



**WATFORD  
BOROUGH  
COUNCIL**

# **DEVELOPMENT MANAGEMENT COMMITTEE**

**Thursday, 1st September, 2016**

**7.30 pm**

**Town Hall**

**Publication date: 24 August 2016**

**Contact**

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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 27 July 2016 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. **16/00768/FUL 32 Langley Road** (Pages 5 - 26)

Retention of shop unit on ground floor (incorporating some basement space), rear extensions, conversion of premises from one flat to three flats, including conversion of loft space, insertion of roof-light windows and external staircase.

5. **16/00661/FUL 462-464 St Albans Road** (Pages 27 - 48)

Change of use of existing rear extension from office to a single residential dwelling.

**6. 16/00680/FUL Land adjacent to 10 Nascot Wood Road (Pages 49 - 64)**

Erection of a detached 5 bed dwelling with private access from Nascot Wood Road.

**7. 16/00702/FULH 10 Roughwood Close (Pages 65 - 84)**

Garage conversion to habitable space, installation of front rooflight windows and addition of a front bay window and porch infill.

**8. 16/00777/FULH 11 The Pippins (Pages 85 - 102)**

Loft conversion involving construction of dormer on rear roofslope and installation of rooflight windows on front roofslope.

**9. 16/00787/FUL 29 Burton Avenue (Pages 103 - 136)**

Conversion of warehouse into 2 studio flats and 3 1-bed flats.

**10. 16/00868/FUL 7 Elfrida Road (Pages 137 - 170)**

Demolition of existing bungalow and construction of a two storey building to provide 4 1-bed flats.

**11. 15/00510/FULM Cassiobury Farm and Fishery, Rousebarn Lane (Pages 171 - 198)**

Erection of residential dwelling with linked garage, machinery store and a detached agricultural building for poultry and fish fry.

	PART A	Item Number
Report of: <b>Development Management Section Head</b>		
	Date of Committee: <b>1<sup>st</sup> September 2016</b>	
Site address:	<b>32 Langley Road Watford, Hertfordshire, WD17 4PN</b>	
Reference no.	<b>16/00768/FUL</b>	
Description of development:	<b>Retention of shop unit on ground floor (incorporating some basement space) in use classes A1 (retail) A2 (financial and professional services) or B1 (office). Rear extensions. Conversion of premises from one flat to three flats, including conversion of loft space. Insertion of roof-light windows. Installation of external staircase.</b>	
Applicant:	<b>Mr K. Skinner</b>	
Date received:	<b>6<sup>th</sup> June 2016</b>	
8 week date (minor):	<b>3<sup>rd</sup> August 2016</b>	
Ward:	<b>Nascot</b>	

### 1. Summary

The site is a vacant two storey building which is located on a street corner in the Nascot Conservation Area. Although the site itself is not listed, it is attached to the end of a terrace of Locally Listed houses.

The front of the ground floor was a small hardware shop until it was recently vacated. The proposal is that the former shop unit would be retained (including the part of the basement that is beneath it) either as a shop (use class A1) or for a financial or professional service (A2), or as an office (B1). Light wells would be inserted in the floor to illuminate a basement meeting room for the office.

The remainder of the building at the rear of the ground floor and on the first floor was the home of the shop's proprietor, but it is now empty. The proposal is to enlarge it by adding

a part single, part double storey rear extension (replacing existing single storey extensions) and by converting the roof. The space would be divided into three flats.

The Development Management Section Head recommends to the members of the Development Management Committee that the application be approved, subject to conditions, as set out in the report.

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## **2. Background**

Earlier this year the same applicant submitted an application (15/00570/FUL) that was similar to this one, but his agent later withdrew it after he had been advised by the planning officer that it was unlikely to be approved because of concerns about the proposed alterations to the size and shape of the roof, and also because of some other concerns about the design. After that application was withdrawn the agent sought the Council's advice on how a more acceptable scheme might be designed, and then submitted this second application.

## **3. Site and Surroundings**

The site is a two storey corner building which includes a shop unit. It stands on the junction of Langley Road and Stamford Road, with shop windows onto both streets, and with its door being on the corner. The shop unit forms only a small part of the building, at the front of the ground floor – the remainder of the ground floor and the whole of the first floor being the home of the proprietor. There is also a basement which has been used for storage. Both the shop and the flat have been vacant for the last few months since the proprietor, who had run it as a hardware shop for many years, retired and moved away earlier this year.

There is a rear yard which is accessed via a gate in a side boundary wall onto Stamford Road. The property has a ground floor rear extension, the deepest and tallest section of which stands adjacent to Stamford Road.

This site lies within the Nascot Conservation Area. The site itself is neither locally nor nationally listed, but the Victorian houses that make up the terrace that it is attached to are all Locally Listed buildings. A photograph in the collection of Watford Museum, thought to have been taken in the late 1940s, shows this corner shop looking much the same then as it does now (although the rear extensions are not visible in that photograph).

This shop stands alone. There are other shops nearby in a designated Local Shopping Frontage at the end of Langley Road and around the corner on St Albans Road; but this shop is not a part of that designated frontage and so there is no policy stipulating that it should be protected as a shop.

This area is a Controlled Parking Zone (CPZ) where residents may park cars on the street if they have a permit to do so. The site is a five minute walk from the Town Centre and from Watford Junction station. Cassiobury Park is ten minutes walk away.

#### **4. Proposed Development**

Full planning permission is sought for alterations as follows:

- The shop unit is to be retained, but a flexible permission is sought so that it could be used as Class A1 (retail) or A2 (financial and professional services) or B1 (an office).
- Two light-wells would be inserted in the floor to illuminate the basement below the shop unit. That part of the basement would be used as an office for the shop unit. In effect this would mean that someone entering the shop would walk over a bridge to the main area.
- The existing rear extensions would be altered so that they would be a consistent depth of 3.98m, which is the same as the deepest section of the existing extension. The part that abuts Stamford Road would become a double storey extension with a hipped roof, while the remainder would be a ground floor only extension with a flat roof. That flat roof would form a balcony at first floor. An external staircase would lead to that balcony from a rear yard.
- The loft space of the existing building would be converted, and some rooflight windows would be inserted. Three of those being “cabrio” style rooflights – see the Impact on Neighbours section below for details. The existing size and shape of the roof would be retained.
- The existing proprietor’s flat would be converted into two flats – one on the first floor and the other mainly on the ground floor but with a store room and laundry room in the basement. A third flat would occupy the converted attic space.

The application is accompanied by a Design And Access Statement and by a Green Travel Plan.

## **5. Amended Drawings**

This application was submitted on 06.06.2016, but amended drawings were received on 29.06.2016 to supersede those that had originally been submitted. The agent had acted on advice from the planning officer and revised the layout of Flat 3 to make it a one bedroom flat rather than a two bedroom flat because we had pointed out that it would not have been a large enough flat to serve as a two bedroom dwelling. On 17.08.2016 another revision of the floor plan was received in which the bedroom of Flat 3 had been enlarged slightly to comply with the national standards.

## **6. Extension of the Determination Deadline**

Because more than four objections have been received it has been necessary to refer this case to the Development Management Committee, rather than determining it under delegated powers. The original eight week determination deadline was 01.08.2016, but this has been extended to 02.09.2016, with the agent's agreement, so that it can be considered at the next available committee meeting, which will be on 01.09.2016.

## **7. Ownership Details - Amended Application Form**

The applicant in this case is Mr K. Skinner, and on the application form that was originally submitted Certificate A was signed – indicating that he is the sole owner of the site. In the course of dealing with this application we have had occasion to look at the title deeds (HD134583), and we noticed that a mistake seems to have been made in completing the application form because Mr Skinner is not mentioned as an owner on the deeds. The three owners are shown as being two other individuals and a company. It may be that Mr Skinner is a director of that company, but he has applied for planning permission in his own name as a private individual. We have pointed this out to the applicant's agent, and the mistake has now been corrected by his submitting an amended page of the application form (on 02.08.2016) with Certificate B completed with the names of the three owners, and that was accompanied by a copy of a letter that he has sent to notify those owners of the planning application.

## **8. Planning History**

**We have the following records for the site:**

16/00570/FUL – Withdrawn on 02.06.2016 - Change of use from retail (A1) to residential (C3). Convert and extend the existing building to form 4no. self-contained apartments (1no. one bed, 2no. two bed, 1no. three bed).



84/00459/FUL – Conditional planning permission was granted on 03.10.1984 - Single storey extension for disabled person.

68/04443/COU – Conditional planning permission was granted on 04.11.1968 - Change of use of front room from residential to shopping

**The following records from 1973 relate to the land to the rear of 32 Langley Road:**

73/08459/S53 - GPDCNR - 01.01.1900 - Section 53 Application - Use of the premises for:- First floor - Offices 10% Storage 90% Ground floor - Garaging 100% (less WC to be installed)

73/08458/S53 GPDCRQ - 01.01.1900 - Section 53 Application - Use of the premises for:- First floor - Offices 100% Ground floor - Garages 100%

73/08457/S53 - GPDCRQ 01.01.1900 - Section 53 Application - Use of the premises for:- First floor - Offices 100% Ground floor - storage 100%

73/08456/S53 - GPDCNR 01.01.1900 - Section 53 Application - Use of the premises for:- First floor storage 75% office in connection 25% ground floor storage 100%

73/08455/S53 - GPDCNR 01.01.1900 - Section 53 Application - Use of the premises for:- First floor storage 75% office in connection 25% ground floor garaging 100%

73/08454/S53 - GPDCNR - 01.01.1900 - Section 53 Application - Use of the premises for storage first floor 100% garaging ground floor 100%

73/08418/S53 – withdrawn on 01.01.1900 - Section 53 Application. Use of the premises for storage, offices and garaging

## **9. 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 27<sup>th</sup> 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
- Conserving and Enhancing the Historic Environment

### **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 30<sup>th</sup> January 2013. The following sections are particularly relevant to this case:

- SD1 Sustainable Design
- SS1 Spatial Strategy
- UD1 Delivering High Quality Design
- UD2 Built Heritage Conservation

### **The Watford District Plan 2000 (saved policies)**

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

- T24 Residential Development
- 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)

## **10. Consultations**

### **10.1 Neighbour consultations**

The following properties were notified by letter:

28 Malden Road, Watford, WD17 4EW,  
Flat 4, 25 Langley Road, Watford, WD17 4PR  
Flat 3, 25 Langley Road, Watford, WD17 4PR  
Flat 2, 25 Langley Road, Watford, WD17 4PR  
Flat 1, 25 Langley Road, Watford, WD17 4PR  
36 Langley Road, Watford, WD17 4PN,  
34 Langley Road, Watford, WD17 4PN,  
32 Langley Road, Watford, WD17 4PN,  
1A Stamford Road, Watford, WD17 4QS,  
Flat 10, Archway House, 4 Orphanage Road, Watford  
Flat 9, Archway House, 4 Orphanage Road, Watford  
Flat 8, Archway House, 4 Orphanage Road, Watford  
Flat 7, Archway House, 4 Orphanage Road, Watford  
Flat 6, Archway House, 4 Orphanage Road, Watford  
Flat 5, Archway House, 4 Orphanage Road, Watford  
Flat 4, Archway House, 4 Orphanage Road, Watford  
Flat 3, Archway House, 4 Orphanage Road, Watford  
Flat 2, Archway House, 4 Orphanage Road, Watford  
Flat 1, Archway House, 4 Orphanage Road, Watford  
16A Woodford Road, Watford, WD17 1PA,  
13 Woodford Road, Watford, WD17 1PB,  
14 Woodford Road, Watford, WD17 1PA,  
12A Woodford Road, Watford, WD17 1PA,  
10 Woodford Road, Watford, WD17 1PA,  
10A Woodford Road, Watford, WD17 1PA,  
12 - 14 Woodford Road, Watford, WD17 1PA,  
11 Woodford Road, Watford, WD17 1PB,  
Flat, 32 Langley Road, Watford, WD17 4PN  
1B Stamford Road, Watford, WD17 4QS,  
3 Stamford Road, Watford, Herts, WD17 4QS  
40 Langley Road, Watford, Herts, WD17 4PN  
1 Stamford Road, Watford, Herts,

38 Langley Road, Watford, WD17 4PN

A site notice was put up on 8<sup>th</sup> June 2016. A press notice was published in the Watford Observer local newspaper on 17<sup>th</sup> June 2016.

Six responses were received, one of which was from local Ward Councillor Mark Hofman. One was from a neighbour at 38 Langley Road, which is a house in the middle of the terrace which this site stands at the end of. Another was from a resident of Denmark Street, and the other three were from people who withheld their addresses. The section of this report below entitled Consideration of Representations Received includes a table summarising the points that were raised.

### **10.2 Statutory consultations**

None were necessary.

### **10.3 Internal consultations**

The manager of the Parking Service has written to say that the developer should be required to enter into a Section 106 planning obligation to fund an amendment to the local Traffic Order so as to ensure that the new flats will not be entitled to claim any residents' parking permits for the Controlled Parking Zone.

The Conservation Team were consulted because the site lies within the Nascot Conservation Area and because it is adjacent to a terrace of locally listed houses. They have raised no objection to the application.

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## **Appraisal**

### **11. Design**

Externally there will be few changes made to the original building. Its corner entrance and its shop windows onto Langley Road and Stamford Road are to be retained. The frames of those, and of the other windows, are likely to be replaced, but a condition can be applied to require that details and samples must be submitted for the Council's approval so that we can ensure that they are appropriate to the character of this prominent building.

The roof of the main building will retain its size and shape, and this is a major

improvement over the previous application (which was withdrawn) in which it would have been extended and changed its shape. The proposal is to clad the roof in synthetic slates. This should be carefully considered as synthetic slates vary in quality. Genuine natural slates are likely to be preferable on a prominent corner site in a conservation area. However this issue can be addressed by a condition requiring the submission of the slates for our approval. Several rooflight windows will be inserted into the roof, but those on the front and the side will be small and unobtrusive, and those in the rear, while larger and more numerous, will not cause significant harm to the appearance of the site as they will be more or less flush with the original roof slope.

The main building is rendered and painted white, while the existing rear extensions are in two slightly different shades of red brick. Our advice to the architect has been followed - which was to render the new extensions to match the main building, rather than risking the introduction of yet another shade of brick.

The building already has two ground floor rear extensions, and the deeper of those is also the taller, and that is the more prominent because it abuts the side boundary with Stamford Road. It is not an attractive feature and nor is it an original part of the building. The proposal is to raise its height to create a double storey element, but that will have a hipped roof that will be set low down relative to the main roof of the building to keep it subordinate. Its hipped shape will be appropriate to the character of the original building.

The part of the rear extension that is closer to 34 Langley Road will be single storey only. There is already an extension here, and the proposal amounts to increasing its depth to bring it level with the deeper part of the extension (which will remain at its current depth).

Each of the three flats will have its own separate entrance, while the shop unit will retain its existing door on the corner. Flat 3 in the attic will have the use of an existing side door onto Stamford Road, which will give access to a private hallway in which bins and bicycles could be stored, from where a staircase will rise to the attic. Flat 1 is largely on the ground floor (with a laundry room and a store in the basement) and that will be accessed from Stamford Road via its own gate and private yard. Flat 2 on the first floor will be accessed via another gate and its own small yard from where a new external staircase will rise to its own balcony. This is a well-considered arrangement which will allow for a certain amount of privacy and separation between the three households (albeit one must accept that the privacy of the rear yards will not be absolute – for instance the residents of the first floor flat would be able to look down into the rear yard of the ground floor flat while using the external staircase) as well as ensuring that they can all store bicycles securely and keep their bins inside so that they do not clutter the street.

The proposal to retain the existing shop either as a retail unit (A1) or else as an office in use classes A2 or B1 is to be welcomed. The idea of opening up light wells in the floor to allow for the basement to be used as a meeting room is an original and architecturally interesting idea that will make this unit a more flexible and commercially viable space.

This application has been reviewed by the Urban Design and Conservation Manager, who has not objected to it.

## **12. Room Sizes: national technical standards**

The government's document *Technical Housing Standards – Nationally Described Space Standard* (March 2015) sets out the minimum internal space standards that the government considers acceptable. Previously Watford Borough Council had our own local minimum space standards, which were set out in section 7.3.5 of the Residential Design Guide supplementary planning document, but those no longer apply as they have been superseded by the new national standards (all other parts of the RDG remain valid).

### **FLAT 1**

This would be a two bedroom flat, and so we assume that it would house three people, eg a couple and a child. On the plans that were originally proposed a room that looked worryingly like a third bedroom with an en suite bathroom was proposed in the basement (without any windows) but the proposal has been changed so that it would now be a store room and laundry room.

<b>Room</b>	<b>Required</b>	<b>Proposed</b>	<b>Complies?</b>
Gross internal area	61m <sup>2</sup> For a 2 bedroom home to accommodate 3 people	62m <sup>2</sup> on ground floor plus 17m <sup>2</sup> in basement = 79m <sup>2</sup>	Yes
Double bedroom on ground floor	11.5m <sup>2</sup>	11.9m <sup>2</sup> for Bedroom 2	Yes
Single bedroom on ground floor	7.5m <sup>2</sup>	11.2m <sup>2</sup> for Bedroom 1	Yes

### **FLAT 2**

This would be a two bedroom flat, and so we assume that it would house three people, eg a couple and a child.

<b>Room</b>	<b>Required</b>	<b>Proposed</b>	<b>Complies?</b>
Gross internal area	61m <sup>2</sup> For a 2 bedroom home to house 3 people	85m <sup>2</sup>	Yes

Double bedroom	11.5m <sup>2</sup>	11.5m <sup>2</sup> for Bedroom 1	Yes
Single bedroom	7.5m <sup>2</sup>	11.2m <sup>2</sup>	Yes

### FLAT 3

This was originally proposed as a two bedroom flat, but because we pointed out to the architect that the flat would not comply with the minimum standard for a two bedroom unit, he amended the plans on 29.06.2016 to propose that Flat 3 be a one bedroom flat. A further amendment was received on 17.08.2016 to enlarge the bedroom slightly. We should assume that this flat would house a couple.

Room	Required	Proposed	Complies?
Gross internal area	50m <sup>2</sup> - 1 storey dwelling 58m <sup>2</sup> - 2 storey dwelling For a 1 bedroom home to accommodate a couple.	56m <sup>2</sup>	Neither standard is directly applicable. The 2 storey standard accommodating a staircase on each floor and the storey standard accommodating no staircase. As the staircase would only take up 2.55m <sup>2</sup> the flat would have over 50m <sup>2</sup> of usable floorspace and is considered acceptable.
Double bedroom	11.5m <sup>2</sup>	11.86m <sup>2</sup>	Yes

### **13. Impact on neighbouring properties**

This is a corner site, so it has an immediate neighbour to its left (a terraced Victorian house at 34 Langley Road) and one to its rear (a modern in-fill house at 1b Stamford Road) but none to the right.

