippendell Road between it junctions with A412 band A4145. Harwood Road is approximately 806m in length two-way road with residential permit holders parking on either side or double yellow line parking restriction at junctions. Harwood Road also partially traffic calmed by means of speed tables.

Princes Avenue is a local access road, a one-way with no entry from Harwood Road. This enables residential on-street parking on both sides.

Accessibility.

The site is in a highly sustainable location and near to various shops within walking distance. Majority of the shops are near Harwood Road junction with Whippendell Road and most shops are within few minutes walking distance from the site. Whippendell Road, Vicarage Road and Rickmansworth Road are all major bus routes within West Watford and they are within few minutes walking distance from the application site. The local area is well served by buses and easy access to Watford Town Centre and railway

station by a short ride by buses. There are opportunities for residents to use all modes of transport and the access to all the necessary facilities.

Access and Parking

The character of the site and due to constraints of its location there are no off street parking facilities for the site. Due to constraints of the site and accessibility the applicant's proposal is not to provide on-site parking for the development. New 9 residential units will attract some additional trips to the local road network

On-site parking is a matter for the planning authority. The local area falls within a match day parking zone which restrict on-street parking for permit holders on match days. On-street parking is unrestricted outside match days.

Conclusion

The Highway Authority does not wish to restrict the grant of consent subject to the above conditions and advisory notes.

8. Appraisal

8a. Change of use to residential

In October 2012 planning permission 12/00855/FUL was granted for the demolition of the former West Watford Conservative Club and number 191, and for the erection of a three storey building which was to be a supported living establishment, with a community facility, and also for a loft conversion at 187-193 Harwoods Road. Subsequently some of the conditions of that planning permission were discharged, but the development was not carried out and the permission has now expired. In considering the current application we should bear in mind that we have already deemed the demolition of most of the building to be acceptable, and that we have deemed the conversion to a residential use to be acceptable (albeit that was for supported living, whereas in this case self-contained flats are proposed).

It is true that a political club will be lost. It was a private club that could be hired for functions. Saved Policy CS3 of the Watford District Plan 2000 seeks to resist the loss of community facilities unless certain criteria are met. However in this case the club was not open to the general public as it was a private members club, so it provided only a limited community function. Its ground floor contained a private bar and there were other rooms on the first floor. It is now six years since it last operated and there is no realistic prospect of it being brought back into use. The Design and Access Statement points out that there

are other social facilities in the area: such as the Multi-Cultural Community Centre on Durban Road West and the West Watford Community Centre on Harwoods Road or the West Watford Sports Club on Park Avenue.

This is a residential area, so there is no reason why flats should not be acceptable here. The properties in the area are mainly houses, so the addition of nine flats will add some variety to the housing provision. A mixture of one, two and three bedroom flats are proposed, which will provide a range of accommodation, including for families.

8b. Demolition

The demolition of the extension is to be welcomed as it is an unattractive, poorly designed building which presents a largely windowless dead frontage to Princes Avenue, and which shows no respect for the character of that street, which consists of Victorian terraced houses. The Council have already granted planning permission in 2012 (albeit it has now expired) for the demolition of this structure.

8c. Design

The proposal is to retain and refurbish the two former Victorian houses at 187-189 Harwoods Road, and to convert them into three flats – one on each floor. This is to be welcomed, as it will retain the original Victorian character of the site as it is seen from Harwoods Road, and it will be in keeping with the character of that street.

The proposed new building is designed to be the same height as the terraced houses of Princes Avenue. It will have a crown roof with a flat top. Crown roofs are not a feature of the area, but in this case it will not be obvious from the street, from where it will be perceived as a lateral ridge. Drawing PL-187-4000 revision A, includes a red line showing (if a scale measurement is taken) that the new crown roof would be 1.4m lower than the ridge of the existing building.

The new building will have a pleasing symmetry, focused around a large and welcoming communal front entrance. Its frontage will be red brick walls to reflect the red brick frontages of the Victorian houses in Princes Avenue (albeit many have now been painted or rendered over) interspersed at regular intervals by five double storey bays to replicate (in a modern style) the front bays that characterise the Victorian houses, continuing the rhythm of the street. The design respects and acknowledges the character of the street, without attempting to pastiche it. It will be a modern building that will sit comfortably in a Victorian street.

8d. Windows

As this development will stand on a corner site, it will be quite noticeable, and it is

important that durable high quality materials are used. The application form states that the windows are to be white UPVC, but the planning officer has discussed this with the agent and agreed that powder coated aluminium frames are preferable. Although the frames would be white on the elevation facing Harwoods Road, to reflect the traditional style of the refurbished building there, the new building facing Princes Avenue would have grey window frames to match its modern style. Those would be top-hung, opening outwards, with their lower panels fixed. Grey window frames are available in UPVC, but they tend to be bulkier and they often fade in the sunlight, whereas powder coated aluminium frames are slender and they never fade.

On the revised drawings that were submitted on 13.09.2016 the fenestration in the rear elevation has been redesigned to protect the privacy of the private neighbouring gardens behind the site, which would have been overlooked by the design that was initially submitted with this application. On the amended design the rear windows will serve kitchens and bathrooms (which do not need an outlook) rather than bedrooms or lounge areas (which would need one). This means that the kitchen windows can be at a high level so that no one will be able to see out of them, and the bathroom windows can be obscurely glazed, with only their upper sections (at least 1.7m above the floor) being openable.

8e. Walls

The new building is to be finished in red bricks at the front and the back, except for the bays which are to be smoothly rendered in white. A condition can be applied to require the submission of brick samples for the Council's approval, to ensure that it will sit well within the street-scene.

A mistake has been made on the elevation drawing PL-187-4000 regarding the finish of the flank wall of the existing building that is to be retained. In fact it is currently rendered, whereas a note on the drawing states that the "existing brickwork" is to be retained. The planning officer has discussed this with the agent, who has acknowledged the mistake and confirmed that the intention is for that flank wall to be rendered in white to match the render on the front of the retained historic building which faces Harwoods Road. This is considered acceptable and it can be controlled by a condition.

8f. Roofs

The proposal is that the pitched roofs will be clad in tiles to match the existing. The dormers will be clad in lead. These materials are considered acceptable.

The material in which the flat section of the crown roof is to be clad has not been specified; but as that will not be visible, the developer can be left to choose the material that they think best; there is no need to control it by a condition.

8g. Internal space standards

The government’s document *Technical Housing Standards – Nationally Described Space Standard* (Department for Communities and Local Government, March 2015) sets out the minimum internal space standards that the government considers acceptable for residential developments to ensure that an adequate standard of accommodation is provided. Watford Borough Council have adopted these standards, and they are set out in the Residential Design Guide supplementary planning document (2016) sections 7.3.5 to 7.3.8. These new national standards have replaced the local standards that had previously been set out in the 2014 version of the Residential Design Guide.

FLAT 1

This would be on the ground floor of the original two terraced house fronting Harwoods Road. It would be 3 bedroom flat, and a note on the plan states that it would be intended for up to 5 people.

Room	Required	Proposed	Complies?
Gross internal area	86m ² For a 3 bedroom home to accommodate 5 people, where there is no staircase in the flat.	90m ²	Yes
Bedroom 1	11.5m ² for a double	13m ²	Yes
Bedroom 2	7.5m ² for a single	10m ²	Yes
Bedroom 3	13m ² for a double	13m ²	Yes

FLAT 2

This would be on the first floor of the original two terraced house fronting Harwoods Road. It would be 3 bedroom flat, and a note on the plan states that it would be intended for up to 5 people.

Room	Required	Proposed	Complies?
Gross internal area	86m ² For a 3 bedroom home to accommodate 5 people, where there is no staircase in the flat.	98m ²	Yes
Bedroom 1	11.5m ² for a double	13m ²	Yes
Bedroom 2	7.5m ² for a single	10m ²	Yes
Bedroom 3	13m ² for a double	15m ²	Yes

FLAT 3

This would be on the second floor of the original two terraced house fronting Harwoods Road. It would be 2 bedroom flat to accommodate up to 3 people.