The proposal includes a first floor balcony at the rear, and also some cabrio-style rooflight windows in the rear roof-slope, which open out to form the equivalent of a Juliet balcony, where a resident can stand and look out, but which does not have any external platform to step out onto. We must consider whether these would overlook the neighbours to the rear and to the side to an unreasonable degree.

When the planning officer visited to inspect the site on 02.06.2016 he stood in the bathroom at first floor and looked out of its rear-facing window. The direct view was of a sheer, windowless brick wall which is the flank of 1b Stamford Road. That house has a small rear garden which is largely occupied by a conservatory – looking at an angle, one

can see the roof of that, but little of the garden is visible because of the angle and because that roof largely obstructs the view.

The proposed first floor balcony would have a side wall to protect the privacy of the neighbours to the side at 34 Langley Road. A condition can be applied to ensure that this is installed and retained.

Cabrio-style rooflights open in two sections – the bottom pane folds out and down and the top pane folds out and up. One can then stand inside the room and enjoy an open view – in this way they are similar to a Juliet balcony, but set into a roof slope. There is no external platform to step out onto, so the view is rearwards rather than sideways.

The proposal to alter the existing rear extensions to make it partly single and partly double storey will not affect the neighbour at 34 in terms of any loss of light or outlook because the double storey element will be on the side of the plot that is adjacent to Stamford Road, rather than on their side. That neighbour has an extension of their own adjacent to the side boundary, which is approximately the same depth as the proposed extension, so it is unlikely to be affected.

#### **14. Traffic and parking**

The site is located just five minutes' walk from the Town Centre and Watford Junction station, so it is well suited for car-free living. Saved policies T24 and T26 of the Watford District Plan 2000 are listed as having been saved in an appendix to the newer Watford Local Plan Part 1 Core Strategy. They state that it is not necessary to provide off-street parking in cases where the site is in a suitable location with good access to passenger transport and close to amenities and public services "subject to the provision of satisfactory... on-street parking controls." This site is located in a Controlled Parking Zone (CPZ).

Normally a dwelling in a CPZ is entitled to claim two residents' parking permits. We have sought to prevent the three new flats from being able to claim any permits because potentially that could cause up to six new vehicles to be parked on Stamford Road or on other streets nearby, which would cause an unacceptable increase in parking congestion, and that would reduce the number of spaces available to existing residents.

This has been achieved by the applicant submitting a unilateral undertaking which has been signed by the owners of the site (the applicant and the owners being different legal entities – see above *Ownership Details*). This document is a Section 106 planning obligation in which the owners undertake to fund an amendment to the local Traffic Order



so as to exclude the new flats from any entitlement to claim parking permits for the CPZ. It will apply to the current and future owners. That document was submitted on 5<sup>th</sup> August 2016.

Flats 1 and 2 will both have secure rear yards in which the residents can keep bicycles if they wish. Flat 3 in the loft will have its own entrance hallway on the ground floor (accessed via a side door on Stamford Road) and it would be possible for them to keep one or two bicycles there.

**15. Consideration of representations received**

Six responses were received, one of which was from local Ward Councillor Mark Hofman. One was from a neighbour at 38 Langley Road, which is a house in the middle of the terrace which this site stands at the end of. Another was from a resident of Denmark Street, and the other three were from people who withheld their addresses. The following table contains a summary of the points that were raised.

<b>Points Raised</b>	<b>Officer’s Response</b>
The site is in the Nascot Conservation Area and therefore it should be conserved, not turned into more flats, which would be inappropriate to the area.	The proposal is to convert one existing flat into two flats, and to add a third flat in the attic space. As it is already a flat, it is difficult to see why new flats would be inappropriate. This is a residential area.
An objector writes that he wants us to consider HMOs.	It is not clear what is meant by this. Perhaps the objector fears that the proposal is to create an HMO (house in multiple occupation) but it is not – the proposal is for one shop or office unit (A1/A2/B1) and three self-contained flats.
The development will lead to parking congestion on local streets.	The new flats will not be entitled to claim any parking permits. See the section of this report above Traffic and Parking.
A local resident writes that she would like the premises to be used as “an old fashioned tea shop” to preserve the village atmosphere. Another resident writes that it should be retained as either a shop or a	The proposal is that the unit will be in either class A1 (retail or a tea shop) or A2 (e.g. an estate agent, solicitor etc) or B1 (an office). The Planning system cannot oblige the owners to open an old fashioned tea

<p>restaurant to serve the community.</p>	<p>shop, but they would be permitted to open one if they wanted to.</p> <p>A restaurant would be more problematic because of the fumes and odours that its extraction system would have to discharge close to residential premises. That would not be permitted by this planning permission because a restaurant would fall within a different use class (A3). A condition should be applied to ensure that the premises cannot be changed to another use class without specific planning permission so that such issues can be carefully considered.</p>
<p>The hardware store was a useful service to local residents. The unit should continue to be a commercial property.</p>	<p>It will continue as a commercial property in use classes A1, A2 or B1. This is a stand-alone shop which is not part of the designated local shopping frontage, which is further down Langley Road, so it is not considered necessary to insist that it stay as a shop (A1).</p>
<p>The development will be unattractive, unsympathetic to the original building, and it will harm the street-scene and the character of the Nascot Conservation Area. It will have a negative impact on the view down Stamford Road. The Nascot Conservation Area Character Appraisal Document says that demolition will usually be unacceptable.</p>	<p>There will be some alterations to the existing rear extensions, but those are not original parts of the building. There will be no demolition of the original building. The part of the existing rear extension that abuts Stamford Road is already quite tall, and the proposal to make that a double storey extension is considered to be well designed and generally sympathetic to the character of the original building. As regards the main part of the building its shape and general appearance will be retained. In this sense the proposal is an improvement over the previous application (which was withdrawn) which proposed changing the shape of the roof and enlarging it.</p>

	The Conservation Manager has raised no objection to this application, which is not considered harmful to the character of the Nascot Conservation Area.
The privacy of neighbours could be threatened by the first floor balcony and the cabrio rooflights.	Please refer to the section above entitled Impact on Neighbouring Premises.
Waste bins could cause a problem.	Waste bins will be stored within the site, and their locations are marked on the floor plans. The ground floor and first floor flats will each have their own rear yards in which to keep them. The attic flat will have its own entrance hallway at ground floor in which bins can be kept.
Daylight and sunlight will be obstructed to several properties.	The part of the rear extension that will be closest to 34 Langley Road will be single storey only, and it will replace an existing extension there (albeit slightly deeper). The neighbour at 34 has a ground floor rear extension of their own. The double storey element will be away from the neighbours. The flank wall of 1b Stamford Road is windowless. It is not considered likely that the development would cause any significant obstruction of light to the neighbours.
A local resident writes that he is opposed to the proposal to divide the site into 4 flats.	The application is only for three flats (not four) plus a shop or office.

### **16. 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 floorspace created by

the development. The charge is non-negotiable and is calculated at the time that planning permission is granted.

The proposed residential development in this case will be subject to this Levy. The charge is based on the net increase of the gross internal floor area of the proposed development. A notice will be sent to the applicant advising them of the chargeable amount.

Note that CIL is a separate matter to the Section 106 planning obligation that is referred to in the Traffic and Parking section of this report above.

### **17. Conclusion**

The shop unit is to be retained (either as an A1 retail unit or else as an office in classes A2 or B1) and the proposal to create light wells into a new meeting room in the basement will make it a more flexible and commercially viable unit. There will be few significant changes to the overall appearance of the main building apart from the insertion of some rooflight windows, which will not cause any significant harm to the appearance of the site. The new rear extensions will replace some unattractive existing extensions and they are considered acceptable in design terms. The proposed flats are large enough to provide adequate accommodation. The neighbours to the side will not be overlooked. While there will be windows and a balcony looking rearwards, those will be in line with the windowless flank wall of 1b Stamford Road, and they will not have a direct view into that neighbour's rear garden because their line of sight will be blocked by a conservatory roof.

The proposal is considered acceptable and it is recommended that this application be approved, subject to conditions.

### **18. 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.

**Recommendation:** That, pursuant to a planning obligation under s.106 of the Town and Country Planning Act 1990 as per the unilateral undertaking that has been submitted in support of the application, conditional planning permission be granted subject to the following conditions:

**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. Please note that some of these are amended drawings which have superseded versions that were originally submitted with the application:

Drawing LRW.PLAN1 - revised version dated 17/08/2016

Drawing LRW.PLAN2 - revised version dated 29/06/2016

Drawing LRW.PLAN3 - revised version dated 29/06/2016

Drawing LRW.SP500 - block plan

Drawing LRW.LP1250 - site location plan

Design and access statement

Green travel plan

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

3 The first floor rear balcony shall be built with the side wall, as shown on drawing LRW.PLAN2, and that side wall shall be retained thereafter.

**Reason:** The side wall is necessary to act as a screen to protect the privacy of adjacent neighbours to the side whose private rear gardens might otherwise have been overlooked by residents standing on the balcony. This condition is necessary 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 (volume 2 Extending Your Home, section 3.3.1c) as referenced in paragraph 12.1.5 supporting Policy UD1.

4 No work shall commence above the level of the damp-course until full details of the materials listed as follows have been submitted to and approved in writing by the Local Planning Authority. Physical samples labelled with the manufacturer and model shall be submitted of the roof slates, the window frames and rainwater goods. In the case of the rooflight windows it will be acceptable to submit written details from a manufacturer's brochure or website rather than physical samples. The development shall be carried out in accordance with the approved details. The rendered walls shall be coloured white, cream, off-white, or such other colour as has been agreed in writing by the Local Planning Authority.

**Reason:** In the interests of the visual appearance of the site, pursuant to Policies UD1 and UD2 of the Watford Local Plan (Part 1: Core Strategy) 2006-2031. This pre-commencement condition is necessary because if the development were to be built in inappropriate materials it could result in harm to the character of the Nascot Conservation Area. In this case particular care should be taken over the choice of materials because this is a prominent corner site, in a Conservation Area, and adjacent to Locally Listed Buildings, and because its walls consist of a mixture of two types of brick and of painted render.

5 The front ground floor and basement unit which is labelled on the plans as 'office' may be used only for a purpose falling within the following Use Classes of the Town and Country Planning (General Permitted Development) Order 2015 (or subsequent amendments thereof): classes A1 (shops), A2 (financial and professional services) or B1 (offices), and not for any other use.

**Reason:** To ensure that the premises may not be put to other types of use which might cause a nuisance to residents of the flats in this building or to neighbouring premises, for instance by generating unreasonable levels of noise, or cooking fumes and odours, or by causing vehicles to park outside obstructing traffic.

### **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](http://www.watford.gov.uk), where it is appended to the agenda of the Development Management Committee meeting of 31 August 2016; and also 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 The development that is hereby approved is liable for contributions under the Community Infrastructure Levy (CIL). Please contact the Planning Support team at Watford Borough Council (tel 01923 278327) if you have any queries about the procedure to be followed as regards making those contributions prior to the commencement of the development.

4 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 certain contributions 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.

5 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](http://www.watfordbuildingcontrol.com).

6 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](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc__Act_1996_-_Explanatory_Booklet.pdf)

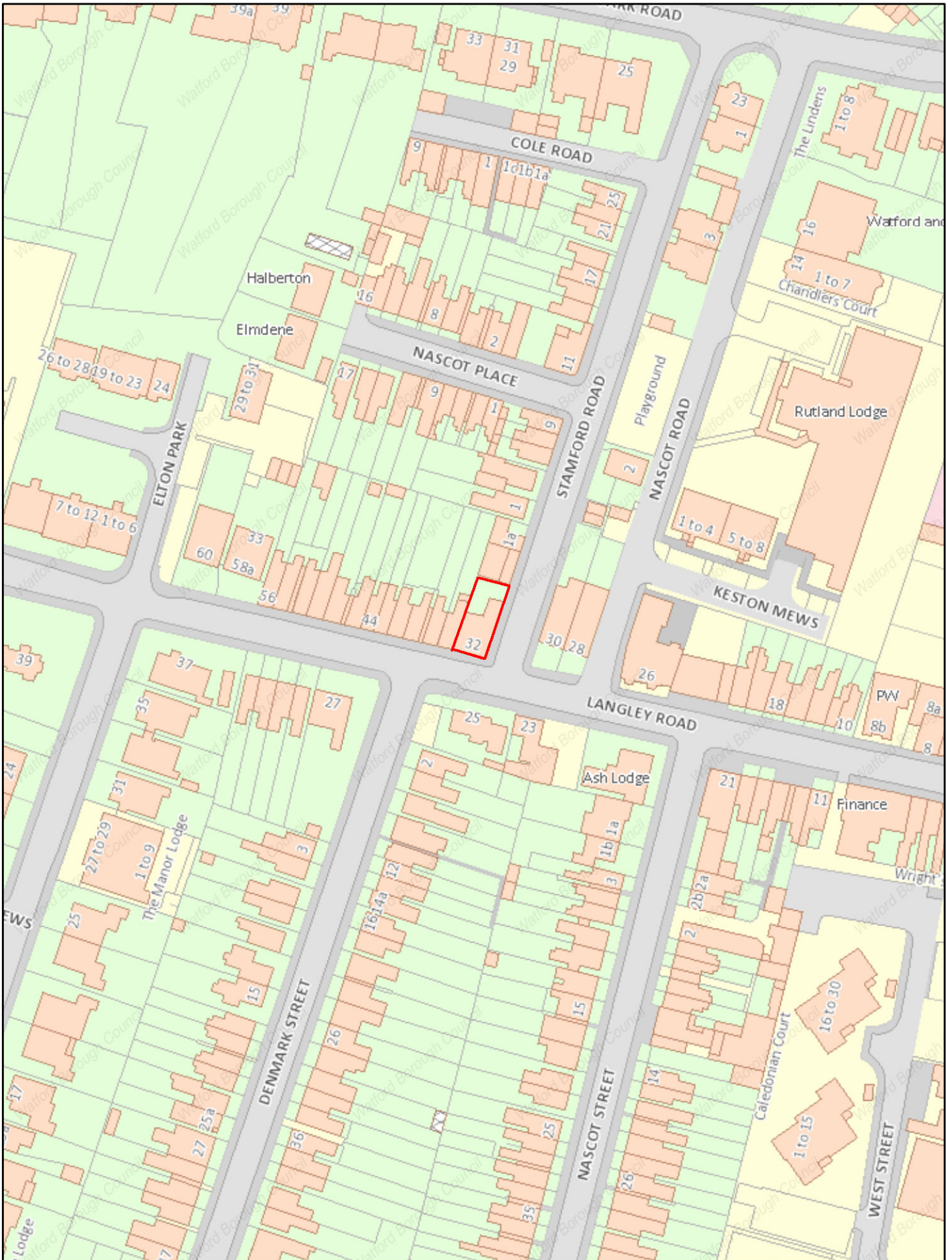
7 You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health and Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990. In order to minimise impact of noise, any works associated with the development which are audible 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](https://www.watford.gov.uk/info/20010/your_environment/188/neighbour_complaints_%E2%80%93_construction_noise)

8 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](mailto: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.

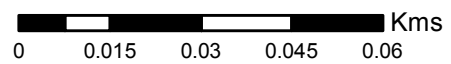
Case Officer: Mr Max Sanders  
Tel. 01923 27 8288  
E-mail: [max.sanders@watford.gov.uk](mailto:max.sanders@watford.gov.uk)





32 Langley Road

Date: 19/08/2016



Scale 1:1,250





PART A	
Report of: <b>Head of Development Management</b>	
Date of committee:	<b>1<sup>st</sup> September 2016</b>
Site address:	<b>462-464 St Albans Road</b>
Reference Number:	<b>16/00661/FUL</b>
Description of Development:	<b>Change of use of existing rear extension from office (B1 Use Class) to a single residential dwelling (C3 Use Class)</b>
Applicant:	<b>Jenga Ltd</b>
Date Received:	<b>13th May 2016</b>
8 week date (minor):	<b>8th July 2016</b>
Agreed extended date:	<b>8th September 2016</b>
Ward:	<b>Tudor</b>

## **1.0 Site and Surroundings**

- 1.1 This application relates to a two storey, flat-roofed rear extension which forms part of the premises known as 462-464 St Albans Road.
- 1.2 The property at 462-464 St Albans Road is situated on the eastern side of St Albans Road some 12 metres north of the junction with Bushey Mill Lane. It comprises a commercial unit at ground floor level with residential accommodation on the first and second floor levels above.
- 1.3 The commercial unit is currently vacant having last been used as a beauty clinic. Prior to its occupation by a beauty clinic business the premises had been in use as a bank. This unit forms part of the Longspring parade of shops which is designated as a 'Local Shopping Frontage' on the Watford District Plan 2000 Proposals Map. The Longspring area in which the property is located is also identified as a "Neighbourhood Centre" in Table 2 of the Watford Local Plan Part 1 Core Strategy 2006-31 (page 50).
- 1.4 The two storey extension to which this application relates sits behind the main frontage building and had previously provided a strong room and staff facilities for the bank. It has been subject to an extension in recent years and the resultant structure benefits from having planning permission to be used as an office (falling within use class B1). However, it has recently come to light that this building is currently being used as 2 separate self-contained flats (one occupying the ground

floor and the other occupying the first floor).

- 1.5 A service road runs behind the parade of shops and this provides access to the rear of these commercial premises. This service road abuts the eastern boundary of the site and is accessed via entrances on both St Albans Road and Bushey Mill Lane. Further to the east, and on the opposite side of the service road, a former depot building exists and this is occupied by a motor vehicle service and repairs business (Kwik Fit).
- 1.6 The subject property does not encompass any listed buildings and is not located within a Conservation Area.



Fig. 1. Aerial view of site.

## 2.0 Proposed Development

- 2.1 The application proposes the change of use of the existing rear extension from its lawful office use (falling within use class B1) to a single residential dwelling (falling within use class C3).
- 2.2 The existing unauthorised flats that currently occupy the building will be removed and replaced with a single unit that will comprise two bedrooms at ground floor level and a lounge, kitchen/dining area and shower room at first floor level.

2.3 Access to the unit will be gained via the existing first floor entrance which itself is accessed off the flat roof of the element that links the rear of the main building to the two storey addition. This access relies on the use of the external staircase structures located within the small yard area behind the main building. These can be reached by approaching the site from the rear using the service road. An alternative means of access is also provided by way of a staircase which passes through the main building. This is accessed from a ground floor door on the St Albans Road frontage.

### **3.0 Relevant Planning History**

3.1 The site has an extensive site history relating to its commercial uses and relating to extensions and alterations to create residential flats. The most recent relevant planning history is outlined below:

Ref. 09/00056/FUL (466 St Albans Road) – Conversion of existing first and second floor maisonette into 1no. studio flat and 1no 1-bed flat – Conditional Planning Permission granted in April 2009.

Ref. 09/00741/COU – Change of use of part of the existing premises to offices (Class B1) involving the erection of a first floor rear extension (amended description and amended plans received) – Conditional Planning Permission granted in December 2009.

Ref. 10/00347/FUL – The installation of an external staircase to the rear, the formation of new entrance to the front, the installation of front and rear dormer windows to provide additional habitable space together with the change of use of the first floor office (Use Class B1) to provide 4 self contained flats (Use Class C3) – Conditional Planning Permission granted in June 2010.