Room	Required	Proposed	Complies?
Gross internal area	61m ² For a 2 bedroom home to accommodate 3 people where there are no stairs in the flat.	72m ²	Yes
Bedroom 1	11.5m ² for a double	15m ²	Yes
Bedroom 2	7.5m ² for a single	10m ²	Yes

FLAT 4

This would be on the ground floor of the new building fronting Princes Avenue. It would be 2 bedroom flat to accommodate up to 3 people.

Room	Required	Proposed	Complies?
Gross internal area	61m ² For a 2 bedroom home to accommodate 3 people where there is no staircase within the flat.	67m ²	Yes
Bedroom 1	11.5m ² for a double	12.8m ²	Yes
Bedroom 2	7.5m ² for a single	9.5m ²	Yes

FLAT 5

This would be on the ground floor of the new building fronting Princes Avenue. It would be 1 bedroom flat to accommodate up to 2 people.

Room	Required	Proposed	Complies?
Gross internal area	50m ² For a 1 bedroom home to accommodate 2 people, where there is no staircase within the flat.	51m ²	Yes
Bedroom 1	11.5m ² for a double	14m ²	Yes

FLAT 6

This would be on the first floor of the new building fronting Princes Avenue. It would be 2 bedroom flat to accommodate up to 3 people.

Room	Required	Proposed	Complies?
Gross internal area	61m ² For a 2 bedroom home to	67m ²	Yes

	accommodate 3 people where there is no staircase within the flat.		
Bedroom 1	11.5m ² for a double	13m ²	Yes
Bedroom 2	7.5m ² for a single	9.5m ²	Yes

FLAT 7

This would be on the first floor of the new building fronting Princes Avenue. It would be 2 bedroom flat to accommodate up to 3 people.

Room	Required	Proposed	Complies?
Gross internal area	61m ² For a 2 bedroom home to accommodate 3 people where there is no staircase within the flat.	67m ²	Yes
Bedroom 1	11.5m ² for a double	13m ²	Yes
Bedroom 2	7.5m ² for a single	9.5m ²	Yes

FLAT 8

This would be on the second floor of the new building fronting Princes Avenue. It would be 2 bedroom flat to accommodate up to 3 people.

Room	Required	Proposed	Complies?
Gross internal area	61m ² For a 2 bedroom home to accommodate 3 people where	61.5m ²	Yes

	there is no staircase within the flat.		
Bedroom 1	13m ² for a double	12.1m ²	Yes
Bedroom 2	9m ² for a single	9.5m ²	Yes

FLAT 9

This would be on the second floor of the new building fronting Princes Avenue. It would be 2 bedroom flat to accommodate up to 3 people.

Room	Required	Proposed	Complies?
Gross internal area	61m ² For a 2 bedroom home to accommodate 3 people where there is no staircase within the flat.	61.5m ²	Yes
Bedroom 1	11.5m ² for a double	12.1m ²	Yes
Bedroom 2	7.5m ² for a single	9.5m ²	Yes

8h. Stores

A secure storage area will be located on the ground floor, with double doors onto Princes Avenue. This will contain communal refuse and recycling bins and bicycle racks, with space for one cycle per flat.

8i. Impact on neighbouring properties

Revised drawings were submitted on 13.09.2016, following advice from the planning officer that the original drawings were problematic because they threatened the privacy of the neighbouring gardens to the rear, which belong to several houses on Harwoods Road. The revised fenestration in the rear elevation has been designed to protect the privacy of the private neighbouring gardens behind the site. The rear windows will now serve kitchens and bathrooms (which do not need an outlook) rather than bedrooms or lounge areas (which would need one). This means that the kitchen windows can be at a high level

so that no one will be able to see out of them, and the bathroom windows can be obscurely glazed, with only their upper sections (at least 1.7m above the floor) being openable. The kitchens and bathrooms will still have the benefit of windows to provide natural light and ventilation, but they will not threaten the neighbours' privacy.

The proposed new building will be lower than the existing extension that it will replace. This is shown on drawing PL-187-4000 revision A, where a red line shows that the new crown roof would be 1.4m lower than the ridge of the existing building. The new building will not cause any increase in the degree to which neighbouring properties are over-shadowed.

The existing building stands 2m further forwards than the house next door at 2 Princes Avenue (and all the other terraced houses in the street, which has an even front building line). The result is overbearing towards the neighbours at number 2: when they come out of their front door they are confronted by an oppressive flank wall two metres away, with a large naked metal extractor flue emerging from it. The proposed new building that will replace it will stand level with the neighbour, and in line with the front building line of Princes Avenue; so it will constitute an improvement as far as that attached neighbour is concerned.

The Conservative Club has been vacant for six years, but its lawful use is as a political and social club. It consisted mainly of a bar, and such a use is likely to be noisy. The proposed new flats are likely to be quieter and more neighbourly.

8j. Transport and highways / parking / section 106 unilateral undertaking

This site is located close to local shops, and within walking distance of the Town Centre. A new station is to be built on Ascot Road soon, which will be on the London Underground Metropolitan Line, and that will be within walking distance. There are bus routes running down Whippendell Road nearby. This site is therefore suitable for car-free living, in accordance with saved Policy T26 (Car Free Residential Development) of the Watford District Plan 2000. A secure bicycle store is proposed as part of this development.

The streets nearby all suffer from parking congestion because most of the houses in West Watford are terraced properties without off-road parking spaces, and so almost all of the residents must park on the street. If the residents of the proposed new flats were to have cars they would seek to park them on local streets thereby exacerbating the problems of congestion that existing residents already experience. To prevent this from happening the applicants have submitted (on 22.09.2016) a unilateral undertaking, which is a Section 106 planning obligation, in which they undertake to fund an amendment to the local Traffic Order so as to exclude any of the new flats from any entitlement to claim permits to park

on the local streets, which are covered by a Controlled Parking Zone (CPZ).

The areas on both sides of Harwoods Road are covered by CPZs – on the opposite side it is a full CPZ, whereas on this side it currently applies only on days when football matches are played at the nearby stadium; but that is due to change soon as public consultations have established that a majority of residents are in favour of this side also becoming a full CPZ. A final consultation on the details of how the full CPZ will be laid out is now underway. The effect of the unilateral undertaking will be that anyone who owns a car is unlikely to rent or buy one of these flats because they will be unable legally to park their car in the area at most times.

In the written comments that they submitted, Hertfordshire Highways asked us to apply a condition requiring the developer to submit a construction environment management plan for our approval prior to the commencement of works. However we must be mindful that conditions should only be applied when they are necessary and reasonable. In this case, because the site is small and the building will cover most of it, it is difficult to see what information could be supplied on a construction environment management that is not already obvious, and so there would be little point in requiring one. It is clear that there is only one part of the site (the rear yard) where materials could possibly be stored, and it is also clear that contractors' vehicles cannot be parked on the site. Planning conditions can only be applied to the application site, and not to land outside it. As any vehicle that is taxed and insured can park on a public street, we cannot apply a Planning condition to prevent the contractors from parking on the roads nearby. It is already unlawful for the builders to obstruct the public highway, or to store materials on it without the permission of the Highway Authority, so there is no need to control that through Planning conditions.

9. Consideration of objections received

Responses were received from ten people, all of which were objections. The following table contains a summary of the points that were raised:

Points Raised	Officer's Response
Local residents fear that the building work will be noisy, dusty, disruptive, and that the builders' vehicles will cause congestion and obstructions on local streets.	This is not a valid reason for refusing planning permission – if it were, no new developments could be built in any residential areas. However the Council's Environmental Health team have powers to take action against unreasonable noisy or disruptive work. Obstruction of the highway by builders' vehicles would be a

	highways enforcement matter, rather than being a Planning consideration.
No off street parking is proposed and this will make existing problems of parking congestion on local streets worse. Excluding the flats from the right to claim parking permits will not solve the problem as a CPZ does not apply in the evenings, and that is when congestion is at its worst. Objectors feel that committee members should visit the street at night to understand the problem.	This site is suitable for car-free living. The new flats will not be entitled to claim any permits for the Controlled Parking Zone, and it has already been decided, following consultation with residents, that this area will soon become a full CPZ (subject to a last round of consultation on the precise details of how that will be designed). No one who has a car is likely to rent or buy a flat where it is impossible legally to park their car most of the time.
The additional traffic will endanger children who cross the road. There is a primary school opposite the site.	These are to be car-free flats so there is no reason to suppose that they will increase traffic levels.
A resident of the opposite side of Princes Avenue worries that he will be overlooked from the windows and doors of the new building. The existing building has no windows facing his house.	Those windows would be facing the front of his house, which can already be seen by anyone standing in the street. It is normal and to be expected in a residential street that there will be a building opposite whose windows face your property; this is not unreasonable. The front of a house is its public face.
A three storey building will obstruct sunlight and daylight to neighbours.	The new building will be lower than the existing building that it will replace.
A resident of Harwoods Road fears that the new building will be much taller than the existing building, and so over-looking from it will be worse.	The new building will actually be shorter than the existing building that it will replace. There will be no overlooking of gardens on Harwoods Road – please see above regarding the windows in the rear elevation.
If any of the flats are to be affordable housing they might be inhabited by criminals. A local resident fears for her security.	None of the flats will be affordable housing, as the threshold at which we require that is ten, but only nine flats are proposed. There is no reason to suppose that the residents of affordable homes are any more likely to be criminals than anyone else.
There are double yellow lines on the street junction nearby but people park there	This is a parking enforcement matter rather than being a Planning issue.

anyway, causing a hazard.	
The owner obtained planning permission in 2012 for a development that would have included a cultural educational centre, but he did not implement that because he wanted to turn it into flats instead. A resident suspects that he never intended to open a cultural centre, and that this was part of a strategy to build flats here.	No one is obliged to carry out a development just because they have obtained planning permission for it. Whether flats are acceptable here or not is a matter for the Committee to decide, but the fact that we previously approved a cultural centre here makes no difference to the likelihood of this application for flats being granted.
Why has the Council allowed the applicant to rent out the premises as commercial flats?	There is a small flat for a caretaker who looks after the empty premises, and that flat has a door onto Princes Avenue. Otherwise the premises are a vacant former social club. The Council were unaware of this flat until recently – no permission has been granted for it.
The fact that there is a shortage of housing is not the problem for local residents, so they should not be expected to suffer. The Council should solve the shortage without adding more developments to residential streets.	Watford is a tightly constrained town. It is difficult to see how the housing shortage can be solved without building new developments in residential areas.
The building will be visually overbearing. It is an inappropriate design for this part of town. Such a large building will be out of keeping with the neighbouring properties, which are mainly terraced housing.	The building will be lower than the ridge of the existing building, and it will be the same height as the adjacent terraced houses. The bays on its frontage are designed to replicate the rhythm of the bays that characterise the fronts of the terraced houses on Princes Avenue.
Air conditioning and extractor units in the rear of the building will cause a noise nuisance.	No such units are proposed. Any such equipment that involves externally mounted plant would require planning permission.

10. Community Infrastructure Levy (CIL)

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. The CIL charge covers a wide range of infrastructure as set out in the Council’s Regulation 123 list, including highways and transport improvements, education provision, youth facilities, childcare facilities, children’s play space, adult care services, open space

and sports facilities. CIL is chargeable on the relevant net additional floor-space created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted. The charge is based on the net increase of the gross internal floor area of the proposed development. Exemptions can be sought for charities, social housing and self-build housing. If any of these exemptions is applied for and granted, the CIL liability can be reduced.

In accordance with s.70 of the Town and Country Planning Act 1990, as amended by s.143 of the Localism Act 2011, a local planning authority, in determining a planning application, must have regard to any local finance consideration, so far as material to the application. A local finance consideration is defined as including a CIL charge that the relevant authority has received, or will or could receive. Potential CIL liability can therefore be a material consideration and can be taken into account in the determination of the application.

11. Conclusion

The demolition of the unsightly existing extension is considered acceptable, and the proposed replacement is well designed. The proposal to provide flats is acceptable as this is a residential area. The Conservative Club has not operated for six years, it was not open to the general public, and there is no realistic prospect of it being revived. There are other social facilities and bars in the area. The new flats would be large enough to provide an adequate standard of accommodation, and they would cause no harm to the amenity of any neighbours. The development is to be car-free, which is acceptable in this location, and a unilateral undertaking has been submitted in which the applicants agree that the new flats will not be entitled to claim parking permits for the local streets.

The Development Management Section Head recommends to the Committee that the application be approved.

12. Human rights implications

The Local Planning Authority is justified in interfering with the applicant's Human Rights in order to alleviate any adverse effect on adjoining properties and their occupiers and on general public amenity. With regard to any infringement of third party Human Rights, these are not considered to be of such a nature and degree as to override the Human Rights of the applicant and therefore warrant refusal of planning permission.

13. Decision Level: Delegated

14. Recommendation: Conditional Planning Permission

15. Conditions

- 1 The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development shall be carried out in accordance with the following drawings, unless otherwise approved in writing by the Local Planning Authority: PL-187-3000 revision A (this is an amended plan that was received on 13.09.2016) PL-187-4000 revision A (these are amended elevation drawings that were received on 13.09.2016)

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 No work shall commence above the level of the damp-course until full details of the bricks and the roof tiles have been submitted to and approved in writing by the Local Planning Authority. The submission should include physical samples labelled with the manufacturer and model. Nor shall work above the damp-course commence until further details have been submitted to and approved in writing by the Local Planning Authority regarding the proposed finish of the flank wall of the existing building that is to be retained. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual appearance of the site, pursuant to Policy UD1 (Delivering High Quality Design) of the Watford Local Plan (Part 1: Core Strategy) 2006-2031. This condition is necessary because if the development were to be built in inappropriate materials it could result in harm to the character of the area. While the proposal to finish the new building in red bricks is acceptable in principal, a physical sample is necessary to assess whether it will be in keeping with the street-scene. Further details of the flank wall that is to be retained are required because a note on drawing PL-187-4000 revision A states that on this wall the existing brickwork is to be retained, but actually that wall is currently pebble-dashed, so there is some uncertainty as to what finish will in fact be applied to that flank and whether it will be well integrated with the brick finish of the new building. This is not a pre-commencement condition because it allows works to commence on the foundations prior to the approval of the bricks and roof tiles.

- 4 No windows or doors, other than those shown on the plans hereby approved, shall be inserted in the walls of this development unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring premises pursuant to Policy UD1 (Delivering High Quality Design) of the Watford Local Plan (Core Strategy) 2006-2031, and in accordance with the principles of good design that are set out in the Residential Design Guide supplementary planning document (section 7.3.16) as referenced in paragraph 12.1.5 supporting Policy UD1.

- 5 The proposed bathroom windows on the first and second floors shall be fitted with obscured glass at all times. None of the windows (whether for bathrooms or any other rooms) in the rear elevation shall be capable of being opened other than parts that are at least 1.7m above the floor of the room in which the window is installed.

Reason: To prevent overlooking of those parts of neighbouring premises in which the residents should have a reasonable expectation of privacy, including their rear gardens, pursuant to section 17 (point 4) of the National Planning Policy Framework and Policy UD1 (Delivering High Quality Design) of the Watford Local Plan (Core Strategy) 2006-2031, and in accordance with the principles of good design that are set out in the Residential Design Guide supplementary planning document as referenced in paragraph 7.3.16 supporting Policy UD1.

- 6 Notwithstanding the details submitted in the application form, the window frames and the frames of the glazed external doors shall be aluminium, and those shall be coloured white in the retained parts of the existing building and grey in the new building, or alternatively such other material or colour may be used as has been agreed in writing by the Local Planning Authority.

Reason: Aluminium frames are preferable to UPVC (as was proposed in the application form) because they are slender, durable, high quality, and their colours do not fade. The agent has informed the planning officer that he intends the windows of the new building to be grey, explaining that his note in the application that white frames are proposed applies only to the retained part of the building.