Ref. 10/00788/COU – The erection of a single storey rear extension at the first floor level and the change of use of the existing ground and first floor rear extension from ancillary offices/storage (within Class B1) to provide a new two bedroom flat within the enlarged extension, incorporating a balcony at first floor level and the formation of new metal access platform link to existing external staircase – Refused Planning Permission in October 2010 for the following reasons:

1. *The proposed flat will be located within an unattractive location and will provide an unsatisfactory living condition for the future occupiers of the site*

*by reason of its setting within an unwelcoming environment and poor outlook at the rear of a service yard and subject to a degree of overlooking and hence it will be contrary to policies H8 and U2 of Watford District Plan 2000.*

2. *Because of the windows in the north elevation, the proposed development will give rise to problems of overlooking and loss of privacy and is contrary to the Council's Supplementary Planning Document Residential Design Guide, RDG3.3.2 (Privacy Guidelines for Dwellings) and Policies U2 of the Watford District Plan 2000.*
3. *An agreement under Section 106 of the Planning Act has not been completed to secure a financial contribution towards the provision of local and community facilities to mitigate against the impact of development upon such facilities in Watford. As such, the proposal is contrary to Policies IMR2 and L9 and H10 of the Watford District Plan 2000.*
4. *An agreement under Section 106 of the Planning Act has not been completed to secure a financial contribution towards the implementation of sustainable transport measures in the locality of the site as part of the South West Herts Transportation Strategy and the Council's Cycle Strategy and walking Strategy. As such, the proposal is contrary to Policies T4, T6, T9 and T24 of the Watford District Plan 2000.*

Ref. 10/00792/COU – The erection of a single storey rear extension at the first floor level and the change of use of the existing first floor rear extension from ancillary offices/storage (within Class B1) to provide a new one bed room flat within the enlarged extension, incorporating a balcony at first floor level and the formation of new metal access platform link to existing external staircase – Refused Planning Permission in October 2010 for the following reasons:

1. *The proposed flat will be located within an unattractive location and will provide an unsatisfactory living condition for the future occupiers of the site by reason of its setting within an unwelcoming environment and poor outlook at the rear of a service yard and subject to a degree of overlooking and hence it will be contrary to policies H8 and U2 of Watford District Plan 2000.*
2. *Because of the windows in the north elevation, the proposed development will give rise to problems of overlooking and loss of privacy and is contrary to*

*the Council's Supplementary Planning Document Residential Design Guide, RDG3.3.2 (Privacy Guidelines for Dwellings) and Policies U2 of the Watford District Plan 2000.*

3. *An agreement under Section 106 of the Planning Act has not been completed to secure a financial contribution towards the provision of local and community facilities to mitigate against the impact of development upon such facilities in Watford. As such, the proposal is contrary to Policies IMR2 and L9 and H10 of the Watford District Plan 2000.*
4. *An agreement under Section 106 of the Planning Act has not been completed to secure a financial contribution towards the implementation of sustainable transport measures in the locality of the site as part of the South West Herts Transportation Strategy and the Council's Cycle Strategy and walking Strategy. As such, the proposal is contrary to Policies T4, T6, T9 and T24 of the Watford District Plan 2000.*

Ref. 10/01144/COU – Change of use of the rear ground and first floor extension to use Class B1 offices, together with a single storey rear extension at first floor level with new windows and doors – Conditional Planning Permission granted in January 2011.

## **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
TLC2	Neighbourhood Centres
HS1	Housing Supply and Residential Site Selection
HS2	Housing Mix
T2	Location of New Development
T3	Improving Accessibility
UD1	Delivering High Quality Design

**4.4 Watford District Plan 2000 (saved policies)**

SE7	Waste Storage, Recovery and Recycling in New Development
SE22	Noise
T10	Cycle Parking Standards
T21	Access and Servicing
T22	Car Parking Standards
T24	Residential Development
T26	Car Free Residential Development
H13	Conversions

**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.



#### 4.7.1 *Residential Design Guide*

The Residential Design Guide (RDG) was adopted in July 2014. 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 extensions to dwellings to new individual dwellings and large-scale, mixed-use, town centre redevelopment schemes. The guide is a material consideration in the determination of relevant planning applications.

#### 4.7.2 *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.

#### 4.7.3 *Technical Housing Standards – Nationally Described Space Standard*

This was published in March 2015 by the Department for Communities and Local Government.

### 4.8 **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 4 Promoting sustainable transport

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

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

Decision taking

### 5.0 **Consultations**

#### 5.1 **Neighbour consultations**

Letters were sent to properties in St Albans Road and Bushey Mill Lane.

## 5.2 Site Notices

Site notices were placed. These expired on 1<sup>st</sup> July 2016.

5.3 The following is a summary of the representations that have been received:

Number of original notifications:	14
Number of objections:	7
Number in support:	0
Number of representations:	7

5.4 The points that have been raised are summarised below and are considered in the “Appraisal” section of the report.

- No car parking – parking problems will be made worse.
- Inadequate rubbish arrangements.
- Overdevelopment.

5.5 The Committee will be advised of any additional representations received after the date this report was written.

## 6.0 Appraisal

### 6.1 Main issues

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

- (a) Principle of development
- (b) Design and impact on visual amenity.
- (c) Layout and living standards for future occupiers.
- (d) Impact on amenity of surrounding residential properties.
- (e) Access, parking and transportation.
- (f) Consideration of objections.

### 6.2 (a) Principle of development

6.3 Policy HS1 of the Watford Local Plan Core Strategy 2006-31 advises that factors that will support residential allocation in the site allocations document, and which will also be considered in determining applications on windfall sites, will include, inter alia: consistency with the spatial strategy; previously developed land; close to good public transport, walking and cycle network routes; location within the town centre or at other strategically located sites. The Policy further

advises that factors that will go against residential allocation will include: not previously developed land; land at risk of flooding; existing employment land, open space or other community facilities for which there is still an identified need; land with high biodiversity, landscape or cultural heritage significance; no access to reliable integrated public transport links.

- 6.4 The proposal complies with the provisions of Policy HS1 in that the site occupies previously developed land which is close to good public transport routes. The site is not in an area at risk of flooding, is not open space or a community facility and does not have high biodiversity, landscape or cultural heritage significance.
- 6.5 The proposal will result in the loss of office space. However, this site is not located within a designated Employment Area and instead lies within a primarily residential area where residential development is considered to be acceptable in principle.
- 6.6 The proposal will not result in any loss of commercial floorspace within the main building which forms part of the retail frontage. The shop will continue to provide a suitable layout for it to be used for commercial purposes and it is considered that the proposal will cause no harm to the viability or vitality of the Local Shopping Frontage in accordance with Policy S9 of the Watford District Plan 2000.
- 6.7 Policy H13 of the Watford District Plan 2000 advises that the conversion of non-residential buildings to dwellings will be acceptable in principle provided they do not result in more than 10% of the existing residential frontage in a street block consisting of a mix of conversions, HMO or guest houses. In this case, the subject building has had a commercial usage and the proposal will not therefore result in the loss of any family-sized dwellings. The conversion rate is not considered relevant in this particular case.
- 6.8 (b) Design and impact on visual amenity
- 6.9 Policy UD1 of the Watford Local Plan Core Strategy 2006-31 states that “new development should respect and enhance the local character of the area in which it is located”. Policy SS1 of the Watford Local Plan 2006-31 advises that “Outside of the areas covered by specific policies, the emphasis will be on making sure that new development protects residential amenity, protects and enhances the character of the area, maintains and enhances the quality of our open spaces and green infrastructure and protects our built heritage”.

6.10 The proposed development relies predominantly on internal alterations being carried out to create the new residential accommodation. Only minor external alterations are required and these will involve the removal of the existing concrete steps outside the ground floor entrance and the construction of new bin storage structures to the side and rear of the building. Such works will have no significant impact on the character or appearance of the building and the bin storage structures will help to contain the refuse and recycling receptacles in the interests of visual amenity.

6.11 (c) Layout and living standards for future occupiers

*Amenity space*

6.12 Section 7.3.22 of the RDG advises that the minimum standard for private garden space for a 2 bedroom family dwelling is 50 square metres. The submitted plans show that no private amenity space will be provided and this will be contrary to the provisions of the RDG. However, given the size of the proposed property and the built up nature of the area it is considered that this will not warrant a reason for refusal of the application. Indeed, the lack of amenity space did not form a reason for refusal of the earlier applications. The context of the site also needs to be taken into account and in this case many of the residential properties within this built up location, including the other residential units contained within the main building and those within the adjoining properties, do not benefit from any private amenity space.

*Internal space*

6.13 It is considered that the proposed accommodation will provide an adequate amount of usable internal floorspace that will allow its future occupiers to enjoy a suitable living environment. The layout will allow a typical arrangement of furniture with enough manoeuvring and circulation space. In addition, storage space will also be accommodated at both ground floor and first floor levels. The gross internal floor area of the building is 82.15 square metres. This will exceed the minimum 81 square metre standard for a 2 bedroom, 4 person, 2 storey dwelling as set out by the nationally described standard.

*Lighting and outlook*

6.14 It is acknowledged that with previous schemes which sought to convert the subject building into residential accommodation, the Council had raised concerns regarding the lack of suitable outlook for future occupiers. These concerns formed part of the reasons for refusal of applications 10/00788/COU and

10/00792/COU (see “Relevant Planning History” section of the report above).

- 6.15 It is felt that with the current proposal, the outlook from the ground floor bedrooms will be restricted to an extent given that some of the windows will face towards the former depot building (which is currently occupied by Kwik Fit). However, notwithstanding the proximity of this neighbouring building, it is felt that a reasonable amount of outlook for the future occupiers of the development will be achieved.
- 6.16 The ground floor window that will serve ‘Bedroom 2’ will be separated from the neighbouring Kwik Fit building by a distance of 3 metres but owing to the orientation of the buildings and their relationship with each other, a reasonable amount of natural light will reach this room. Moreover, views from this window can be afforded past the front of the neighbouring Kwik Fit building which allows a suitable degree of outlook for this bedroom.
- 6.17 ‘Bedroom 1’ will benefit from windows on the north and east-facing elevations of the building and will be dual-aspect in this regard. These windows will be separated from the nearest neighbouring structures by a sufficient distance to ensure that reasonable outlook and natural lighting is achieved.
- 6.18 The living, kitchen and dining areas are to be provided at first floor level where the opportunities for natural lighting and outlook are less restricted. These rooms will benefit from suitable levels of outlook and natural lighting.

#### *Privacy*

- 6.19 It was previously considered that the residential accommodation which was proposed under applications 10/00788/COU and 10/00792/COU would be subjected to overlooking. Despite these concerns on the earlier schemes, it is felt that the new unit will benefit from adequate levels of privacy. The windows on the east-facing elevation of the building serving the living, dining and kitchen areas will not be overlooked by any neighbouring properties from close range given their siting.
- 6.20 There is the potential for those windows on the north-facing elevation to be overlooked somewhat by users of the yard area or the external staircase but none of these windows provide the sole source of light and outlook for any habitable rooms. As such, were the future occupiers to consider that their privacy was being compromised by these windows they would have the option to install measures so as to prevent any overlooking through the use of blinds, curtains or

obscure glazing for example.

- 6.21 With regard to the proposed bedrooms, these will be located at ground floor level and will be served by windows on the east-facing elevation. Persons using the service road which runs behind the site will be able to afford views towards these windows but it is acknowledged that the internal floor level of the subject building is significantly higher than the external ground level and this has resulted in these windows having a relatively high cill level. Because of their height above ground level passers-by are unable to gain full views into these windows without making a concerted effort.

*Refuse and recycling storage provision*

- 6.22 The submitted plans indicate that bin storage will be provided in the small yard area on the northern side of the building and also at the rear of the building (on its eastern side). Purpose-built enclosures will be installed to ensure that receptacles are kept in a tidy manner. The storage enclosure that is to be installed on the eastern side of the building has been designed to prevent odours entering the nearby window through its incorporation of lids. It is considered that refuse and recycling receptacles could suitably be provided in these locations without causing any harm to the visual amenity of the site or the amenities of the occupiers of the new unit and surrounding properties.
- 6.23 It is noted, that, at present, the bin storage area at the rear of the premises is not being used efficiently. The new storage structures will seek to improve the situation through the containment of waste. It is considered that the level of waste generated by the proposed residential unit would not be significantly above that of the existing office use.

*Internal noise levels*

- 6.24 A number of residential properties occupy the upper floors of the adjoining premises and therefore there is an established residential environment in the area. The unit sits within close proximity of a number of commercial premises including that of Kwik Fit (located in the former depot building to the east) which carries out motor repairs and servicing. There is the potential for activities being carried out at nearby commercial uses to be heard at the subject site. Yet, none of these uses that have the potential to generate noise are likely to be operated late in the evening or early in the morning and therefore the risk of noise disturbance being caused to the occupiers of the property during unsociable hours is considered low.

6.25 In addition to the above, the proposed bedrooms will occupy the ground floor level of the building which had previously comprised a strong room – associated with its former use as a bank. This part of the building benefits from relatively thick, solid walls which in themselves will help to insulate the bedrooms from external noise sources.

*Setting and environment*

6.26 Both previous applications 10/00788/COU and 10/00792/COU were refused on grounds that the units they proposed would be located within an unattractive location which offers an unwelcoming environment.

6.27 It is felt that the service road at the rear of the property does not offer a particularly welcoming environment although this road is used by other residents as a means of access to the neighbouring flats. As such, there is some activity to the rear of the site which provides an element of surveillance.

6.28 It must be taken into consideration that the safety and security of the occupiers of the property could be improved with the installation of lighting or other security measures should this be required.

6.29 The proposed property will benefit from access points both at the rear and from the St Albans Road frontage (see “Access, parking and transportation” section of the report below). The provision of the access point on St Albans Road offers a more inviting entrance for future occupiers.

6.30 (d) Impact on amenity of surrounding residential properties.

6.31 The proposal does not involve the erection of any extensions, and, consequently, there will be no loss of light or outlook caused to neighbouring properties as a result of the works.

6.32 Under previous applications which sought to convert the building into a residential use (Refs. 10/00788/COU and 10/00792/COU), concerns had been raised regarding the potential for overlooking. However, under this current application no new windows are to be installed. Instead, the development will rely on the existing window openings being utilised and, as such, the scheme will not introduce any privacy issues.

6.33 The new residential accommodation will be contained within the extension at the rear of the main frontage building. It is separated from the nearest residential

properties and therefore it is unlikely that any noise disturbance to surrounding residents will be caused by the development.

6.34 In light of the above, it is felt that the proposed development will cause no significant harm to the amenities of neighbours, in accordance with the provisions of the RDG and the objectives of Policy SS1 of the Watford Local Plan Core Strategy 2006-31 and paragraph 17 of the NPPF.

6.35 (e) Access, parking and transportation.

*Car parking and traffic generation*

6.36 The information provided on the submitted application form and within the Planning, Design and Access Statement indicates that there is no provision for off street parking. However, notwithstanding this, the site is located within close proximity of North Watford Rail Station (less than 800m away), bus stops and the shops and services located along St Albans Road. Two supermarkets (ASDA and Sainsburys) are also within easy reach being located less than a kilometre away. In a sustainable location such as this there is no requirement for any on-site parking to be provided in accordance with Policy T26 of the Watford District Plan 2000.

6.37 Given the sustainable location of the site and the cycle parking provision that will be made, it is considered that the proposal will not result in any significant increase to on-street parking. Occupiers of the unit will be able to use passenger modes of transport. It is considered that the conversion of the office space into one residential unit will not result in a significant increase in the demand for on-street parking or traffic generation, particularly given how well connected the site is to passenger modes of transport.

*Cycle storage*

6.38 The submitted plans show that cycle storage will be provided to the rear of the premises within a secure and weatherproof enclosure. This will be convenient for the occupiers of the unit and will meet the provisions of saved Policy T10 of the Watford District Plan 2000.

*Access*

6.39 Access to the ground floor shop unit will remain unaltered and, as such, the development will not compromise the effective use of this commercial unit.



6.40 Occupiers of the new unit will have to access their property by using either the external staircase via the rear of the site or by using the staircase which runs through the main building and which is accessed from a ground floor entrance within the St Albans Road frontage. It is felt that this arrangement will offer a suitable means of access to the property.

6.41 (f) Consideration of objections

6.42 Seven representations from neighbouring properties have been received. Some of the issues raised by the objectors have been discussed in the ‘Appraisal’ section of the report above. Those matters which have not already been discussed or which require further elaboration are considered in the table below.

Representations	Officer’s response
Overdevelopment.	<p>The main building has undergone redevelopment in the past involving the creation of new flats. The proposal will result in another residential unit being created at this property. Nonetheless, the scheme does not rely on any extensions being added and the building footprint will remain unaltered.</p> <p>As mentioned above, the gross internal floor area of the new unit will exceed the minimum standard as set out by the nationally described technical housing standards.</p>

6.43 The Committee will be advised of any additional representations received after the date this report was written.

**7.0 Community Infrastructure Levy**

7.1 Community Infrastructure Levy (CIL)

7.2 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.

7.3 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.

7.4 In this case, the proposal seeks to create residential floorspace through the conversion of a building and is CIL liable. The CIL charge for new residential development is currently set at £120 per square metre.

## **8.0 Conclusion**

8.1 It is considered that the proposed development will provide a suitable standard of living for its future occupiers without compromising the amenities of the occupiers of the neighbouring properties. The proposal will involve no extensions or significant external alterations and, as such, will cause no harm to the overall appearance of the property or the character of the area. Given the sustainable location of the site and taking into account the existing use, it is considered that the proposal will not result in any significant increase to on-street parking or traffic generation on the surrounding roads.

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## **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.

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## **10.0 Recommendation**

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

1. The existing unauthorised flats shall be removed and the development to which this permission relates shall be begun within a period of six months 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 hereby permitted shall be carried out in accordance with the following approved drawings: 14395/Location Plan Rev A; 14395/Block Plan; 14395/52 Rev G – amended plan received 19.08.16; 14395/53 Rev F – amended plan received 09.06.16; 14395/54 Rev C; 14395/60 Rev A; 14395/61 Rev A; 14395/62.

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

3. The residential unit hereby approved shall not be occupied until the refuse, recycling and cycle storage provision, as detailed on the plans hereby approved, has been installed and made available for use. In the event of the approved storage provision not being achievable, details of an alternative means of storage shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the unit. Any alternative means of storage approved by this condition shall be installed and shall be made available for use prior to the occupation of the unit.

Reason: To ensure adequate facilities are provided for the future occupiers and in the interests of the visual appearance of the site, in accordance with saved Policies SE7 and T10 of the Watford District Plan 2000 and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

## 10.2 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. 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](http://www.watfordbuildingcontrol.com).