16. Informatives

- 1 For details of how the Local Planning Authority has reached its decision on this application please refer to the planning officer's report, which can be obtained from the Council's website www.watford.gov.uk, where it is appended to the agenda of

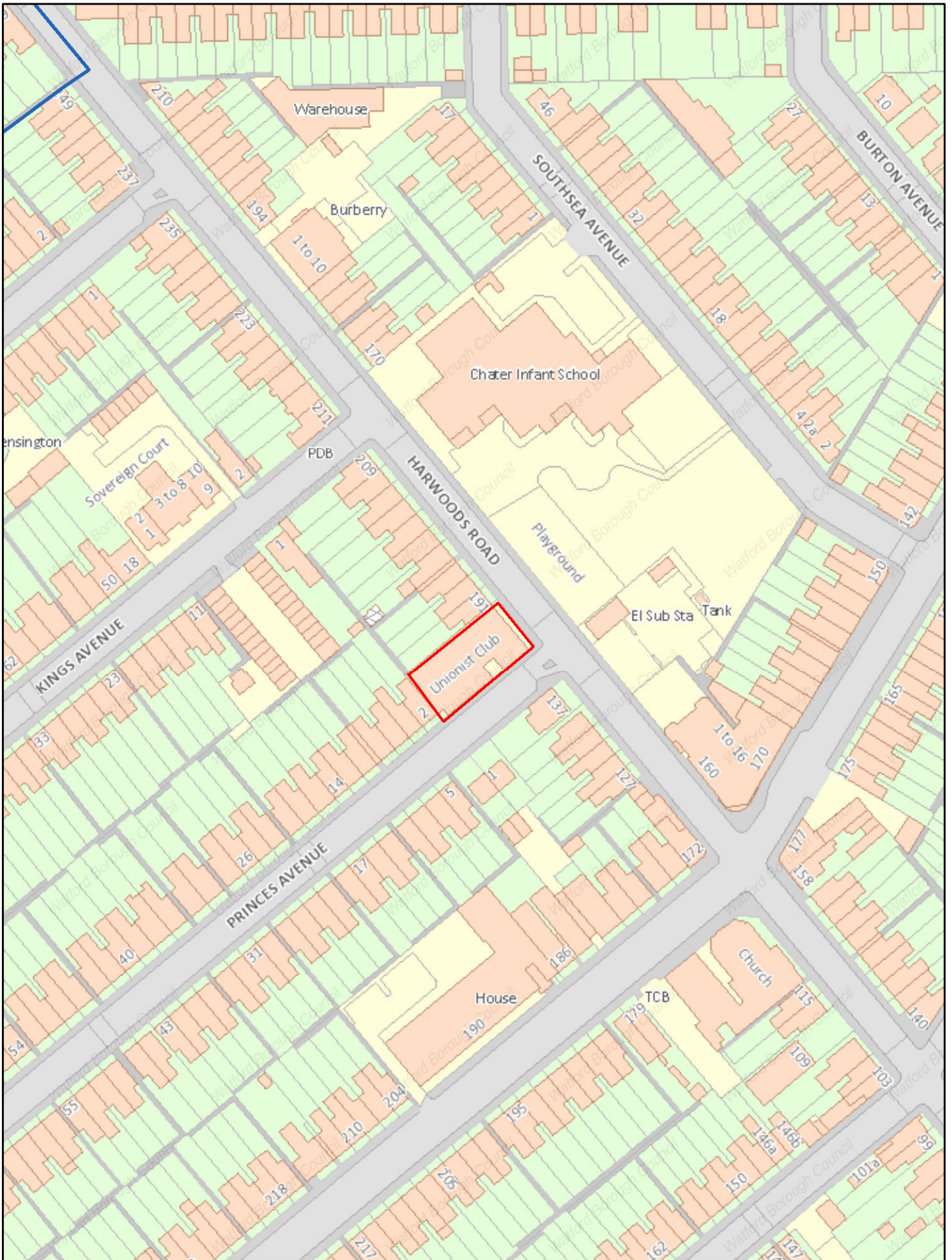
the Development Management Committee meeting of 12 October 2016; and please also refer to the minutes of that meeting.

- 2 In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 3 This development may be considered a chargeable development for the purposes of the Community Infrastructure Regulations 2010 (as amended). The charge is non-negotiable and is calculated at the time planning permission is granted. The charge is based on the net increase of gross internal floor area of the proposed development. A person or party must assume liability to pay the levy using the assumption of liability form 1 which should be sent to the CIL Officer, Regeneration and Development, Watford Borough Council, Town Hall, Watford, WD17 3EX or via email. If nobody assumes liability to pay the levy, this will default to the land owner. A Liability Notice will be issued in due course. Failure to adhere to the regulations, or commencing work without notifying the Council, could forfeit any rights you have to appeal or to pay in instalments, and it may also incur fines or surcharges.
- 4 This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other building control legislation. Nor does it override any private rights which any person may have relating to the land affected by this decision. To find more information and for advice as to whether a Building Regulations application will be required please visit www.watfordbuildingcontrol.com.
- 5 This planning permission does not remove the need to obtain any separate consent of the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc Act 1996 contains requirements to serve notice on adjoining owners of property under certain circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters. A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc__Act_1996_-_Explanatory_Booklet.pdf

- 6 You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health and Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990. In order to minimise impact of noise, any works associated with the development which are audible at the site boundary should be restricted to the following hours: Monday to Friday 8am to 6pm, Saturdays 8am to 1pm. Noisy work is prohibited on Sundays and bank holidays. Instructions should be given to ensure that vehicles and plant entering and leaving the site comply with the stated hours of work. Further details for both the applicant and those potentially affected by construction noise can be found on the Council's website at:
https://www.watford.gov.uk/info/20010/your_environment/188/neighbour_complaints_%E2%80%93_construction_noise
- 7 This planning permission is accompanied by a planning obligation in the form of a unilateral undertaking, which is binding upon the owners and their successors in title. It obliges the owners to make a contribution to the varying of the local traffic order when work commences on implementing this permission. It includes an obligation to inform the Local Planning Authority when work commences by contacting the Section 106 Co-Ordinator in the Planning department. The effect of the planning obligation will be to exclude the flats from entitlement to permits for the local Controlled Parking Zone.

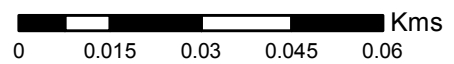
Case Officer: Mr Max Sanders

Tel. 01923 27 8288 E-mail: max.sanders@watford.gov.uk



187-189 Harwoods Road

Date: 03/10/2016



Scale 1:1,250



	PART A	Item Number
Report of: DEVELOPMENT MANAGEMENT SECTION HEAD		
To Committee/Delegated:	Date of Committee: 12 October 2016	
Site address:	Land To The Rear Of 177-187 Gammons Lane	
Reference Number :	16/00946/FUL	
Description of Development:	The demolition of the existing garages and the erection of 5no. houses (2no. 3 bed and 3no. 4 bed) with associated car parking spaces, integrated garages and the provision for vehicular access and landscaping.	
Applicant	Rice Brothers Builders Limited	
date received:	4th July 2016	
8wk date(minor):	31st August 2016	
Ward:	Leggatts	

1.0 Site and surroundings

- 1.1 The application site encompasses an area of 2180m², and is formed by amalgamating part of the rear garden areas of numbers 177 to 187 Gammons Lane.
- 1.2 The site contains some single storey buildings of ancillary garages and sheds which are proposed to be removed to allow for the development. The site benefits from an existing dropped kerb and vehicular access from Leaford Crescent sited between Nos 70 and 76. At the entrance to the access way there are two single storey garages, with a paved area to the front providing car parking spaces for two cars.
- 1.3 As well as the Gammon Lane properties, the site is enclosed by the rear gardens of 64, 66, 68, 70, 76 and 'Elestra' Leaford Crescent and No171 Gammons Lane.
- 1.4 The site and surrounding area contain no buildings that are listed or locally listed and the site is not located in a designated conservation area. The site is not within a Controlled Parking Zone and there are no Tree Preservation Orders to trees on the site or immediately around the site.

- 1.5 The area is generally characterized by residential buildings, although there is a school nearby. The built environment is suburban in character, containing two storey detached and semi detached houses, however there are some groups of maisonettes and two storey flats and adjacent to the site is a bungalow at 'Elestra'.
- 1.6 Leaford Crescent was built in early 1960s as back land development to the rear gardens of Nos 101-203 (odd) Gammons Lane (58/20150/FUL). Within Leaford Crescent there are also groups of more recent developments creating back land developments at Leaford Crescent and creating Leaford Court, Howard Court, Ashwell Place and Damson Close.

2.0 Proposed Development

- 2.1 The application proposes the erection of 5no. dwellings consisting of:
- 1no. detached 4 bed house (unit 1),
 - 2no. semi detached 3 bed houses (units 2 and 3) and
 - 2no. semi detached 4 bed houses (units 4 and 5).
- 2.2 The development includes the demolition of the existing garages and garden buildings within the application site and the loss of trees and shrubs within the site.
- 2.3 The garages at the entrance to the accessway will be demolished to widen the entire length of the access which will be transformed into a 4.8m wide carriageway. The development includes single garages and a parking space for each dwelling at unit 1, unit 2 and unit 3. There are 3 car spaces at the front of units 4 and 5 and 4 additional spaces along the proposed vehicular access-way.

3.0 Relevant Planning History

In 2014, a pre-application request (Ref; 14/01473/PREAPP) was submitted enquiring the development of the site for the provision of five four bedroom houses.

Summary of officer advice of letter 5th November 2014

- Infill or backland development needs to respect the recognised character and urban grain of the area.

- The scale, height and roof pitches of the building proposed was excessively large and bulky in the context.
- The siting and height of unit 1, behind the bungalow at 'Elestra' would appear unduly dominant and cramped.
- Hertfordshire County Council as Highway Authority have provided advice direct to applicant regarding the access.

4.0 Planning Policies

4.1 Development Plan

In accordance with s.38 of the Planning and Compulsory Purchase Act 2004, the Development Plan for Watford comprises:

- (a) *Watford Local Plan Core Strategy 2006-31;*
- (b) the continuing "saved" policies of the *Watford District Plan 2000;*
- (c) the *Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026;* and
- (d) the *Hertfordshire Minerals Local Plan Review 2002-2016.*

4.2 The *Watford Local Plan Core Strategy 2006-31* was adopted in January 2013. The *Core Strategy* policies, together with the "saved policies" of the *Watford District Plan 2000* (adopted December 2003), constitute the "development plan" policies which, together with any relevant policies from the County Council's *Waste Core Strategy* and the *Minerals Local Plan*, must be afforded considerable weight in decision making on planning applications. The following policies are relevant to this application.

4.3 Watford Local Plan Core Strategy 2006-31

- WBC1 Presumption in favour of sustainable development
- SS1 Spatial Strategy
- SD1 Sustainable Design
- SD2 Water and Wastewater
- SD3 Climate Change
- SD4 Waste
- HS1 Housing Supply and Residential Site Selection
- HS2 Housing Mix
- T2 Location of New Development
- T3 Improving Accessibility
- T4 Transport Assessments
- T5 Providing New Infrastructure

- INF1 Infrastructure Delivery and Planning Obligations
UD1 Delivering High Quality Design
- 4.4 **Watford District Plan 2000**
SE7 Waste Storage, Recovery and Recycling in New Development
H9 Back Garden development
T10 Cycle Parking Standards
T21 Access and Servicing
T22 Car Parking Standards
T24 Residential Development
- 4.5 **Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026**
No relevant policies.
- 4.6 **Hertfordshire Minerals Local Plan Review 2002-2016**
No relevant policies.
- 4.7 **Supplementary Planning Documents**
The following Supplementary Planning Documents are relevant to the determination of this application, and must be taken into account as a material planning consideration.
- 4.8 *Residential Design Guide*
The Residential Design Guide was adopted in July 2014 and amended in August 2016. It provides a robust set of design principles to assist in the creation and preservation of high quality residential environments in the Borough which will apply to proposals ranging from new individual dwellings to large-scale, mixed-use, town centre redevelopment schemes. The guide is a material consideration in the determination of relevant planning applications.
- 4.9 *Watford Character of Area Study*
The Watford Character of Area Study was adopted in December 2011. It is a spatial study of the Borough based on broad historical character types. The study sets out the characteristics of each individual character area in the Borough, including green spaces. It is capable of constituting a material consideration in the determination of relevant planning applications.
- 4.10 **National Planning Policy Framework**

The National Planning Policy Framework sets out the Government's planning policies for England. The following provisions are relevant to the determination of this application, and must be taken into account as a material planning consideration:

Achieving sustainable development

The presumption in favour of sustainable development

Core planning principles

Section 1 Building a strong, competitive economy

Section 4 Promoting sustainable transport

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Section 8 Promoting healthy communities

Section 10 Meeting the challenge of climate change, flooding and coastal change

Section 11 Conserving and enhancing the natural environment

Decision taking

4.11 **Other National Documents**

DCLG Technical Housing Standards: Nationally Described Space Standards (March 2015)

The DCLG standards superseded the Internal Space Standards of the adopted RDG July 2014 (sections 7.3.6-7.3.9) by way of a ministerial statement (Eric Pickles MP written statement to Parliament 'Planning Update' 25 March 2015).

These have now been formally adopted by the Council under the Watford Residential Design Guide Amended - August 2016

5.0 **Consultations**

5.1 **Neighbour consultations**

Letters were sent to properties in Gammons Lane and Leaford Crescent.

5.2 The following is a summary of the representations that have been

received:

Number of original notifications: 50
 Number of objections: 16
 Number in support: 0
 Number of representations: 1
Total number of representations: 17

The points that have been raised are summarised and considered in the table below.

Representations	Officer's response
<p>Insufficient consultation has been carried out and for a considerable period of time the design and access statement was not on public view.</p>	<p>The council has carried out the consultation in accordance to its "statement of community involvement" procedure and those directly affected have been notified. Design and Access Statements do not form part of an application they simply present the proposals in a different format, further this application is not one where a Design and Access Statement forms part of the information requirements for submission or consultation. It is acknowledged the statement was not originally visible on the Council's website, however at the time of this report being considered it will have been available on the Council's website for well over 21 days.</p> <p>All objections received to date are considered within this report, and any further submissions will be circulated to the members prior to the meeting and verbally reported at the committee meeting.</p>
<p>Significant objections have been raised with respect to the loss of the garden</p>	<p>Whilst there is now stricter control over development of the garden land The</p>

<p>area. The objectors explain that the gardens are considered to act as “lungs” for urban areas. The government position has sought to prevent garden grabbing and the NPPF no longer considers the garden areas as brown-field sites.</p>	<p>changes to government policy have simply removed such land from the definition of previously developed land, there is not a total ban for such development, and indeed the presumption in favour of sustainable development still applies where proposals on garden land comply with the Local Development Plan and such proposals should be approved. The development is considered against relevant policies within this report.</p>
<p>Significant numbers of objections have been received with regards to development exacerbating parking problems and the volume of traffic. It is also alleged that access-way is not safe and could potentially cause road hazard and accident. In particular it has been claimed the problem would be more serious for the school children using the road to access the nearby scheme. It has been also alleged that the highway officer has not visited the site.</p>	<p>The proposal will provide sufficient car parking spaces to meet the Council’s current standards. The proposed access way is quite wide and recognised to be safe. Sufficient manoeuvring space has been allowed for large vehicles to enter and egress the site in forward gear manner.</p> <p>The volume of the traffic will not increase to a degree which could warrant a refusal.</p> <p>Herts. Highway has raised no objection to the proposed vehicular arrangement.</p>
<p>The proposed houses will generate noise disturbance which will have an adverse impact upon the amenities of the occupiers of the neighbouring houses.</p>	<p>Whilst inevitably there will be some noise during and after construction, a residential use is not regarded as a noisy and incompatible use in a residential area.</p>
<p>The current local public infrastructure such as schools and doctors surgeries could not cope with the additional demand.</p>	<p>The proposal would generate only a small number of residents which would not have significant impacts on local public infrastructures. The impact is also mitigated by the contribution through CIL which is generated to pay for local public infrastructure.</p>
<p>The proposal will cause air pollution which will adversely affect the health of local neighbourhood.</p>	<p>The nature and scale of the proposed development is not such that it would have any significant impacts on local air</p>

	quality.
It is clear that the applicant will have the intention of acquiring the adjacent site for further development adding more dwellings.	The proposal must be considered on the basis of the proposed plans. Speculation about future proposals cannot form part of this consideration. Indeed, were a similar proposal to be submitted on another site this would have to be considered on its individual merits.
Loss of trees.	There will be loss of 8 trees, to be replaced by 16 new trees. Two trees will also be preserved. A landscaping condition will be recommended to ensure the new trees will be planted and the existing trees protected.
Over development and out of scale.	The proposed development in terms of its scale, bulk and height will be commensurate with its surroundings. This issue has been fully considered in the body of the report.
Overlooking and overbearing.	The proposed buildings are set sufficiently away from the existing houses to prevent loss of privacy in accordance to the council's standards. And by reason of their distance, height, scale and position will not have a dominant impact on them.
Garden areas are regarded as areas which help to maintain and improve bio-diversity.	While all garden land can contribute to bio-diversity, these gardens are not identified as sites which are safeguarded for bio-diversity reasons and refusal on these grounds could not be substantiated.
There is a sewage artery at the entrance of the site which will not withstand any heavy vehicle.	This issue is a matter for building control and cannot be regarded within planning remit. However, the applicant has provided some evidence which indicates that the proposed access way will not have an impact upon the

	sewerage facilities.
Car parking appears inadequate for units 4 & 5 with no dedicated parking or garage for these houses. This could result in anyone being able to use the access for parking purposes.	The car parking provision is in line with the council's adopted policies. The proposed access will remain in private ownership and anyone using the access would be considered to be trespassing.