3. 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](https://www.watford.gov.uk/info/20010/your_environment/188/neighbour_complaints_%E2%80%93_construction_noise)

#### Drawing numbers

14395/Location Plan Rev A

14395/Block Plan

14395/52 Rev G – amended plan received 19.08.16

14395/53 Rev F – amended plan received 09.06.16

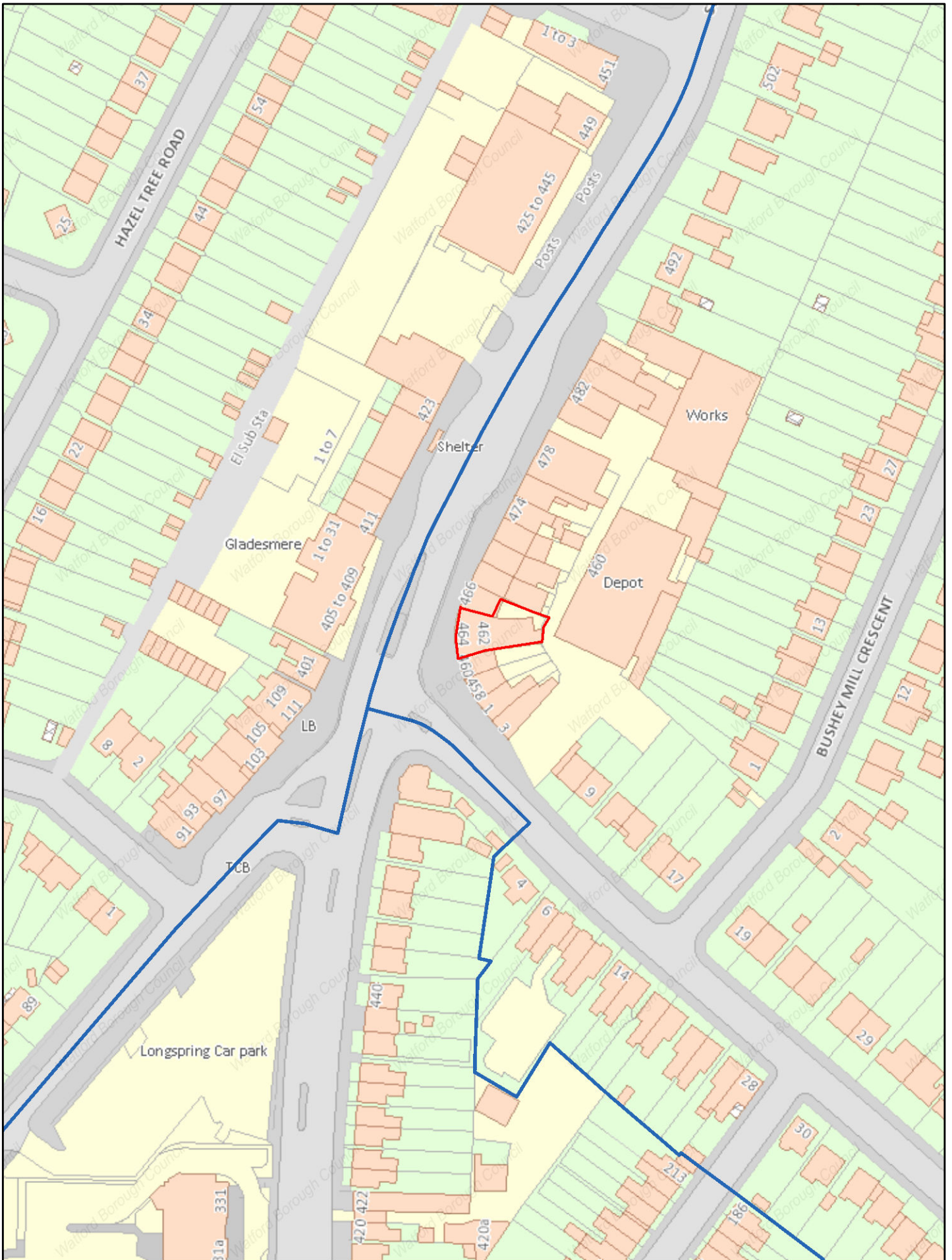
14395/54 Rev C

14395/60 Rev A  
14395/61 Rev A  
14395/62

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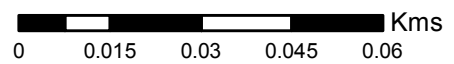
**Case Officer:** Simon Hoskin  
**Email:** [simon.hoskin@watford.gov.uk](mailto:simon.hoskin@watford.gov.uk)  
**Tel:** 01923 278598





462-464 St Albans Road

Date: 19/08/2016



Scale 1:1,250







Part A	
Report of: <b>Development Management Section Head</b>	
Site address:	<b>Land Adjacent To 10 Nascot Wood Road WD17 4RS</b>
Reference Number:	<b>16/00680/FUL</b>
Description of Development:	<b>Erection of a detached 5 bed dwelling with private access from Nascot Wood Road</b>
Applicant:	<b>Woolbro Homes</b>
Date received:	<b>16.05.2016</b>
13 week date (major):	<b>11.07.2016 (Ext)</b>
Ward:	<b>Nascot</b>

### 1.0 Site and Surroundings



- 1.1 Nascot Wood Road is a primarily residential area featuring dwellings on spacious plots.
- 1.2 This application relates to an area measuring c. 0.135ha located south of the original site associated with 10 Nascot Wood Road; a residential dwelling sited in the middle of this large plot.
- 1.3 As its name suggests the site and its environs is characterised by deciduous trees. Indeed, the Tree Preservation Group (TPO) No. 262 is located to the immediate west of the site.
- 1.4 No. 10 Nascot Wood Road is a large dwelling accessed from Bay Tree Walk (perpendicular to Nascot Wood Road). The house, featuring two-storeys and a pitched roof with gables is orientated northwest/southeast within the plot. From

my site visit it appeared that the functional front of the house faced northeast with the rear of the dwelling facing the opposite direction. Habitable windows are present on the front and rear elevations.

- 1.5 The streetscene is characterised by various dwelling types and sizes however, all are well setback from the roadside and are generally two storeys in form.
- 1.6 Neighbours to the northwest include Nos. 2 & 4 Bay Tree Walk (08/00615/FUL) to the east and Nos. 1 and 2 Harmonia Court across a copse a trees to the southeast.
- 1.7 The site is not part of a conservation area nor does it affect the setting of a listed building.
- 1.8 The site has been partially cleared of trees. However, these trees were not part of the aforementioned TPO Group nor were they part of a conservation area. The removal of the trees was lawful and the application should be considered on the basis of the appearance of the site in the current situation.

## **2.0 Proposed Development**

### **2.1 Erection of a detached 5-bed dwelling with private access from Nascot Wood Road**

## **3.0 Relevant Planning History**

### **3.1 15/01755/FUL Erection of two new detached family homes (1no. 3 bed and 1no. 4bed) both with private access from Nascot Wood Road Refused Planning Permission**

#### **3.2 Reasons for Refusal:**

- (i) The application fails to demonstrate that the proposed dwelling House 1 would have a suitable visual relationship with the neighbouring properties due to its siting close to the site boundary at variance with the siting of other houses in the area. This effect is accentuated by the inconsistent and confused detailing evident in its design. Based on the information submitted, it has not been demonstrated that the development would cause no detrimental impact on the streetscene in regard to the character and appearance of the area and therefore the objectives of the Residential Design Guide (RDG), Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31 and Section 7 of the National Planning Policy Framework (NPPF) have not been satisfied.
- (ii) The proposed dwellings because of the overlooking at habitable windows from the neighbouring properties would suffer from a lack of private open

space in both of the proposed gardens. Furthermore, House 1 would suffer from overlooking onto its habitable rear ground floor windows due to an inadequate separation distance between the existing (10 Nascot Wood Road) and the proposed dwelling. The trees proposed to provide screening are an inadequate solution and could be removed or die off thereby compromising the privacy of future occupants. Again, the objectives of the Residential Design Guide (RDG), Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31 and Section 7 of the National Planning Policy Framework (NPPF) have not been satisfied.

- (iii) House 1 would suffer from very poor amenity at its rear elevation due to it being bounded by House 2 to the south and east and by trees to the northeast. This would result in a private amenity space that would be constantly in shadow. When this is combined with the fact that the rest of the house's garden area would also be overlooked the dwelling would suffer from a lack of private amenity space in contrast with the objectives of the Residential Design Guide (RDG), Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31 and Section 7 of the National Planning Policy Framework (NPPF)

## **4.0 Planning Policies**

### **4.1 National Planning Policy Framework**

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

### **4.2 Hertfordshire Waste Core Strategy 20112026**

1 Strategy for the Provision of Waste Management Facilities  
1A Presumption in Favour of Sustainable Development  
2 Waste Prevention and Reduction  
12 Sustainable Design, Construction and Demolition

### **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  
HS1 Housing Supply  
T2 Location of New Development  
T3 Improving Accessibility  
T5 Providing New Infrastructure

## UD1 Delivering High Quality Design

### 4.4 Watford District Plan 2000

SE7 Waste Storage, Recovery and Recycling in New Development

SE22 Noise

T21 Access and Servicing

T22 Car Parking Standards

### 4.5 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.

### 4.6 Residential Design Guide

The Residential Design Guide was adopted in July 2014. 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.

### 4.7 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.

## 5.0 Consultation

5.1 Neighbour - Letters sent to surrounding residences. 6 objections received.

5.2 The points raised are summarised below:

- House would be sited too close to the roadside i.e. not characteristic of the area
- No of bedrooms means that (parking) overspill resulting in on-road parking is likely
- The additional entrance (*Officer Note: now deleted,*) is dangerous and unnecessary
- Concerns that construction work would be detrimental to the safety of pedestrians, notably pupils attending the nearby school
- The occupants at 2 Bay Tree Walk note that side facing bedrooms would look directly onto their upstairs bedroom windows (*Officer Note: plans since amended*)
- The garage is too large and not in keeping with the area
- Objections raised over clearing of unprotected trees prior to submission of this new application

- Objectors state that the neighbourhood cannot adequately cope in terms of infrastructure provision with a development of this size.

### **5.3 Statutory publicity**

No statutory advertisement was required for this application.

### **5.4 Technical consultations**

#### **5.5 Hertfordshire County Council (Highway Authority)**

Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to conditions and advisory notes.

#### **5.6 Arboricultural Officer**

No objections subject to the addition of conditions to the decision notice detailing the route of proposed sub-surface services including soakaways and temporary connections during construction. A detailed landscape plan is also required and the final condition should require the applicant to submit for approval by the LPA the type, height and location of tree protection measures/fencing for all retained trees.

### **6.0 Appraisal**

6.1 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
- (d) the Hertfordshire Minerals Local Plan Review 2002-2016.

#### **6.2 Main issues**

The main issues for consideration in the determination of this application are:

- (a) Principle of the Development
- (b) Impact on the Character and Appearance of the Area
- (c) Amenity
- (d) Traffic, highways and parking impacts.

#### **6.3 Principle of Development and Proposed Uses**

Policy HS1 of the Watford Local Plan Core Strategy 2006-31 advises that the factors that will support residential allocation in the site allocations document, and which will also be considered in determining applications on windfall sites, will include, inter alia: consistency with the spatial strategy; previously developed land; close to good public transport, walking and cycle network routes; location within the town centre or at other strategically located sites. The Policy further advises that factors

that will go against residential allocation will include: not previously developed land; land at risk of flooding; existing employment land, open space or other community facilities for which there is still an identified need; land with high biodiversity, landscape or cultural heritage significance; no access to reliable integrated public transport links.

It states 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 motorized 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'

- 6.4 The layout of the existing dwelling at the site is somewhat unusual. It being located to the rear of the primary rows of houses and having the appearance of a backland development itself based on the current street scene. Due to the orientation, the area to be developed is a garden which lies to the rear of the dwelling, however it is the front of the site in terms of the street scene and is an area one would expect to have a property taking into account the wider urban grain.
- 6.5 The situation Policy H9 was intended to address is not that presented by the application site, however the proposal is assessed against it for completeness.
- 6.6 In respect of point (i) The Highway Authority has been consulted and has raised no objection to the access arrangements. The proposed dwelling would have a single direct access to the public highway. The amendments have reduced the number of access points and improved the front boundary treatment to minimize the visual impact of the access and parking arrangements within the street scene.
- 6.7 In respect of Policies H8, U1, U2, U3 and U4, which are referred to in Policy H9, have not been 'saved' and have been replaced by Policies UD1 and SD1 of the Watford Local Plan Core Strategy 2006-31 which seek to ensure that high quality and sustainable development that enhances the environment is achieved. These matters are issues of design and appearance which are addressed in section 8.4 of this report and overall the proposal is considered acceptable in this respect.
- 6.8 Housing mix  
Policy HS2 of the Watford Local Plan Core Strategy 2006-31 states that the Council will seek the provision of a mix of housing types, sizes and tenures at local level to meet the requirements of all sectors of the community. This includes the provision of:

- Family sized units (especially houses) and;
- Smaller housing units;
- Provision for those unable to compete financially in the housing market;
- Those with special needs as informed by local evidence.

- 6.9 Policy HS2 advises that “Low density family houses with gardens will be sought in more suburban areas”. Paragraph 8.2.7 of the Watford Local Plan Core Strategy 2006-31 also identifies that there is significant need for dwellings with 3 or more bedrooms.
- 6.10 The proposed development would not conflict with the objectives of Policy HS2 in that it would provide a family-sized house comprising 5 bedrooms.
- 6.11 Affordable housing is not sought in this case because the application is for less than 10 residential units and the site is less than 0.5ha in area.
- 6.12 Scale, Design and Impact on the Character and Appearance of the Area  
The proposal as perceived from the roadside would read as a large house featuring a hipped roof with a garage to one side giving the structure (as perceived from the dominant front elevation) an asymmetrical appearance. It would employ red brick as the primary building material and the main design feature is the gable over two storeys. To the southeast elevation a subordinate projection, setback slightly from the front completes the front elevation.
- 6.13 To the rear a secondary projection extends 5.5m from the main rear elevation. While this element is relatively bulky it would not be readily visible from the roadside and would not therefore impact on the visual amenity of the street.
- 6.14 In terms of siting objectors state that the building line is too far forward and therefore not characteristic of the immediate area. The front elevation of the proposed dwelling would sit c. 7m from the site boundary to the front and I note the position of the adjacent dwellings at Bay Tree Walk. While these properties are sited perpendicular to the proposed dwelling the new dwelling would align with the flank elevation of No. 2 Bay Tree Walk. This seems a natural visual arrangement at the site, which lies adjacent to a bend in the road, and it is noted that in general the pattern of development in the area is such that the setback of properties from the road reduces towards the bend in this location. When this is combined with the reduction in the vehicular entrances from two to one (see section 8.7) and the amended boundary treatment the visual impact on the area is considered acceptable and does not give rise to objection in terms of applicable policy. Appropriate landscaping conditions will ensure that the existing hedging shall remain in place.

- 6.15 The Highway Authority raised no objections to the dual vehicular entrance depicted on the original plans. Nevertheless, from a design and visual amenity standpoint the case officer advised the applicant that the LPA would object to the originally proposed boundary treatment (two entrances and fencing). This original design was considered too open, harsh and uncharacteristic for this partly wooded and green area. Consequently, after negotiation, amended plans were requested and it is these amended plans that fall to be considered. These plans demonstrate one vehicular entrance supplemented by a pedestrian gate with the remainder of the existing boundary hedge to be retained. The layout and design now proposed is considered to be visually sympathetic with the immediate surroundings and compliant with relevant design and appearance policies.
- 6.16 The garage was originally proposed as a separate structure. This has been revised so that it is joined to the western flank of the dwelling thereby reducing and consolidating the visual impact of the structure into one unit. The roof form has also been altered to reflect that of the house. The garage is now considered compliant with relevant design policy and the LPA raises no objections in terms of design and appearance.
- 6.17 Impact on Neighbour Amenity  
I note the concerns of neighbours in terms of impact on their amenity. In reference to the dwellings at Bay Tree Walk one of the residents objected citing loss of privacy arising from the position of two bedroom windows on the western flank wall facing directly on to habitable rear windows on the upper floor at Bay Tree Walk. Consequently, the plans have been amended, reducing the original six bedroom proposal to five bedrooms by merging two previously separate rooms into one. As a result the majority of windows facing Bay Tree Walk are now proposed to be obscure glazed ensuring there is no overlooking or loss of privacy to neighbours. Only one window facing towards Bay Tree Walk remains fully transparent (serving bedroom 3 ) but given the distance between this window and the closest neighbour (c.28m) exceeds the guidance contained in Watford's RDGs this relationship accords with adopted guidance and would not result in an unacceptable loss of privacy.
- 6.18 I also note the distance between the rear elevation of No. 10 Nascot Wood Road and that of the proposed subject dwelling. Within the amended plans which fall to be considered the upper level habitable windows at the rear of the dwelling are now perpendicular to the rear elevation of 10 Nascot Wood Road ensuring acceptable outlook and privacy at the proposed and existing dwellings.
- 6.19 Transportation, access and parking  
The Highway Authority has no objection to the entrance layout subject to standard conditions.



Residents have raised concerns regarding parking provision and the proposal's potential to generate additional on-street parking. I note these concerns and have considered the area of the site, the garage provision, and Watford's parking standards. Watford's guidance seeks the provision of three spaces per dwelling for houses with three bedrooms or more. It is clear from the plans that there is adequate space within the site to provide sufficient parking in accordance with the adopted guidance. As such, it is not considered that unacceptable impacts are likely to arise and refusal on parking grounds could not be justified.

## 7.0 Community Infrastructure Levy and Planning Obligation

### 7.1 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 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.

## 8.0 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 Recommendation**

That conditional planning permission be granted subject to the following conditions:

#### 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 hereby permitted shall be carried out in accordance only with the following approved drawings:-

- PL103 Rev B 12 July 2016
- PL106 Rev B
- PL105 Rev B
- PL104 Rev B 12 July 2016

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

3. Prior to commencement of the development hereby permitted details of the boundary treatment, the access /egress road serving the site and visibility splays shall be submitted to the planning authority for approval in writing. Thereafter the boundary treatment shall be installed and maintained in accordance with the approved details unless otherwise approved in writing by the Council.

Reason: In the interest of Highway safety.

4. Prior to the commencement of development details of the route of proposed sub-surface services including soakaways and temporary connections during construction shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the continued health and vitality of the trees remaining the subject of the TPO adjacent the site.

5. The dwelling shall not be occupied until full details of a hard & soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of the development. 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, or in accordance with details approved by the Local Planning Authority.

Reason: In the interests of the visual appearance of the site and the character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

6. The first floor windows in the north-west facing side elevation of the building hereby approved shall be permanently fixed closed below 1.7m internal floor level and shall be fitted with obscured glass at all times, and shall be permanently maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring premises.

7. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development)(as amended) Order 2015 (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E or F of the Order shall be carried out to the new house 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 development, and which will not prove detrimental to the amenities of the residents of the site or of adjoining occupiers, in accordance with Policy UD1 of the Watford Local Plan Part 1 and the principles of good design that are set out in the Residential Design Guide supplementary

planning document. Also to ensure that any extensions or outbuildings that are erected do not result in an inadequately sized private garden area.