5.3 **Technical consultations**

The following responses have been received from technical consultees:

Hertfordshire County Council (Highway Authority)

The highways department consider the proposed access arrangement acceptable and subject to condition, vis-à-vis the submission of construction management, storage of materials with the site and hard surface for the access.

Arboricultural Officer, Watford Borough Council)

The proposal indicates the loss of nine trees over 3 metres tall spread throughout the site, however the landscape plans indicate fifteen new/replacement trees to be planted. The proposal also indicates the retention of two trees within the site. Whilst the erection of the four new dwellings will further restrict the views of the retained trees, there will still be some visible from several viewpoints outside the site. Should the permission be granted conditions for the protection of the trees and to ensure new trees will be planted are recommended.

Appraisal

6 **Main issues**

The main issues to be considered in the determination of this application are:

- (a) Housing
- (b) The principle of back land development
- (c) Means of access
- (d) Design and integration with the character of the area
- (e) The quality of the new accommodation provided
- (f) Impact on amenity of adjoining residential properties

(g) Highways impacts and car parking provision.

A) Housing

- 6.1 The application site is located in a predominantly residential area, within which the proposed residential development would be compatible.
- 6.2 Policy SS1 of the Watford Local Plan Core Strategy 2006-31 states that the Council seeks to deliver a minimum of 6,500 additional homes by 2031. Policy SS1 also states that outside of the town centre and the recognised 'Special Policy Areas', "the focus will be on low to medium density residential development with a preference for family housing with gardens". The proposed development would contribute towards housing provision and would provide low density, family housing with gardens, consistent with the area and as sought by policy SS1.
- 6.3 The proposed development would provide less than 10 dwellings and the site area is less than 0.5ha, therefore affordable housing is not required.

b) The principle of back land development

- 6.4 'Saved' policy H9 of the Watford District Plan 2000, 'Back Garden Development', details that:

"Planning permission for back garden development will only be granted where:

- (i) a proper means of access which is convenient and safe for pedestrians, non-motorised and motorised highway users is provided, which keeps to a minimum any visual impact within the street scene; and
- (ii) the proposal complies with the criteria listed in Policy H8 (Residential Standards) and Policies U1, U2, U3 and U4."

- 6.5 The development proposes the use of the existing dropped kerb to Leaford Crescent, the demolition of a garage building adjacent to No76 and the forming of an access road into the site between Nos 76 and 70 Leaford Crescent. As advised by Hertfordshire Highways Authority and as is discussed in the following relevant sections of the report, this access is considered to provide a convenient and safe means of access to serve the

development. Given, there is an existing access point it is not considered the access has an unacceptable visual impact within the street.

- 6.6 The Watford District Plan 2000 policies cited in part (ii) of saved policy H9 relating to design and impact of developments are no longer applicable and have been superseded by policies of the Watford Local Plan Part 1- Core Strategy. The assessment of the development in accordance with these policies is discussed in the following relevant sections of the report and concludes that the scheme is of good design and in accordance with guidance of the Residential Design Guide (July 2014).
- 6.7 The development is considered to provide an appropriate means of access, by using an existing vehicular access which forms an established feature of the area. The proposed access is also compliant with the relevant design and detail policies. The principle of the back land development is therefore compliant with policy H9 'Back Garden Development' of the Watford District Plan 2000.

c) Means of access

- 6.8 The development proposes the use of the existing dropped kerb and access area between Nos70 and 76 Leaford Crescent. The access will be widened following the demolition of the garages adjacent to No76 to allow for the formation of a tarmacadam carriageway with a width of 4.8m.
- 6.9 The Highway Authority has no objection to the proposed access stating that the access is to the unclassified road of Leaford Crescent and that the 4.8m width carriageway is adequate for an HGV and a car to pass one another.
- 6.10 There is no dedicated footpath, however for the volume of traffic along the road to serve only 5 properties this is not considered to be unreasonable and does not raise any safety concerns.
- 6.11 The proposed access will have a road width of 4.8m with the addition of a minimum width of 1.8m of verge width to each side. The width and the verge landscaping of this access will create a visually well designed and legible access as seen from Leaford Crescent.

d) Design and integration with the character of the area.

- 6.12 The site is within Area 18C in the Watford Character of Area Study (adopted December 2011), which covers the largest residential area in the Borough. The principal character of the area derives from the fact that it is largely made up of streets of semi-detached housing that demonstrate a high degree of architectural uniformity as a result of many of the houses having been built to standard designs. Leaford Crescent was a development in the late 1950s/early 1960s on rear garden land to the Gammons Lane properties and was indeed originally a uniform development. Smaller infill developments have however subsequently occurred within Leaford Crescent creating many groups of new houses in Leaford Crescent as well as creating Leaford Court, Howard Court, Ashwell Place and Damson Close. Infill and back garden development is therefore considered to be a feature of Leaford Crescent. The pattern and grain of the development proposed is therefore in character with the surrounding area.
- 6.13 The development proposed is a more isolated 'pocket' of houses, accessed between the sides of two dwellings. This does not create a natural extension to the road, as is seen in some areas of the recent developments at Ashwell Place. However Damson Close was created with an access between two properties at Ashwell Place meaning that, although preferred, the continuation of roads into new developments is not always seen in the area. As such, although the development is introducing a new 'pocket' of houses, it is not harmful or incongruous to the layout and urban grain of the area. It is also considered that with the generous width of the access, the development would result in a safe, attractive and legible access from Leaford Crescent to the new properties.
- 6.14 The surrounding houses are predominantly family sized houses, of a modest two storey height, with hipped roofs and generous gardens. The scheme of houses proposed at pre-application stage was of a scale, height and bulk beyond that seen in the context. The heights of the houses now proposed has been reduced and the new dwellings would be of a scale, bulk, height, roof design and roof pitch comparable and consistent with the houses in the area. The development would therefore integrate well into the built form of the area and would not appear unduly large or dominant.

- 6.15 The exception to the predominantly two storey context is the bungalow 'Elestra' adjacent to the site to the north-west. Unit 1 would sit immediately behind this bungalow with hipped roof. At pre-application stage it was considered that the two storey house at unit 1 would be sited too close to 'Elestra' and would be visually overbearing and cramped comparative to the bungalow. The application scheme has seen the height and bulk of unit 1 reduced and also the main two storey element is set further away, at 5.5m, from the common boundary. This has created an acceptable and comfortable relationship between the two buildings.
- 6.16 Overall, within the new development and as seen from the streetscenes of Gammons Lane and Leaford Crescent, the houses would be of a pleasant design with an appropriate scale, form and roof design suitable for the area and context.

e) The quality of the new accommodation provided

- 6.17 The floor areas and room sizes of the proposed dwellings comply with the Nationally Described Space Standard. Furthermore, the habitable rooms would be served by windows that would provide sufficient levels of natural lighting and outlook. The proposal will also provide sufficient garden space for the proposed houses while maintaining sufficient amenity space for the existing occupiers of the Gammons Lane buildings.

f) Impact on amenity of adjoining residential properties

- 6.18 Within back land and infill development, minimum distances between the new and existing buildings are particularly important to ensure that the development does not result in loss of light and outlook and that privacy between the existing and new developments is maintained.
- 6.19 The Residential Design Guide (July 2014), (section 7.3.16) states that a minimum separation distance of 27.5m at first floor level should be achieved between rear elevations of new houses and existing houses to prevent loss of privacy. The distances between the upper floors of the proposed houses and all the upper floors of existing houses at Leaford Crescent and Gammons Lane exceed the 27.5m distance in all areas. The back to back distances of the development to 117-197 Gammons Lane ranges between 34.5m to 39.9m, well in excess of the 27.5m minimum. The front of the development to the rears of 64-70 Leaford Crescent are all

within a range of 39.5m and 42m, again all well in excess of the 27.5m minimum. These generous distances between the first floor windows of the proposed and existing houses demonstrate that the development would not result in loss of privacy to the existing dwellings.

- 6.20 The RDG also states that a minimum distance of 11m should be maintained from the upper level windows to a property boundary to minimise overlooking of private gardens. At the front of the development there is 11.7m between the first floor windows at the fronts of the houses and the boundaries to the rear garden 64-70 Leaford Crescent. This complies with the RDG and demonstrates that the development would not result in harmful overlooking to the rear gardens of these properties. To the rear, units 1, 2 and 3 would all exceed this 11m depth to the rear gardens with Gammon Lane properties. Units 4 and 5 are marginally below the guidance with 10.8m to the boundaries with 177 and 179 Gammons Lane however, as the total back to back distances are 35.7m and 7.1m, it is not considered that this 20cm shortfall would result in any harmful overlooking.
- 6.21 The first floor side windows of all units are shown to be obscurely glazed and condition 12 is recommended to ensure that these are maintained as obscurely glazed and fixed closed below 1.7m internal height to prevent any overlooking from the flank elevations.
- 6.22 Unit 1 would be sited to the rear (south-east) of the bungalow 'Elestra'. 'Elestra' does have high level windows to its rear elevation, positioned 1.8m from the rear boundary. The development of unit 1, with a two storey building sited 7m from the rear of 'Elestra' would result in loss of light to these windows, but 'Elestra' has its main gardens, windows and outlook to its front and side elevations. The light and outlook to these main windows would not be notably affected by the development and so the development would not result in any harmful loss of amenity to the occupiers.
- 6.23 In general terms, it is noted that the development would create increased activity along the existing access road between Nos70 and 76 Leaford Crescent and also increased activity at the site with the creation of new dwellings. This activity is however for a low-medium density residential development and the level of activity would not be out of keeping or at odds with those to be expected within the existing residential area. It is

not considered this activity would be unreasonable or harmful in this suburban residential context.

- 6.24 Taking the above into account, the proposed development would provide an acceptable standard of amenity for future occupiers.

f) Highways impacts and car parking provision

- 6.25 As discussed above the proposed access arrangement is considered acceptable. The proposed development would provide 10 parking spaces 2 per dwelling in accordance with the Council's requirement. In addition there are also 3 garages which could be used as parking for smaller cars.
- 6.26 Herts Highways requested a condition relating to construction with the intention of preventing obstruction of the adjoining highway during the time that the development is being constructed. However, such a condition would fail to meet the necessary tests. The placement of any construction materials or equipment on the public highway would require a licence from the highways authority and as such is controlled under separate legislation. Further, planning conditions cannot prevent the lawful use of the public highway by vehicles.

The proposal, subject to conditions, is therefore considered to have an acceptable impact upon the safe and free flow of traffic in the local area.

7.0 Community Infrastructure Levy

- 7.1 The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. The CIL charge covers a wide range of infrastructure as set out in the Council's Regulation 123 list, including highways and transport improvements, education provision, youth facilities, childcare facilities, children's play space, adult care services, open space and sports facilities. CIL is chargeable on the relevant net additional floorspace created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted.
- 7.2 In accordance with s.70 of the Town and Country Planning Act 1990, as amended by s.143 of the Localism Act 2011, a local planning authority, in determining a planning application, must have regard to any local finance

consideration, so far as material to the application. A local finance consideration is defined as including a CIL charge that the relevant authority has received, or will or could receive. Potential CIL liability can therefore be a material consideration and can be taken into account in the determination of the application.

- 7.3 In this case, the proposal seeks to create new residential floorspace and is CIL liable. The CIL charge for new residential development is currently set at £120 per square metre.

Conclusion

- 8.1 The proposal would contribute towards meeting the housing need in the Borough and would make effective use of a sustainable site. The layout of the proposed development would provide an acceptable standard of amenity for future occupiers and there would not be a significant loss of amenity to neighbouring properties. The design of the proposed building is acceptable and meets all policy guidance. Future occupiers of the development would have easy access to shops and public transport facilities.
- 8.2 As such, the proposal accords with the Development Plan and the National Planning Policy Framework and therefore constitutes 'sustainable development'. There are considered to be no material planning considerations that outweigh the benefits of the proposal, therefore it is recommended that the application should be approved.

9.0 Human Rights Implications

- 9.1 The Local Planning Authority is justified in interfering with the applicant's human rights in order to alleviate any adverse effect on adjoining properties and their occupiers and on general public amenity. With regard to any infringement of third party human rights, these are not considered to be of such a nature and degree as to override the human rights of the applicant and therefore warrant refusal of planning permission.
-

10.0 Recommendation

That planning permission be granted subject to the conditions listed below:

Conditions

- 1 The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development shall be carried out in accordance with the following drawings, unless otherwise approved in writing by the Local Planning Authority. The following drawings are hereby approved:
GL8/15/LP01, GL8/15/PL01C, GL8/15/PL02, GL8/15/PL03, GL8/15/PL04, GL8/15/PL05, GL8/15/PL06, GL8/15/PL07, GL8/15/PL08, GL8/15/PL09, GL8/15/PL10, GL8/14/P01, LP/177187GLWH/020 A
Topographical Survey Sheet No1 Rev 1
Transport Statement, July 2016, prepared by Milestone Transport Planning Design, Access and Planning Statement, June 2016, prepared by Wakelin Associates

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 No development above damp proof course level shall commence until details and samples of the materials to be used for all the external finishes of the development hereby approved, including all external walls, all roofs, doors, windows, fascias, rainwater and foul drainage goods, 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 and samples.

Reason: To ensure that the development applies high quality materials that responds to the buildings context and makes a positive contribution to the character and appearance of the area.

- 4 No dwelling shall be occupied until refuse stores for all dwellings and secure and weatherproof cycle storage facilities for units 4 and 5 have been installed in accordance with details that have previously been submitted to, and approved in writing by, the Local Planning Authority. These facilities shall thereafter be retained for the life of the development.

Reason: In the interests of the visual amenity of the site and to ensure that satisfactory provision for waste and recycling storage and cycle parking for residents of the proposed development exists on the site, in accordance with the aims of 'saved' policies SE7 and T10 of the Watford District Plan 2000 and Policies UD1 and SD4 of the Watford Local Plan Core Strategy 2006-31.

- 5 No development shall commence until details of tree protection fencing and any special construction methods (e.g. no dig construction) within the root protection area of trees both on and off site has been submitted and approved in writing by the Local Planning Authority.

Reason: To maintain the health of the trees to be retained within and adjacent to the site, in the interests of visual appearance of the site.

- 6 No part of the development shall be occupied until 1.8m high close boarded timber fencing has been installed around and within the site as shown in approved drawing LP/177187GLWH/020 A.

Reason: In the interests of visual appearance of the site and for the privacy of existing and future residents.

- 7 No part of the development shall be occupied until the hard landscaping has been installed in accordance with the details of the approved drawing LP/177187GLWH/020 A. Provision shall be made to ensure that surface water from the hardstanding within the site shall be intercepted and disposed of within the site only and that no surface water should discharge into the highway.

Reason: In the interests of visual appearance of the site and to prevent surface water drainage from the site into the highway so as to safeguard the interest of highway safety.

- 8 The planting of the soft landscaping shall be carried out no later than the first available planting and seeding season after completion of the development. For the purposes of this condition a planting season is the period from 1 October in any one year to 31 March in the next following year. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual appearance of the site.

- 9 No dwelling shall be occupied until the proposed access from Leaford Crescent, as well as the scheme for garaging, parking and manoeuvring indicated on the submitted drawing GL8/15/PL01C (or any subsequent amendment agreed in writing by the Local Planning Authority) has been laid out and made available for use and that area shall not thereafter be used for any other purpose.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and to enable vehicles to draw off, and trun clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highways.