9. No development shall commence within the site until full details and samples of the materials to be used for the external surfaces of the building, including windows have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall only be implemented in accordance with the approved details.

Reason: In the interests of the visual appearance of the site and its impact on the character of the surrounding area, in accordance with Policy UD1 of the Watford Local Plan: Core Strategy 2006 - 2013 (Adopted January 2013).

10. No part of the development shall be occupied until details of the siting, size and design of refuse, recycling and cycle storage have been submitted to and approved in writing by the Local Planning Authority and the storage facilities have been installed in accordance with the approved details. The storage facilities shall be retained at all times thereafter.

Reason: In the interests of the visual appearance of the site, and, to ensure that sustainable transport objectives are met.

11. No development shall commence until details of the existing and proposed ground levels and the finished ground floor levels of the buildings 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.

#### 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.

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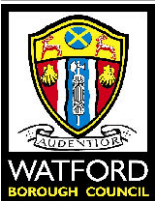
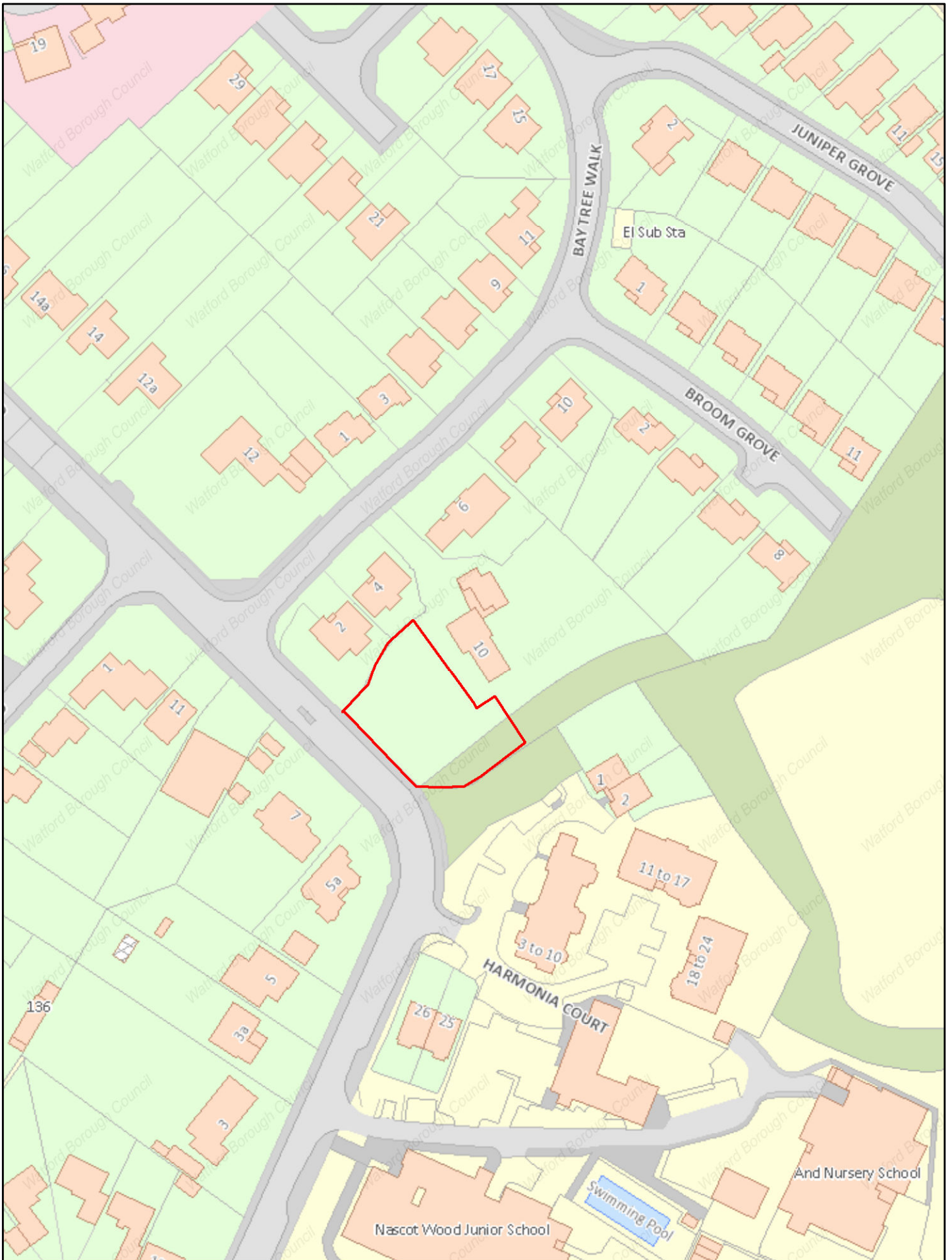
#### Informatives

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 2010, as amended. The Council also gave pre-application advice on the proposal prior to the submission of the application and undertook discussions with the applicant's agent during the application process.
2. 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 a condition such as not to emit dust or deposit mud, slurry or other debris in the highway.
3. The applicant is advised that storage of materials associated with the development should take place within the site and not extend into the public highway without authorization from the highway authority, Hertfordshire County Council. [www.herts.org/services/transtreets/highways](http://www.herts.org/services/transtreets/highways) or phone 0300 1234047 to arrange.
4. The applicant is advised that they may need to enter into a S278 legal agreement under the Highway Act to construct the access road from Montgomery Avenue, which is a public highway. The completion of a S278 agreement may take up to 14 weeks.
5. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974 Part IV, The Health & Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990.
6. In order to minimise the impact of noise and general construction, work 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.

Case Officer: Damien McGrath

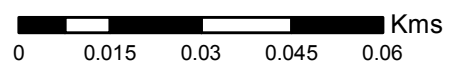
Email: [damien.mcgrath@watford.gov.uk](mailto:damien.mcgrath@watford.gov.uk)





Land adj to 10 Nascot Wood Road

Date: 19/08/2016



Scale 1:1,250







PART A	
Report of: <b>Head of Development Management</b>	
Date of committee:	<b>1<sup>st</sup> September 2016</b>
Site address:	<b>10 Roughwood Close</b>
Reference Number:	<b>16/00702/FULH</b>
Description of Development:	<b>Garage conversion to habitable space, installation of front rooflight windows, addition of a front bay window and porch infill (AMENDED PLANS AND DESCRIPTION)</b>
Applicant:	<b>Mrs C Byrne</b>
Date Received:	<b>10th June 2016</b>
8 week date (minor):	<b>5th August 2016</b>
Agreed extended date:	<b>5th September 2016</b>
Ward:	<b>Park</b>

## **1.0 Site and Surroundings**

- 1.1 The subject property is a two storey detached dwelling located within a primarily residential area in the Park ward of the Borough. It is situated on the northern side of Roughwood Close, some 75 metres west of the junction with Glen Way.
  
- 1.2 A single storey element exists on the southeastern side of the property. This incorporates a single garage, however, it is apparent that the garage has been subdivided with its rearmost part having been converted into a study. At the front of the property, a single storey projecting element exists and this provides a semi-open porch area. It features a mono-pitch roof which extends over the front of the garage.
  
- 1.3 The main roof of the property is dual-pitched and has been finished with brown concrete tiles. The external walls of the building are predominantly finished with brown facing bricks. A small section of the front elevation adjacent to the front door incorporates a white render finish.
  
- 1.4 In recent months, a single storey, flat-roofed extension has been erected at the rear of the house and a flat-roofed dormer has been constructed on the rear roofslope.
  
- 1.5 The main front elevation of the house is set back over 11 metres from the

boundary shared with the highway. The property benefits from 2 vehicular access points at the front. An area of hard surfacing within the front garden provides off-street car parking for the occupiers of the house.

1.6 The surrounding area is characterised by detached houses set within relatively spacious plots. Within Roughwood Close, there is a mix of architectural styles. The Watford Character of Area Study places the site within Character Area 24A and identifies the consistency of the 1950s housing in terms of its plot sizes, building heights and massing; noting the differences in architectural detailing.

1.7 The property is not listed and is not located within a Conservation Area.

## **2.0 Proposed Development**

2.1 The application proposes the conversion of the garage into a habitable space, the installation of rooflight windows to the front roofslope, the addition of a bay window to the front elevation and works to infill the existing semi-open porch.

2.2 The new bay window will replace the existing ground floor window on the left-hand side of the front elevation (when viewed from the street). This addition will feature a hipped, tiled roof.

2.3 There is currently a mono-pitch roof feature which spans across part of the front elevation of the property. This extends over the front door to create a semi-open porch and is supported by a brick pier on its left-hand side. The roof adjoins the garage on its right-hand side. The proposal seeks to enclose the existing porch area through the construction of new walls. A new door with sidelight windows either side will be installed within the newly created front wall of the porch.

2.4 The proposed rooflight windows will be installed on the front roofslope and will serve the loft conversion at second floor level.

2.5 The submitted plans also detail the conversion of the garage into a habitable space. This garage conversion will consist of the replacement of the existing garage doors with new brickwork and a new window. The submitted plans indicate that the converted garage will provide a WC and study/playroom.

## **3.0 Relevant Planning History**

Ref. 17117 – Erection of private dwelling house – Planning Permission granted in March 1955.

Building Control records show that a single storey addition was approved in 1956.

Ref. 13/00829/FULH – Erection of part single storey and part two storey side, rear and front extensions, loft conversion involving construction of dormers at rear and roof alterations including creation of new gable features at front – Refused Planning Permission in September 2013 for the following reasons:

- 1. The proposed roof alterations to the rear of the property would create a hipped element with dormers and a crown which would adjoin a dual-pitched roof with side gables. The proposed unconventional roof design at the rear would result in a disjointed elevational treatment caused by the various roof forms. The hipped element and its crown would have an awkward relationship with the main dual-pitched part of the roof. Overall, it is considered that the roof design would appear incongruous. The proposal would fail to add to the overall quality of the area and would contravene the provisions of the Residential Design Guide, Volume 2: Extending Your Home (RDG), Policies UD1 and SS1 of the Watford Local Plan Core Strategy 2006-31 and the aims of Section 7 of the National Planning Policy Framework.*
- 2. The application fails to demonstrate that the proposal would result in no loss of natural light to a habitable room within the neighbouring property to the east (8 Roughwood Close). The development would involve the erection of extensions which would come nearer to those windows on the northwest-facing elevation of No. 8 when compared to the existing building. The scheme has the potential to result in a loss of natural light to the neighbouring property's living room. The application fails to show that due consideration has been made to the potential impacts of the development upon levels of natural light currently enjoyed at the neighbouring property. No reference has been made to the guidance contained within the Building Research Establishment Report entitled "Site layout planning for daylight and sunlight; A guide to good practice" which sets out tests such as the "no-sky line" which can be used to determine the impact of development on daylighting distribution in a room. Based on the lack of information provided, the Council are not satisfied that the proposed development would cause no loss of light to the neighbouring property and this would fail to comply with the objectives of the Residential Design Guide, Volume 2: Extending Your Home (RDG) and Policies UD1 and SS1 of the Watford Local Plan Core Strategy 2006-31.*

- 3. The proposed dormers, by virtue of their size and design, would appear disproportionate with the scale of the roof and would have a poor relationship with the first floor windows beneath them. It is considered that this would result in a poor elevational treatment at the rear of the property which would not represent high quality design. In addition, by reason of the extent of the glazing within each of the dormers, it is considered that these windows are likely to result in a perceived loss of privacy for the occupiers of surrounding properties when using their gardens. The proposal would have an unacceptable impact on the amenities of neighbours, contrary to the objectives of the Residential Design Guide, Volume 2: Extending Your Home (RDG) and Policies UD1 and SS1 of the Watford Local Plan Core Strategy 2006-31.*

Ref. 14/00649/FULH – Erection of part single storey and part two storey side, rear and front extensions, loft conversion involving roof alterations including creation of new gable features at front – Refused Planning Permission in June 2014 for the following reason:

- 1. The application fails to demonstrate that the proposal would result in no loss of natural light to a habitable room within the neighbouring property to the east (8 Roughwood Close). The development would involve the erection of extensions which would come nearer to those windows on the northwest-facing elevation of No. 8 when compared to the existing building. The scheme has the potential to result in a loss of natural light to the neighbouring property's living room. A daylight and sunlight report was submitted by the applicant during the course of the application, however, its findings appear to be based on misguided assumptions regarding the internal layout of 8 Roughwood Close. There are also no details contained within the report to show the reference points, heights and positions of key features such as windows which form a critical part of the calculation of the vertical sky component and daylight distribution tests. Without such information, the Council are unable to confirm if the tests conducted provide an accurate assessment of the development's impact on the amount of natural light entering the neighbouring property. Furthermore, the report argues that as the daylight distribution in the rooms would remain unaffected, this would mitigate against the significant reduction in daylight received by the windows. This would be against the advice contained within the Building Research Establishment Report entitled "Site layout planning for daylight and sunlight; A guide to good practice" which indicates that if either the vertical sky component test or daylighting distribution test are failed*

*then daylighting is likely to be seriously affected. In light of the above, the Council are not satisfied that the proposed development would cause no loss of light to the neighbouring property and this would fail to comply with the objectives of the Residential Design Guide, Volume 2: Extending Your Home (RDG) and Policies UD1 and SS1 of the Watford Local Plan Core Strategy 2006-31.*

The Council's reason to refuse this application was appealed against. The appeal was dismissed on 2<sup>nd</sup> April 2015. The Inspector concluded that this proposal would cause a significant loss of natural light that would cause harm to the living conditions of the residential occupiers of 8 Roughwood Close – contrary to the aims of the Residential Design Guide, Volume 2: Extending your Home (RDG) and Policies UD1 and SS1 of the Watford Local Plan Core Strategy 2006-31 as they relate to the protection of living conditions.

Ref. 16/00154/FULH – Garage conversion to habitable space, front dormer windows, front bay window, porch infill, new roof above single storey side element and alterations – application withdrawn in March 2016.

#### **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
UD1	Delivering High Quality Design

**4.4 Watford District Plan 2000 (saved policies)**

No relevant policies.

**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.

**4.7.1 Residential Design Guide**

The Residential Design Guide (RDG) was adopted in July 2014. 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 extensions to dwellings to new individual dwellings and large-scale, mixed-use, town centre redevelopment schemes. The guide is a material consideration in the determination of relevant planning applications.

**4.7.2 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.

**4.8 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 6 Delivering a wide choice of high quality homes  
Section 7 Requiring good design  
Decision taking

## **5.0 Consultations**

### **5.1 Neighbour consultations**

Letters were sent to properties in Roughwood Close, Glen Way and Stanbury Avenue.

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

Number of original notifications:	19
Number of objections:	6
Number in support:	0
Number of representations:	6

5.3 The points that have been raised are summarised below and are considered in the “Appraisal” section of the report.

- Roof ridge has been raised and eaves tailored to match.
- Overlooking.
- Front dormers will be out of character.
- Precedent could be set.
- Proposed porch will disturb off road parking.
- Inconsiderate proposal.
- Negative impact on the nature and character of the close.
- Damage being done to the close by the movement of heavy plant and equipment.
- Disruption.
- Affect the character of the streetscene.
- Detrimental impact on the established spacious street scene and the charm and character of this area.
- Works have already started.
- Creation of 3<sup>rd</sup> floor looks ill proportioned and ugly, contrasting strongly

with its neighbours.

- Impact on outlook.
- Could lead to an increase in on street parking.
- Overdevelopment.
- Plot is a mess and being used as a 'builders yard' as extra materials are stored front and back.

5.4 The Committee will be advised of any additional representations received after the date this report was written.

## 6.0 Appraisal

### 6.1 Main issues

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

- (a) Design, appearance and the impact on visual amenity.
- (b) Impact on amenity of surrounding residential properties.
- (c) Impacts on access and parking.
- (d) Consideration of objections.

6.2 (a) Design, appearance and the impact on visual amenity.

#### *Background information*

6.3 The Council received amended plans during the course of the application. The amendments made to the scheme have involved the omission of the front dormer windows and the new porch extension. In addition, the plans have been amended to provide a more accurate representation of the single storey extension which has been constructed at the rear of the house.

#### *Bay window*

6.4 The bay window will replace the existing ground floor window that exists on the left-hand side of the front elevation of the house (when viewed from the street). It will project to a depth of 0.755 metres and will not therefore extend beyond the existing garage projection. It is felt that the new bay will not appear unduly prominent when viewed from the street given its fairly modest proportions and because it will be setback over 10 metres from the boundary with the highway. The bay feature has been sympathetically designed so as not to upset the overall elevational character of the front of the property.



- 6.5 The new bay feature will incorporate a hipped roof that will be finished with tiles that match those used on the other pitched roof surfaces on the house. The new brickwork incorporated in the bay window feature will match that of the main front elevation. Moreover, the new windows incorporated within the bay will remain in keeping and proportionate with the other windows on this elevation. Such treatment will ensure that this new addition sits comfortably with the host property and does not appear incongruous.

*Porch infill*

- 6.6 The works to infill the porch involve the construction of new wall surfaces on the front and side of the existing semi-open porch with the aim of creating an enclosed porch space. Within the newly-created front wall a new front door with side light windows either side will be installed.
- 6.7 The existing semi-open porch is created by a mono-pitch roof canopy which extends above the front door. This canopy is attached to the garage projection on its right-hand side (when viewed from the street) and is supported by a brick pier on its left-hand side. The infill works will not result in the addition of any new elements that will project beyond the front of the existing garage or canopy roof. The new front door and sidelight windows will be centrally aligned with the first floor window above and a suitably balanced elevational treatment will be achieved.
- 6.8 The materials to be used for the porch infill will reflect those of the existing building and this will help ensure that these works remain compatible with the building.

*Front rooflight windows*

- 6.9 The proposed rooflight windows will be installed on the front roofslope of the property and will be positioned to align centrally with the first floor windows beneath them. It is considered that the introduction of these windows will not result in any significant harm to the overall appearance of the property.
- 6.10 In many cases, householders are able to carry out alterations to the roofs of their houses, including the installation of rooflight windows, without the need to have to apply for planning permission (subject to meeting certain conditions and limitations) under 'permitted development rights'. These permitted development rights are set out in Class C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, as amended. In this particular case, the property's permitted development rights have not been

removed by way of an Article 4 Direction and therefore the installation of front rooflight windows would qualify as permitted development.

*Garage conversion*

- 6.11 The proposed garage conversion will consist of internal alterations to create a new WC and playroom/study. It will also comprise external alterations involving the removal of the existing garage doors and their replacement with a new window and surrounding brickwork.
- 6.12 The proposed window will remain of a type and scale that will remain in keeping with the other fenestration on the front elevation of the house. The new brickwork will match that of the existing walls to ensure that the works integrate suitably with the host building. The external works associated with this garage conversion will result in no significant harm to the character or appearance of the house or the streetscene.
- 6.13 It should be acknowledged, that, in this case, the conversion of the garage into a habitable space and the associated works including the installation of a new window and surrounding brickwork would qualify as permitted development under Class A of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, as amended.
- 6.14 (b) Impact on amenity of surrounding residential properties
- 6.15 It is considered that the proposed development will cause no significant harm to the amenities of neighbours, in accordance with the provisions of the RDG and the objectives of Policy SS1 of the Watford Local Plan Core Strategy 2006-31 and paragraph 17 of the NPPF.
- 6.16 Some of the concerns raised by local residents centered on the front dormers and the new storm porch addition. These particular elements have been removed during the course of the application and no longer form part of the scheme that is currently being considered.
- 6.17 The development proposed under this application does not involve the construction of any substantially-sized buildings. The new features will result in no significant loss of light or outlook to neighbouring properties by reason of their size, siting and their relationship with the neighbouring properties.
- 6.18 It is also considered that the proposed works will result in no significant reduction

to the levels of privacy that are currently enjoyed by surrounding residents. The proposed rooflight windows will be sited over 30 metres from the front elevations of those nearest properties on the opposite (southern) side of Roughwood Close. This amount of separation will ensure that no close-range views will be afforded from the new rooflight windows into the houses on the opposite side of the road. In any case, views towards the front of neighbouring properties can be afforded from the street at a much closer range than those that will be afforded by the new rooflights. Furthermore, the existing windows on the front elevation of the subject property currently allow views to be afforded into neighbouring properties from a closer range than those that would be afforded from the rooflights.

6.19 Similarly, those new windows to be installed as part of the works associated with the creation of the new bay feature, porch infill and garage conversion will be positioned within the front of the house at ground floor level. These new openings will not offer materially different views into neighbouring properties when compared to the existing situation. It is not considered, therefore, that these openings will result in any significant reduction to the levels of privacy of neighbours.

6.20 (c) Impact on access and parking

6.21 No alterations to the existing access arrangement are proposed under this application. The site will continue to be accessed utilising the existing arrangement.

6.22 The proposal will result in the loss of a garage through its conversion into a habitable space. The garage, in its current form, has the potential to provide an on-site parking space albeit one of a fairly confined nature. However, notwithstanding this, the property will continue to benefit from adequate off-street parking by way of the paved driveway which exists in front of the house.

6.23 (d) Consideration of objections

6.24 Six representations from neighbouring properties have been received. Some of the issues raised by the objectors have been discussed in the 'Appraisal' section of the report above. Those matters which have not already been discussed or which require further elaboration are considered in the table below.

Representations	Officer's response
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<p>Roof ridge has been raised and eaves tailored to match.</p>	<p>The scheme being considered under this application does not involve an increase to the height of the roof of the house.</p> <p>During the course of the application residents raised concerns that the ridge of the main roof of the house was being raised and that the eaves were being modified. This issue was brought to the attention of the Planning Enforcement Team. Upon investigation it was apparent that the existing roof was being replaced and that no significant increase in height had occurred. Historical photographs were used to establish the eaves and ridge heights that existed prior to works on the roof being carried out. It was established that the eaves and ridge heights had not been significantly raised or modified to an extent that would warrant enforcement action being taken.</p>
<p>Front dormers will be out of character.</p>	<p>The front dormers have been omitted from the proposal and do not therefore form part of the scheme being considered under this application.</p>

<p>Damage being done to the close by the movement of heavy plant and equipment.</p>	<p>This is not a material planning consideration.</p>
<p>Works have already started.</p>	<p>At the time of the officer site visit, works to the roof of the house including the construction of a rear dormer and the erection of a single storey rear extension had commenced. The rear dormer and rear extension qualify as permitted development (i.e. not requiring planning permission) and do not form part of the scheme being considered under this application. The development proposed under this application had not commenced, however, at the time of the officer site visit.</p>
<p>Disruption caused to neighbours whilst works take place.</p>	<p>The proposed development is of a fairly small-scale nature and while some disruption may be caused during the building works this is unlikely to result in any significant harm to the amenities of residents.</p> <p>The developer will 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 terms of construction noise. They will be advised of these duties by way of an informative note attached to the permission (see Informative note numbered "4" in the</p>

	“Recommendations” section below).
Overdevelopment.	The development proposed under this application involves fairly modest alterations to the property and does not represent works which could be regarded as being overdevelopment. Some of the works carried out to the property including the rear extension and rear dormer meet the tolerances of the permitted development rights and are therefore deemed to be of a scale that central government considers to be suitable for a detached dwelling such as this.
Could set a precedent.	The proposal has been considered on its own planning merits taking into account the individual physical characteristics of the site and its relationship with neighbouring properties. Any similar proposals at other properties would not automatically be allowed were this application to be approved. Instead they would need to be considered on their own merits taking into account the individual circumstances applicable to that particular proposal.
Could lead to an increase in on street parking.	The submitted plans show the scheme will create additional living space for the occupiers of the property. It is considered that this will not result in a material increase in on street parking. The property will remain in use as a single family dwellinghouse. The existing driveway will continue to provide adequate off-street parking for the occupiers of the property.

<p>Plot is a mess and being used as a 'builders yard' as extra materials are stored front and back.</p>	<p>As with most properties that are being developed, there will be times when materials need to be stored on site. The storage of materials, and the site as a whole, may appear unsightly. However, this is for a temporary period of time and is expected where building works are taking place.</p>
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6.25 The Committee will be advised of any additional representations received after the date this report was written.

## **7.0 Community Infrastructure Levy**

### **7.1 Community Infrastructure Levy (CIL)**

7.2 The gross internal area of the proposed extensions is less than 100 square metres and therefore the development is not CIL liable.

## **8.0 Conclusion**

8.1 It is considered that the proposed works will cause no significant harm to the character or appearance of the property, the streetscene or the amenities of neighbours. As such, the proposed development is considered acceptable.

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## **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.

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## **10.0 Recommendation**

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

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 hereby permitted shall be carried out in accordance with the following approved drawings: 13/16-02-LP01; 13/16-02-PL01 Rev B – amended plan received 04.08.16; 13/16-02-PL02 Rev B – amended plan received 11.08.16; 13/16-02-PL03 Rev G – amended plan received 08.08.16; 13/16-02-PL04 Rev G – amended plan received 09.08.16.

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

3. All the external surfaces shall be finished in materials to match the colour, texture and style of the existing building. In the event of matching materials not being available, details of any alternative materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the development shall only be carried out in accordance with any alternative details approved by this condition.

Reason: To ensure that the development applies high quality materials that make a positive contribution to the character and appearance of the area in accordance with the provisions of the Residential Design Guide (RDG) and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

## **10.2 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. 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](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc_Act_1996_-_Explanatory_Booklet.pdf)

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](http://www.watfordbuildingcontrol.com).

4. 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](https://www.watford.gov.uk/info/20010/your_environment/188/neighbour_complaints_%E2%80%93_construction_noise)

Drawing numbers

13/16-02-LP01

13/16-02-PL01 Rev B – amended plan received 04.08.16

13/16-02-PL02 Rev B – amended plan received 11.08.16

13/16-02-PL03 Rev G – amended plan received 08.08.16

13/16-02-PL04 Rev G – amended plan received 09.08.16

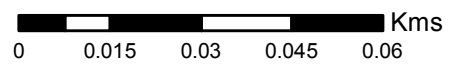
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**Case Officer:** Simon Hoskin  
**Email:** [simon.hoskin@watford.gov.uk](mailto:simon.hoskin@watford.gov.uk)  
**Tel:** 01923 278598



10 Roughwood Close

Date: 19/08/2016



Scale 1:1,250





PART A	
Report of: <b>Head of Development Management</b>	
Date of committee:	<b>1<sup>st</sup> September 2016</b>
Site address:	<b>11 The Pippins</b>
Reference Number:	<b>16/00777/FULH</b>
Description of Development:	<b>Loft conversion involving construction of dormer on rear roofslope and installation of rooflight windows on front roofslope</b>
Applicant:	<b>Mr &amp; Mrs Templeton</b>
Date Received:	<b>7th June 2016</b>
8 week date (minor):	<b>2nd August 2016</b>
Agreed extended date:	<b>2nd September 2016</b>
Ward:	<b>Stanborough</b>

## 1.0 Site and Surroundings

- 1.1 This application relates to a modern, two storey, detached dwelling located within a primarily residential area in Garston. The property sits within a rectangular plot measuring approximately 280m<sup>2</sup> in area.
- 1.2 The property occupies the westernmost plot of a cul-de-sac development, known as The Pippins, which consists of 11 properties in total. The Pippins development occupies land which had previously formed parts of the rear gardens associated with the residential properties that lie to the northeast (Nos 3, 5, 7, 9, 11, 13, 15 and 17 Garston Drive). The houses within the Pippins are arranged in a linear configuration along the cul-de-sac road which runs in front of them. They run parallel to those houses on Garston Drive to the northeast and Rother Close to the southwest.
- 1.3 Those properties at 1-6 The Pippins formed the original 'backland' development having gained planning permission in January 2000 (Ref. 99/00017/FUL). The properties at 7-11 The Pippins have been built more recently than those at No. 1-6, having gained planning permission in July 2009 (Ref. 09/00359/FUL).
- 1.4 The subject property features a two storey projecting element on the western side of its front elevation. This features a gable end. At the rear of the property, a conservatory has been added and this spans the entire width of the house.

- 1.5 In front of the house, there is a block-paved driveway which provides on-site parking for the occupiers of the property.
- 1.6 The Pippins is an unclassified no-through road which is accessed off Garston Drive.
- 1.7 The subject property does not encompass any listed buildings and is not located within a Conservation Area.



Fig. 1. Aerial view of site.

## **2.0 Proposed Development**

- 2.1 The application proposes the construction of a dormer on the rear roofslope of the house and the installation of three rooflight windows on the front roofslope so as to facilitate a loft conversion. The loft area will be used as a bedroom.
- 2.2 The proposed dormer will occupy a central position on the rear roofslope and will incorporate two window openings and a flat roof. The dormer will measure 3.75 metres wide and 1.65 metres tall externally. The external wall surfaces of the dormer will be finished with hanging tiles.
- 2.3 The proposed rooflights will be installed horizontally aligned with each other across the front roofslope. They will have a cill height of 1.7 metres above the internal floor level.

## **3.0 Relevant Planning History**

Relevant planning history for land to the rear of 1-9 Garston Drive

- 3.1 Ref. 99/00017/FUL – Demolition of 1 Garston Drive, formation of new access road and erection of 6 detached houses within rear garden area – Conditional Planning Permission granted in January 2000.

Relevant planning history for land to the rear of 11-17 Garston Drive

- 3.2 Ref. 09/00359/FUL – Erection of 5 no. 4 bedroom dwellings – Conditional Planning Permission granted in July 2009.
- 3.3 Condition 5 of permission 09/00359/FUL removes certain permitted development rights for the property including those relating to roof additions such as the construction of dormers (Class B) and roof alterations such as the installation of rooflights (Class C).
- 3.4 Condition 5 of permission 09/00359/FUL is set out below:

*Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, E, 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 in accordance with Policies H8 and U2 of the Watford District Plan 2000.*

Relevant planning history for 11 The Pippins

- 3.5 Ref. 13/00662/FULH – Erection of a rear conservatory – application withdrawn in July 2013.
- 3.6 Ref. 13/00861/FULH – Erection of single storey rear conservatory – Conditional Planning Permission granted in September 2013.

3.7 Ref. 16/00319/LDC – Lawful Development Certificate for loft conversion with rear dormer – Lawful Development Certificate refused in April 2016 for the following reason:

1. *The proposed roof alteration and extension would not constitute permitted development by the virtue of Class B of the Town and Country Planning (General Permitted Development (England) Order 2015 (as amended) because at time of granting planning permission (Ref;09/00359/FUL) in 2009, for the erection of the existing house as part of a group of 5 houses a condition was imposed which removed the relevant Permitted Development Rights from the building.*

#### **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
- UD1 Delivering High Quality Design

##### **4.4 Watford District Plan 2000 (saved policies)**

No relevant policies.



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.

4.7.1 *Residential Design Guide*

The Residential Design Guide (RDG) was adopted in July 2014. 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 extensions to dwellings to new individual dwellings and large-scale, mixed-use, town centre redevelopment schemes. The guide is a material consideration in the determination of relevant planning applications.

4.7.2 *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.

4.8 **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 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Decision taking

## 5.0 Consultations

### 5.1 Neighbour consultations

Letters were sent to properties in Garston Drive, The Pippins and Rother Close.

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

Number of original notifications:	8
Number of objections:	6
Number in support:	0
Number neither objecting nor supporting	1
Number of representations:	7

### 5.3 The points that have been raised are summarised below and are considered in the “Appraisal” section of the report.

- The house is tall compared to all the surrounding houses and a further extension to this house is to the detriment of people in the immediate area.
- Overlooking and loss of privacy.
- The residents in Rother Close are still trying to grow trees/shrubs to hide the ground and first floor windows of The Pippins let alone the ones in the roof.
- No indication as to what this loft is going to be used for.
- How would access be gained for construction?
- Disruption caused to neighbours whilst works take place.
- Affect value of neighbouring property.
- Impact on outlook.
- The dormer windows will have an adverse effect on the character of the local area.
- Impact on streetscene – no other dormer windows in immediate area.
- Could set a precedent.
- A loft conversion such as this making a possible further two bedrooms could create the need for more parking which is not possible on this constrained site.
- Rooflight windows should be either opaque or frosted glass in order that at no future date they can overlook the neighbouring property.
- On the application form they have said that there are no trees or hedges,

- however, there is a one tree fully grown.
- In section 10 of the application form (site visit) it states that the property can't be seen from a public road or other public land but you can clearly see it from Severn Way and Rother Close.

5.4 The Committee will be advised of any additional representations received after the date this report was written.

## **6.0 Appraisal**

### **6.1 Main issues**

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

- (a) Design, appearance and the impact on visual amenity.
- (b) Impact on amenity of surrounding residential properties.
- (c) Consideration of objections.

6.2 (a) Design, appearance and the impact on visual amenity.

#### *Background information*

6.3 In many cases, householders are able to carry out works to the roofs of their houses, such as constructing rear dormers and installing rooflight windows, without the need to have to apply for planning permission (subject to meeting certain conditions and limitations) under 'permitted development rights'. These permitted development rights are set out in the Town and Country Planning (General Permitted Development) Order 2015, as amended. In this particular case, however, the permitted development rights allowing roof additions and roof alterations at this property have been removed by a condition attached to the planning permission associated with the original construction of the property (Condition 5 of planning permission 09/00359/FUL – see "Planning History" section above). As such, planning permission is required for the proposed works.

6.4 The Council is required to review proposals that require planning permission against its planning policies and supplementary planning guidance. The Council's supplementary planning guidance document entitled the "Residential Design Guide" (RDG) provides advice on additions and alterations to roofs.

#### *Rear dormer*

- 6.5 Section 8.12 of the RDG advises that a dormer must be in proportion to the size of the original roof. It further advises that a dormer should not exceed half the height of the roof (measured from eaves to ridge) and should not be more than half the width of the roof on which it is intended to be situated.
- 6.6 According to the details provided on the submitted drawings, the height of the dormer will be 1.65 metres and this will not exceed half the height of the roof which is 3.5 metres. In addition, the width of the dormer, at 3.75 metres, will also not exceed half the width of the roof on which it is planned to sit – which, incidentally, measures 7.5 metres wide.
- 6.7 The guidance contained within the RDG also advises that a dormer should be positioned a minimum 0.5 metres above the eaves lines and set down a minimum of 0.5 metres from the ridge of the roof. In this case, the proposed dormer will be positioned more than 0.5 metres from both the eaves and ridge lines in accordance with the guidance.
- 6.8 The proposed dormer will be positioned centrally on the rear roofslope and will therefore be set in by the same distance from the edge of the roof on either side. While the windows within the dormer will not be vertically aligned with the first floor windows beneath them, it is felt that the dormer will have a suitable relationship with these openings and will not significantly upset the elevational character of the rear of the property. The central position that the dormer will occupy will help ensure that visual balance at the rear of the property is maintained.
- 6.9 The external wall surfaces of the dormer will be finished with plain tiles that will have a similar appearance to those used on the main roof of the house. In addition, the new windows within the dormer will feature white UPVC framing so as to match those within the host building. It is considered that the use of such materials is acceptable and will ensure that the dormer integrates suitably with the property.
- 6.10 It is considered that the dormer will appear proportionate with the scale of the roof and will cause no harm to the character and appearance of the property or the wider visual amenity of the area.
- 6.11 The proposed dormer will be constructed on the rear roofslope and will not have any strong visual presence on the streetscene given its siting. It is accepted that views of the dormer may be glimpsed from parts of Rother Close through the

gaps that exist between buildings. However, given that the dormer will be setback over 45 metres from Rother Close, and taking into account its fairly modest proportions, it is felt that this addition will not appear unduly prominent from the public realm. Similarly, while the dormer will be visible from surrounding properties including their gardens, it will not have any overbearing impact on these properties given its proportions.

- 6.12 It is acknowledged that there is currently no strong established character of rear dormers within the immediate surrounding area. However, the property is not located within a Conservation Area where there is a presumption to preserve character. The lack of dormers on surrounding properties does not, in itself, preclude any developments of this kind from taking place in the area where they can meet the design aims of the RDG. The surrounding properties, while of a varied form and architecture, are typical of suburban housing and can accommodate some modifications and extensions without harm being caused to their overall appearance or the character of the area. The RDG has been adopted so that it can be applied to schemes such as this. The proposed dormer falls within the size parameters set out by the RDG and is compliant therefore with the planning guidance in this case.

#### *Front rooflight windows*

- 6.13 A total of three rooflight windows will be inserted in the main front roofslope of the house. These will be positioned in a row so that they are aligned horizontally with each other. It is acknowledged that the spacing between the rooflight windows is not regular and that if this spacing was made to be more uniform then a more aesthetically pleasing appearance could be achieved. However, notwithstanding this, it is felt that while a regular spaced arrangement is desirable, there would be no strong planning grounds to require this as the proposed configuration will not result in any significant harm to the overall appearance of the property. It is also acknowledged that the siting of the rooflight windows is determined, to an extent, by the position of the rafters and the internal configuration of the stairs and other fixtures.

#### 6.14 (b) Impact on amenity of surrounding residential properties

- 6.15 It is considered that the proposed development will cause no significant harm to the amenities of neighbours, in accordance with the provisions of the RDG and the objectives of Policy SS1 of the Watford Local Plan Core Strategy 2006-31 and paragraph 17 of the NPPF.