- 10 The three parking spaces at the front of units 4 and 5, as shown on submitted drawing GL8/15/PL01C, shall be allocated for use to the two properties. One property shall be allocated 2 of the spaces and the other shall be allocated 1 of the spaces. These allocated spaces shall be made available and retained for use by the dwellings of units 4 and 5 unless any subsequent amendment is agreed in writing by the Local Planning Authority.

Reason: In order that the development provides suitable parking for all dwellings.

- 11 The first floor windows in the flank elevations of each house shall be installed and retained with obscure-glazed, and shall be non-opening other than in parts of the windows which are more than 1.7 metres above the floor of the room in which the window is installed.

Reason: To prevent overlooking and a loss of privacy to the adjoining properties.

- 12 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, F and G of the Order shall be carried out to the dwellings hereby approved without the prior written permission of the Local Planning Authority.

Reason: To enable the Local Planning Authority to ensure that any such developments are carried out in a manner which will not be harmful to the character and appearance of the proposed development and will not prove detrimental to the amenities of adjoining occupiers and having regard to the availability of amenity space for the dwellings

- 13 No construction works shall commence until details of the existing and proposed ground levels and the finished ground floor levels of the building have been submitted to and approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved details.

Reason: This is a pre-commencement condition to ensure an acceptable relationship between the proposed building, the adjoining residential development and the adjoining highway is achieved.

Informatives:-

- 1 In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 2 All new units granted planning permission and to be constructed require naming or numbering under the Public Health Act 1925. You must contact Watford Borough Council Street Naming and Numbering department as early as possible prior to commencement on streetnamenumbers@watford.gov.uk or 01923 278458. A numbering notification will be issued by the council, following which Royal Mail will assign a postcode which will make up the official address. It is also the responsibility of the developer to inform Street Naming and Numbering when properties are ready for occupancy.
- 3 This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other building control legislation. Nor does it override any private rights which any person may have relating to the land affected by this decision.

To find out more information and for advice as to whether a Building Regulations application will be required please visit www.watfordbuildingcontrol.com.

- 4 This planning permission does not remove the need to obtain any separate consent of the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc Act 1996 contains requirements to serve notice on adjoining owners of property under certain circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters. A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc__Act_1996_-_Explanatory_Booklet.pdf
- 5 You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health and Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990.

In order to minimise the impact of noise, any works associated with the development which are audible at the site boundary should be restricted to the following hours:

Monday to Friday 8am to 6pm

Saturdays 8am to 1pm

Noisy work is prohibited on Sundays and bank holidays

Instructions should be given to ensure that vehicles and plant entering and leaving the site comply with the stated hours of work.

Further details for both the applicant and those potentially affected by construction noise can be found on the Council's website at:
https://www.watford.gov.uk/info/20010/your_environment/188/neighbor_complaints_%E2%80%93_construction_noise

- 6 Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 7 Where works are required within the public highway to facilitate access, the highway authority require the construction of such works to be undertaken to their specification and by a contractor who is authorised to work in the public highway. In relation to the crossover the applicant is advised to see the attached website.

Vehicle crossover guidance

<http://www.hertsdirect.org/docs/pdf/d/vxo.pdf>

and to apply for vehicle crossover

<http://www.hertsdirect.org/services/transtreets/highways/hhonlineservices/vxo/> (The applicant must be aware that an access junction from Public Highway may require a S278 legal agreement. This agreement may take 14-16 weeks for completion.)

Drawing numbers

GL8/15/LP01

GL8/15/PL01C

GL8/15/PL02

GL8/15/PL03

GL8/15/PL04

GL8/15/PL05

GL8/15/PL06

GL8/15/PL07

GL8/15/PL08

GL8/15/PL09

GL8/15/PL10

GL8/14/P01

LP/177187GLWH/020 A

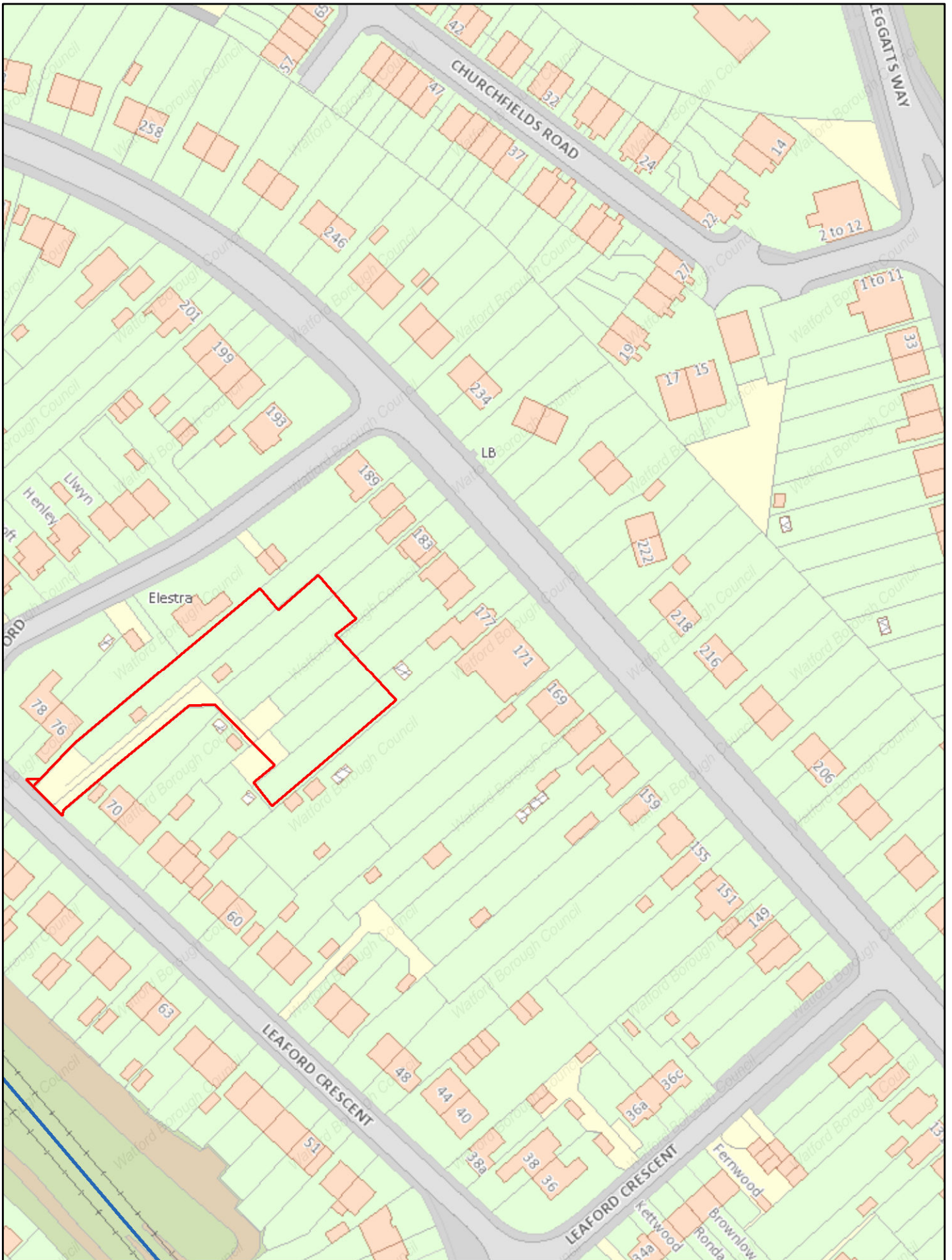
Topographical Survey Sheet No1 Rev 1

Transport Statement, July 2016, prepared by Milestone Transport Design, Access and Planning Statement, June 2016, prepared by Wakelin Associates

Case Officer: Habib Neshat

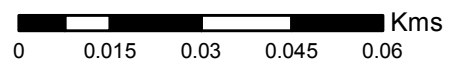
Email: habib.neshat@watford.gov.uk

Tel: 01923 278285



Land r/o 177-187 Gammons Lane

Date: 03/10/2016



Scale 1:1,250