- 6.16 The dormer extension and rooflights will result in no significant loss of light or outlook to neighbouring properties by reason of their size and siting.
- 6.17 The proposed dormer would incorporate windows in its rear elevation only. It is acknowledged that views could be afforded from the windows within the dormer into neighbouring gardens, however, this would not be to an extent that would significantly reduce levels of privacy for neighbours and therefore warrant a refusal of the application on these grounds.
- 6.18 Section 8.4.7 of the RDG advises that “a minimum direct distance between upper level habitable rooms on a side or rear elevation and property boundaries of 11m should be achieved in order to minimise overlooking of private gardens”. It also advises that a minimum distance of 27.5 metres should be provided between new upper level windows and the windows of neighbouring properties. The windows within the proposed dormer will be sited both more than 11 metres from the rear boundary of the site (at over 17 metres) and more than 27.5 metres from the main rear elevations of the nearest properties to the rear (at over 28 metres). The proposal will therefore comply with the separation distances set out by the RDG and it is considered that the privacy of neighbours will not be detrimentally affected by the proposed dormer.
- 6.19 Some overlooking is to be expected in urban environments such as this and the first floor windows on the rear elevation of the existing building currently allow views to be afforded into neighbouring gardens from a closer range than those that would be afforded from the dormer. The dormer would not therefore result in any significant increase in overlooking into neighbouring properties.
- 6.20 The proposed rooflight windows will be sited only 8 metres from the boundary shared with the rear garden of 17 Garston Drive. According to the proposed section drawing, included on Drawing No. 1232/10-15 Sheet 1 of 2 Rev 1, the opening parts of the rooflight windows will be installed at a minimum height of 1.7 metres above the internal floor levels of the rooms that they will serve. By reason of their height, it is felt that these rooflight windows will not offer any significant views towards neighbouring properties. Moreover, the first floor windows on the front elevation of the existing building currently allow views to be afforded into neighbouring gardens from a closer range than those that would be afforded from the rooflights.
- 6.21 (c) Consideration of objections

6.22 Seven representations from neighbouring properties have been received. Some of the issues raised by the objectors have been discussed in the ‘Appraisal’ section of the report above. Those matters which have not already been discussed or which require further elaboration are considered in the table below.

Representations	Officer’s response
The house is tall compared to all the surrounding houses and a further extension to this house is to the detriment of people in the immediate area.	The house has a similar height to the other properties it sits nearest to. It has a ridge height of 8.5m which is not exceptionally high for a detached building such as this. In any case, the proposal does not seek to increase the height of the property.
The residents in Rother Close are still trying to grow trees/shrubs to hide the ground and first floor windows of The Pippins let alone the ones in the roof.	The impact of the development on views from neighbouring properties is not a material planning consideration. The proposal complies with the privacy separation distances set out within the RDG as discussed in the “Impact on amenity of surrounding residential properties” section above.
No indication as to what this loft is going to be used for.	The agent has amended the drawing during the course of the application to include a comment to show that the new room will be used as a bedroom as part of the house.
How would access be gained for construction?	This is not a material planning consideration.
Disruption caused to neighbours whilst works take place.	The proposed development is of a fairly small-scale nature. It is not anticipated that the works would take an extensive period of time to be carried out. Additionally, the construction works will not require the use of any large-

	<p>scale machinery. As such, disruption is unlikely to be significant. The developer will 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 terms of construction noise. They will be advised of these duties by way of an informative note attached to the permission (see Informative note numbered “4” in the “Recommendations” section below).</p>
Affect value of neighbouring property.	This is not a material planning consideration.
Could set a precedent.	The proposal has been considered on its own planning merits taking into account the individual physical characteristics of the site and its relationship with neighbouring properties. Any similar proposals at other properties would not automatically be allowed were this application to be approved. Instead they would need to be considered on their own merits taking into account the individual circumstances applicable to that particular proposal.
A loft conversion such as this making a possible further two bedrooms could create the need for more parking which is not possible on this constrained site.	The submitted plans show the scheme will allow the addition of a further bedroom. It is considered that this will not result in a material increase in demand for on-site parking as the property will remain in use as a single family dwellinghouse. The existing on-site parking provision will remain



	unaffected by the scheme.
On the application form they [the applicant/agent] have said that there are no trees or hedges, however, there is a one tree fully grown.	The proposed works will be carried out to the roof of the property and will not have any impact on surrounding trees.
In section 10 of the application form (site visit) it states that the property can't be seen from a public road or other public land but you can clearly see it from Severn Way and Rother Close.	Section 10 of the application form asks "Can the site be seen from a public road, public footpath, bridleway or other public land?". This question is designed for the purposes of allowing the Local Planning Authority to establish if an appointment is required in order to conduct a site visit. In this case, the full extent of the property could not be viewed from public land and the case officer was required to enter the site on their visit.  The impact of the development on visual amenity is discussed in the "Design, appearance and the impact on visual amenity" section above.

6.23 The Committee will be advised of any additional representations received after the date this report was written.

## **7.0 Community Infrastructure Levy**

### **7.1 Community Infrastructure Levy (CIL)**

7.2 The gross internal area of the proposed extension is less than 100 square metres and therefore the development is not CIL liable.

## **8.0 Conclusion**

8.1 It is considered that the proposed works will cause no significant harm to the

character or appearance of the property, the streetscene or the amenities of neighbours. As such, the proposed development is considered acceptable.

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## **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.

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## **10.0 Recommendation**

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

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 hereby permitted shall be carried out in accordance with the following approved drawings: 1232/10 - 15 Sheet 1 of 2 Rev 1 – amended plan received 27.07.16; 1232/10 - 15 Sheet 2 of 2 Rev 1 – amended plan received 27.07.16.

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

3. The external wall surfaces of the dormer shall be finished in materials that have a similar appearance to those used on the existing building. In the event of materials of a similar appearance not being available, details of any alternative materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the development shall only be carried out in accordance with any alternative details approved by this condition.

Reason: To ensure that the development applies high quality materials that make a positive contribution to the character and appearance of the area in accordance with the provisions of the Residential Design Guide (RDG) and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

## 10.2 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. 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](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc_Act_1996_-_Explanatory_Booklet.pdf)
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](http://www.watfordbuildingcontrol.com).

4. 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%93\\_construction\\_noise](https://www.watford.gov.uk/info/20010/your_environment/188/neighbour_complaints_%E2%80%93%93_construction_noise)

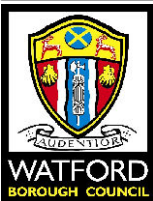
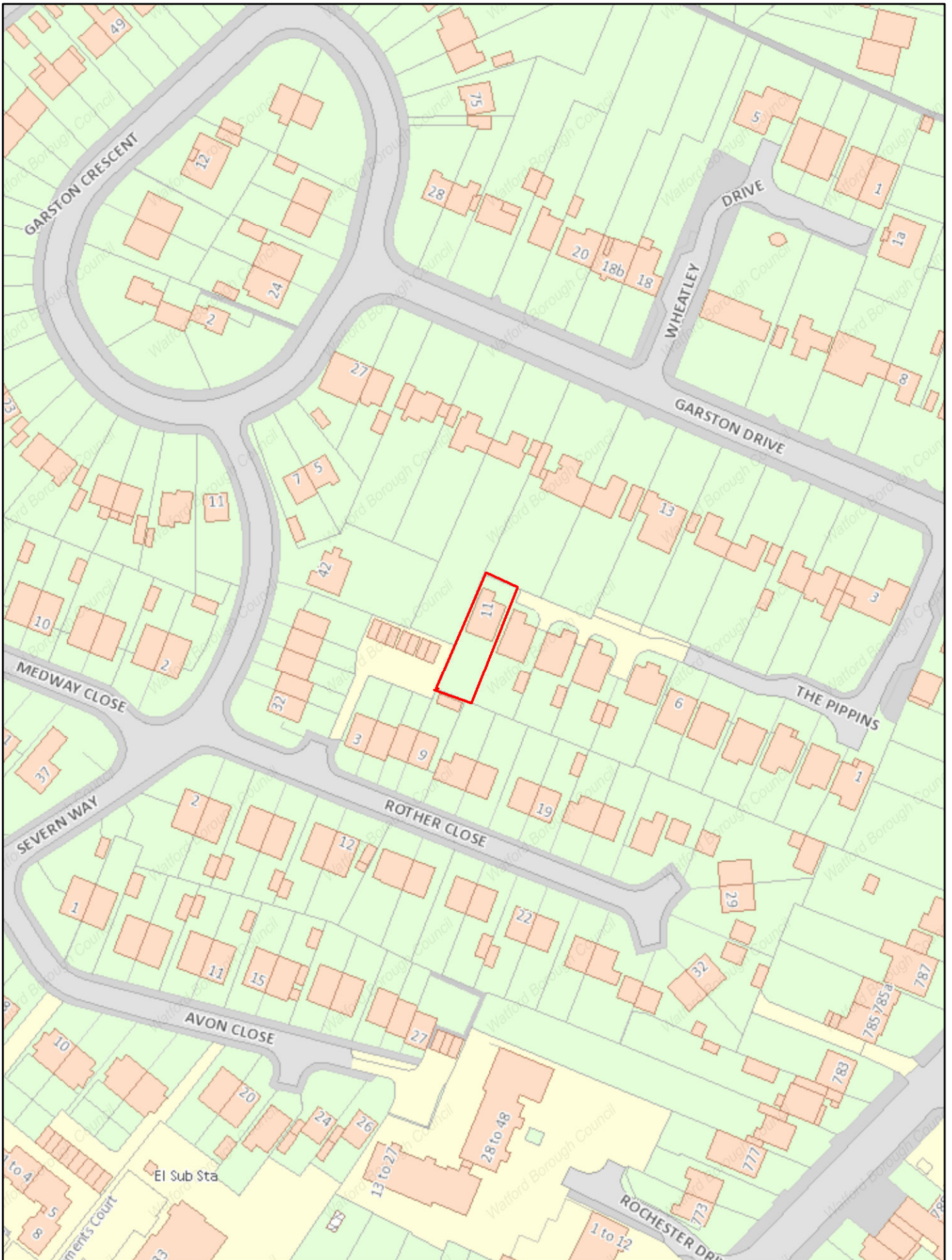
Drawing numbers

1232/10 - 15 Sheet 1 of 2 Rev 1 – amended plan received 27.07.16

1232/10 - 15 Sheet 2 of 2 Rev 1 – amended plan received 27.07.16

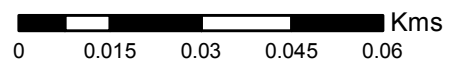
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11 The Pippins

Date: 19/08/2016



Scale 1:1,250





PART A	
Report of: <b>Head of Development Management</b>	
Date of committee:	<b>1st September 2016</b>
Site address:	<b>29 Burton Avenue Watford</b>
Reference Number:	<b>16/00787/FUL</b>
Description of Development:	<b>Conversion of warehouse into 2no. studio flats and 3no. 1-bed flats</b>
Applicant:	<b>Mr &amp; Mrs Khan</b>
Date Received:	<b>22nd June 2016</b>
8 week date (minor):	<b>17th August 2016</b>
Ward:	<b>Vicarage</b>

## **1.0 Site and Surroundings**

- 1.1 The application site consists of an industrial building in the middle of a block of two storey residential properties. The area is of high density and mainly consists of Victorian terraced and semi-detached houses that are sited close to the road with relatively small rear gardens.
- 1.2 The site is triangular in shape and is narrow at the front and wide at the rear. The building is quite wide and borders the rear gardens of nearby two storey residential houses. The building is part two storey, part single storey in height. The two storey part has a pitched roof with gables to the sides and the single storey part is flat roofed and includes a roof lantern. The building is finished in white render.
- 1.3 The building has a number of first floor windows in the front and rear elevations that allow views into neighbouring properties.
- 1.4 The site is served by a vehicular crossover from Burton Avenue and there are a small number of parking spaces on the hardstanding to the front.
- 1.5 The site is located in a Controlled Parking Zone, which operates between 8am – 6.30pm Monday to Saturday and on Match Days. The application site is in a sustainable location as it is within walking distance of the town centre and is close to the shops and services in Whippendell Road.
- 1.6 The building is not listed or located in a designated conservation area.



Fig. 1. Aerial view of site.

## 2.0 Proposed Development

- 2.1 The application proposes conversion of the existing warehouse into 5no.flats, consisting of 2no. studio flats and 3no. 1-bed flats.
- 2.2 The following external alterations are proposed to the building:
  - Reduction in depth of single storey front projection.
  - Provision of a pitched roof to the existing flat-roofed single storey side/front projection.
  - Construction of a two storey bay window on the front elevation and installation of replacement windows.
  - Blocking-up of ground floor and first floor windows in the rear elevations and installation of new rooflights.
- 2.3 The existing hard-surfacing to the front of the building would be re-landscaped to provide garden areas for the proposed flats. Refuse, recycling and cycle storage would be provided to the front of the building. No on-site parking spaces are proposed.





Fig. 2. Proposed site plan.

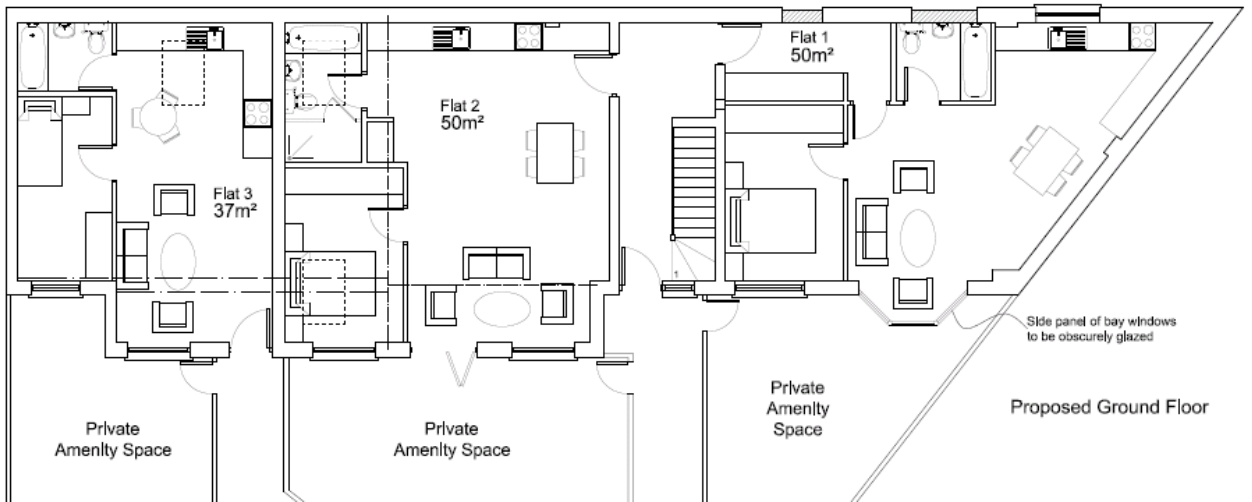


Fig. 3. Proposed ground floor plan.

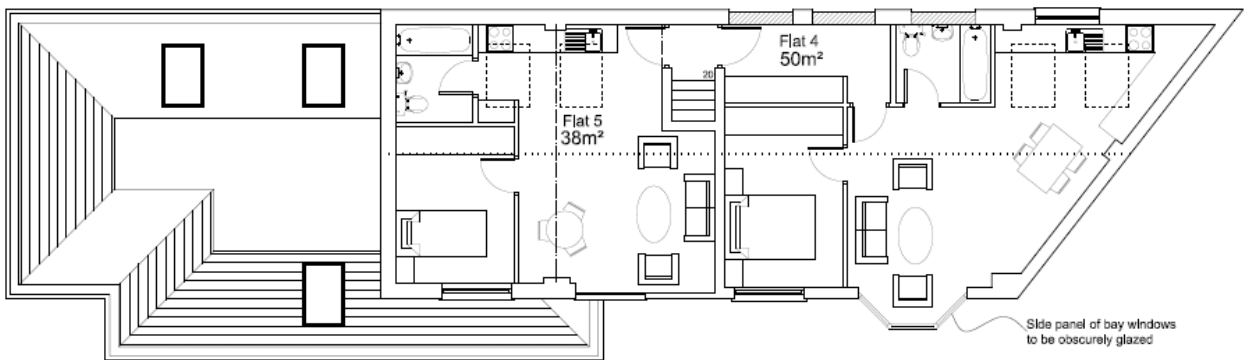


Fig. 4. Proposed first floor plan.



Fig. 5. Existing front elevation.



Fig. 6. Proposed front elevation.

2.4 The application follows a previous refusal of planning permission for change of use of part of the warehouse into 2no. studio flats and 2no. 1-bed flats and retention of part of the existing warehouse (application reference: 15/01385/FUL). The application was refused under delegated powers. The reasons for refusal and drawings are shown in the 'relevant planning history' section of the report. In comparison to the previous application, the following amendments are proposed:

- Change of use of the entire building to residential. Part of the warehouse will no longer be retained.
- Improvements to the appearance of the front elevation, including new sash-type windows with brick detailing to provide a more coherent appearance,

and a new pitched roof to the existing single storey side/front projection.

- Obscure glass to the side window panes of the front bay window to restrict views towards properties in Durban Road West.
- Removal of the two storey bay window on the side elevation.
- Removal of rear windows and provision of additional rear rooflights.
- Replacement of hardsurfacing to the front of the building with soft-landscaping to provide garden space.

### **3.0 Relevant Planning History**

- 3.1 15/01385/FUL - Change of use of part of the warehouse into 2no. studios and 2no. one-bed flats. Retention of part of the existing storage space (Use Class B8). Refused Planning Permission. November 2015.

Reasons:

- 1) The proposed development would not provide high quality housing and would fail to provide a good standard of amenity for future occupants of the proposed flats. The proposal is therefore contrary to Paragraph 17 of the National Planning Policy Framework, which states, among other things, that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 2) The proposed development would intensify the use of the building and would cause increased overlooking into nearby residential properties in Burton Avenue and Durban Road West. The proposal would therefore adversely effect the privacy of occupants of neighbouring properties, contrary to Paragraph 17 of the National Planning Policy Framework, which states, among other things, that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 3) There is potential for danger to pedestrians entering/leaving the proposed flats because of commercial vehicles entering/leaving the site and manoeuvring on the yard area. It is possible that trade vans would access the Use Class B8 storage unit, which could cause danger to pedestrians adjacent to the vehicular crossover and within the yard area. The proposed Class B8 Use and Class C3 Use is not an appropriate mix of uses in terms of pedestrian safety on this constrained site. The proposed development is therefore contrary to "Saved" Policy T21 of the Watford District Plan 2000.
- 4) The proposed development does not include any on-site parking spaces and

the site is located in a Controlled Parking Zone. A Unilateral Undertaking has not been completed to remove permit entitlement for future occupiers of the proposed flats, therefore the proposed development would cause additional demand for on-street parking spaces in an area that already experiences parking problems. The proposal is therefore contrary to 'saved' Policy T24 of the Watford District Plan 2000.



Fig. 7. Refused proposed site plan for planning application 15/01385/FUL.

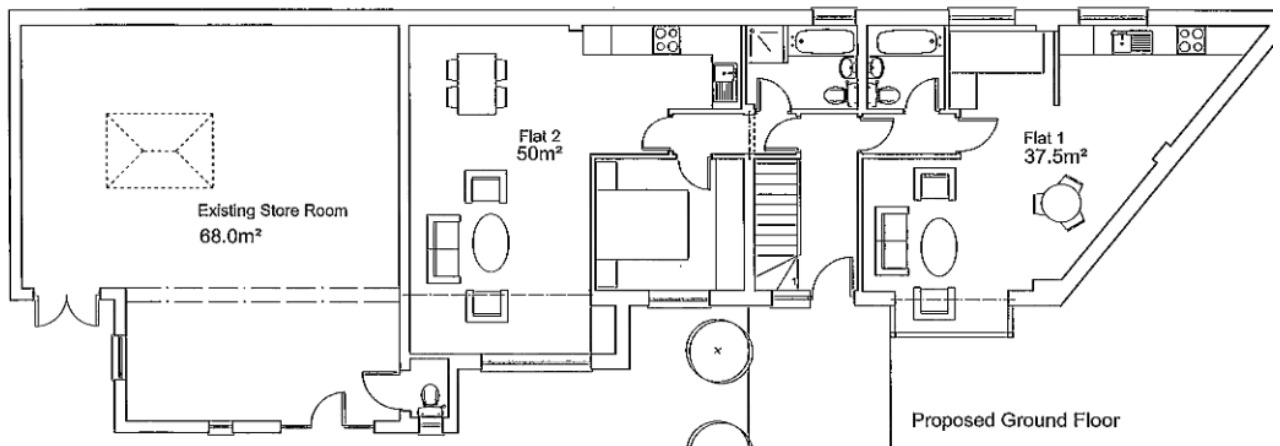


Fig. 8. Refused proposed ground floor plan for planning application 15/01385/FUL.

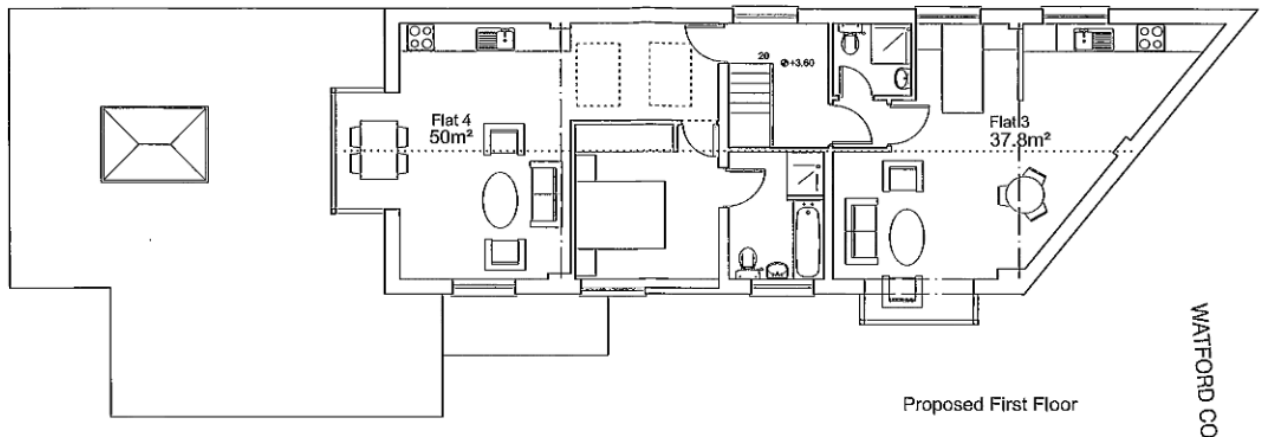


Fig. 9. Refused proposed first floor plan for planning application 15/01385/FUL.

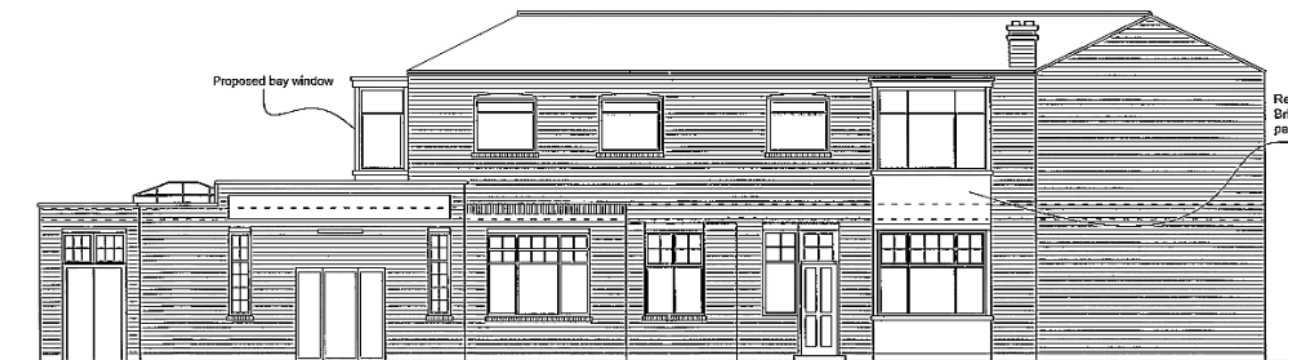


Fig. 10. Refused proposed front elevation for planning application 15/01365/FUL.

14/01487/COU - Proposed change of use of existing building from light Industrial (Use Class B1) to Education and Training Centre (Use Class D1). Refused Planning Permission. January 2015.

Reasons:

- 1) The proposed education and training centre would have a small car park to the front of the building, which would be accessed from Burton Avenue, however, there would be no drop-off facility. Bearing in mind the nature of the use and that the car park is quite small and constrained, it is likely that adults will park in Burton Avenue for a short duration to drop off/collect students, which, given the size and capacity of the building, would cause parking problems and obstruction in the highway. The building would be used during evenings and weekends, which would cause particular nuisance to neighbouring properties in Burton Avenue. The proposed development is therefore contrary to “saved” Policy H15 of the Watford District Plan 2000.
- 2) The building is located in a high density residential area which consists of

two storey Victorian houses. The proposed education and training centre would result in increased parking and traffic around the site and more comings and goings, which would lead to increased noise and disturbance in the residential area. Because the site is in a predominantly residential area, the increased noise and disturbance would be particularly noticeable during evenings and weekends. As such, by virtue of the proximity of the building to neighbouring residential properties and the proposed hours of use, the proposed education and training centre would give rise to noise and disturbance that would be detrimental to the residential amenities neighbouring properties. The proposed development is therefore contrary to “saved” Policies H15 and SE22 of the Watford District Plan 2000.

3) The existing building has first floor windows that allow views into neighbouring residential properties. However, it is unlikely that the existing light industrial use would be operated on evenings and weekends, which restricts the impact on privacy of neighbouring properties. Furthermore, the nature of the use is such that it is likely that there would be a relatively small number of employees. The proposed education and training centre would intensify the use of the building because it would be occupied on evenings and weekends. Furthermore, given the nature of the use it is likely that the number of visitors would increase. Consequently, the proposed education and training centre would increase overlooking into nearby residential properties in Durban Road West and Burton Avenue, which would be harmful to the privacy of the occupants of the properties. Therefore, the proposed development conflicts with Paragraph 17 of the National Planning Policy Framework, which states among other things, that planning should always seek to secure a good standard of amenity for existing and future occupants of land and buildings.

05/01004/LUC - Certificate of Lawfulness for a change of use from B8 (Storage or Distribution) to B1 Class III (Light Industrial). Lawful Development Certificate granted. December 2005.

59/21664/FUL - Store for the wholesale distribution of motor vehicle components, no services or repairs. Planning Permission. November 1959.

## **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
- EMP1 Economic Development
- TLC2 Neighbourhood Centres
- 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
- SE22 Noise
- SE24 Unstable and Contaminated Land
- T10 Cycle Parking Standards
- T21 Access and Servicing
- T22 Car Parking Standards
- T24 Residential Development
- T26 Car Free Residential Development

4.5 **Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026**

- 1 Strategy for the Provision of Waste Management Facilities
- 1A Presumption in Favour of Sustainable Development
- 2 Waste Prevention and Reduction
- 12 Sustainable Design, Construction and Demolition

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. 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

## 5.0 Consultations

### 5.1 Neighbour consultations

Letters were sent to properties in Burton Avenue, Southsea Avenue, and Durban Road West.

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

Number of original notifications:	37
Number of objections:	6
Number in support:	0
Number of representations:	6

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

Representations	Officer's response
<p>Where do the owners propose to store their overstock, recyclable materials and receive deliveries once this development is built? My concern is that the owners would continue to perform this activity thereby diminishing the quality of life of the occupants. There is no storage behind the shop as access to the flats above has been built and the shop is on a busy corner.</p> <p>The Medina food store is responsible for generating significant additional traffic and illegal parking by non residents in the road. This is an ongoing safety hazard due to poor</p>	<p>The Medina Food Store at 116-120 Whippendell Road is a separate planning unit and issues relating to deliveries, storage, parking and traffic for that property is not a matter to be considered in the current planning application at 29 Burton Avenue.</p> <p>The submitted plans show that no activities such as deliveries, storage or parking will continue to be operated, therefore there would be no impact on the quality of life of the future occupants of the proposed development.</p> <p>There is no Development Plan policy</p>

<p>visibility. The store has recently provided some relief by offering parking at 29 Burton Avenue but should the planning application be successful this limited relief will no longer be available.</p>	<p>that seeks the protection of Use Class B uses outside designated employment areas.</p>
<p>How exactly will a parking agreement be enforced? There is no restriction in this area after 6.30pm so occupants with vehicles will infringe on the parking spaces of residents at a time when parking bays have been reduced to accommodate for shoppers. Car ownership can not be forbidden. The stations are over 15 minutes walk, the nearest is being closed with the advent of the Vicarage Road station.</p>	<p>The applicant has completed a Unilateral Undertaking to remove permit entitlement for future occupiers of the development, in accordance with “saved” Policies T24 and T26 of the Watford District Plan 2000. As such, future occupants of the proposed development would not be able to park in the Controlled Parking Zone between the hours of 08:00 to 18:30 Monday - Saturday, which is a sufficient deterrent to prevent on-street parking in the Controlled Parking Zone. It would not be practicable for future occupants to park on the street only between the hours of 18:30 – 08:00.</p> <p>The Highway Authority have no objection to the proposed development. The application site is located within walking distance to Watford town centre and is well served by passenger transport facilities, therefore a car-free development is acceptable in a sustainable location such as this.</p> <p>The proposal accords with Paragraph 17 of the National Planning Policy Framework, which, among other things, states that planning should “<i>actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable</i>”.</p>

<p>The windows on the proposal that have now been obscured provide no view for occupants. This will compromise quality of life together with a no parking undertaking.</p> <p>An occupant wishing to have a car who complies with the agreement would be required to move out and transient residents can cause disruption/anxiety for existing local residents.</p>	<p>The side window panes of the front bay window would be fitted with obscured glass in order to minimise overlooking into neighbouring properties in Durban Road West. However, the other window panes, which are at a more oblique angle to the neighbouring properties would be clear glazed, which would provide sufficient outlook for future occupiers.</p> <p>A condition should be attached to any grant of planning permission to require the rear windows to be obscurely glazed. The front windows would provide sufficient outlook from the main living areas.</p> <p>A car-free development is acceptable in this sustainable location. Any future occupiers should be aware of the absence of parking facilities prior to occupying the development. There is no evidence that the flats would be occupied on a transient basis and this is not a reason to refuse planning permission.</p>
<p>The internal sizes of one of the flats are the minimum standards for a flat and below those of Hertsmere and Broxbourne reducing quality of life.</p>	<p>The Nationally Described Space Standard is applicable to planning applications in the Borough of Watford and the proposed development complies with the standards.</p> <p>The standards in the boroughs of Hertsmere and Broxbourne are not part of Watford Borough Council's Development Plan and are therefore not relevant to the consideration of the application.</p>

<p>Loss of light/privacy will occur with obscured windows and a relatively small access for 5 properties, which adjoins a public footway. This is insufficient light for residents.</p>	<p>The main living areas of the proposed development would receive sufficient levels of natural lighting.</p> <p>The front of the building would be used as soft-landscaped gardens and no on-site parking is proposed. The access at the front of the site would be ample for pedestrians.</p>
<p>Where are the proposals for sewage and amenities? Putting these in will cause obstruction during construction on a tight corner with a small access to the proposed flats. Where would builders, developers, project managers, lorries carrying brick/cement park safely in the construction phase?</p>	<p>Impacts arising from the construction of a development are not material planning considerations.</p> <p>Any adverse effect on highway safety could be addressed through other legislation, including the Highways Act.</p>
<p>The plans demonstrate a whole disregard for needs of any future tenants/owners who have a disability.</p>	<p>Access to and use of buildings for disabled people is considered under Building Regulations Approved Document M.</p>
<p>This development is out of character for this residential road (not withstanding the original agreement of building a factory in a small residential road). The houses in Burton Avenue all benefit from decent sized garden space to the rear – the proposed flats would not be in keeping with the current residential space.</p> <p>We are fully aware of the general housing need in Watford but would also argue that West Watford needs affordable family houses with gardens not more flats/studio flats with any outdoor space.</p>	<p>The proposed flats would be more compatible with the surrounding residential area than the existing employment use, as discussed in paragraph 6.3 of the report.</p> <p>Due to the shape of the site, houses with rear gardens would not be feasible and it is considered that flats would provide the most effective use. Furthermore, there is no presumption in the Development Plan against the provision of flats in a sustainable location close to shops and public transport facilities.</p>

<p>Every window on the top floor at the front of the building looks directly into my kitchen and bedroom windows, which are just metres away. I also note that the closest window is going to be made even larger, putting me under even more scrutiny. It is already occupied on a 24 hour basis, so I am forced to permanently live in a twilight zone with the blinds down at every window. I also have to keep the windows and doors shut to avoid the fumes and smoke from their continuous bonfires and listening to the loud conversations and all other activities.</p>	<p>The issue in relation to privacy is considered in paragraphs 6.13 – 6.14 of the report.</p> <p>The proposed residential use would remove the existing activities associated with the business use such as deliveries and parking, which would be likely to reduce noise and disturbance to neighbouring properties.</p> <p>It is unlikely that “continuous bonfires” would occur once the building has been converted from business use to residential use.</p> <p>The enforcement department has visited the premises and stated that the ground floor is being used for storage and the first floor is being used as a staff room. At the time of the visit there were no beds or kitchens in the building and it was not being used for residential accommodation.</p>
<p>Due to the height of this building, there is already a large amount of light being blocked into our gardens and any height elevations will cause even smaller amount of light into the house.</p>	<p>The projection of the single storey element of the building to the front would be reduced. The new pitched roof to the single storey element would slope away from the site boundaries and would not cause a loss of light to neighbouring properties.</p>

The Committee will be advised of any additional representations received after the date this report was written.

**5.3 Statutory publicity**

No statutory advertisement was required for this application.

**5.4 Technical consultations**

The following responses have been received from technical consultees:

Hertfordshire County Council (Highway Authority)

*Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following condition:*

*Condition 1. Prior to the commencement of the site works the applicant shall submit a construction management plan setting out details of on-site 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.*

*Planning Application:*

*Application is for conversion of a warehouse in to 2 no Studio flats and 3 no one bed flats.*

*Site and surrounding:*

*The site located at 29 Burton Avenue within the residential area of Watford. The application site is in Triangular shape, a corner property behind Durban Road West and Southsea Avenue. The access is off from Burton Avenue. There is controlled parking along Burton Avenue by means of Permit Holders parking.*

*Accessibility.*

*The site is within few minutes walking distance to West Watford shopping facilities along Whippendell Road. The local area is well served by buses and easy access to Watford Town Centre and railway station by a short ride by buses. On completion of the Croxley Rail Link the site is within walking distance to the railway station. In summary the site is in a sustainable location. There are opportunities for residents to use all modes of transport and the access to all the necessary facilities.*

*Access and Parking:*

*On-site parking is a matter for the local planning authority. The applicant is not proposing on-site parking as part of this application. Considering the location of the proposed development where most properties are without off-street parking Highway Authority has no objection to the proposal.*

*Conclusion:*

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

N.B. The requested condition relating to on-site parking facilities for construction workers and details of storage of materials is not necessary to make the development acceptable in planning terms, therefore the condition does not meet the tests in Paragraphs 204 and 206 of the National Planning Policy Framework. This is not a material planning consideration and any adverse effect on highway safety could be addressed through other legislation, including the Highways Act.

Contaminated Land Officer

No response.

Environmental Health

No objection.

## 6.0 Appraisal

### 6.1 Main issues

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

- (a) Land use
- (b) Housing
- (c) Impact on the character and appearance of the area.
- (d) The quality of the new accommodation provided.
- (e) Impact on amenity of adjoining residential properties.
- (f) Highways impacts and car parking provision.
- (g) Land contamination

### 6.2 (a) Land use

Policy E6 (Change of Use from Use Class B Outside Employment Areas) of the Watford District Plan has been deleted and there are no policies in the Watford Local Plan Core Strategy 2006-31 that prevent the loss of employment uses outside of designated Employment Areas or Special Policy Areas. The application site is not located in an Employment Area or Special Policy Area, therefore there is no objection in principle to the loss of employment land.

6.3 The application site is located in a predominantly residential area, therefore the proposed residential use of the building would be compatible with the surrounding area. It appears that the existing business use of the premises has been under-utilised for some time and the proposed residential use would provide a more effective use of the land. The proposal would accord with one of the core planning principles in the National Planning Policy Framework to *“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”*. The land consists of hardsurfacing and is not considered to be of high environmental value. Furthermore, the application site is in a sustainable location and meets the core planning principle of the NPPF to *“make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are sustainable”*. As such, the proposed land use is considered to be acceptable in principle.

### 6.4 (b) Housing

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 HS2 states that medium density developments such as flats and houses may be appropriate close to neighbourhood centres where they are well served by transport links. The application site is in a sustainable location close to the shops and services and is



well served by transport links, therefore medium density flats are appropriate. The proposal would make a contribution towards meeting the housing need in the Borough, which should be afforded weight in consideration of the application.

6.5 The proposed development would provide less than 10 dwellings and the site area is less than 0.5ha, therefore affordable housing is not required.

6.6 (c) Impact on the character and appearance of the area

The proposed alterations to the building, as described in the 'proposed development' section of the report, would provide a more coherent appearance to the building and would enhance the character and appearance of the area. Furthermore, the replacement of the front hard-surfacing with soft-landscaped gardens would provide a more green feel and improve the visual amenity of the site.

6.7 Conditions requiring details of the external materials to be used for the development and the submission of a landscaping scheme should be attached to any grant of planning permission to ensure that an acceptable standard of appearance would be achieved.

6.8 (d) The quality of the new accommodation provided

The floor areas and room sizes of the proposed flats comply with the Nationally Described Space Standard. Furthermore, the habitable rooms would be served by windows, which would provide sufficient levels of natural lighting and outlook. There would be a soft-landscaped garden area to the front of the building, which would provide outdoor amenity space for future occupants of the development. Bearing in mind that the proposed development would not provide family-sized accommodation and that the area is of high density with relatively small gardens, it is considered that the amount of outdoor amenity space is sufficient.

6.9 Taking the above into account, the proposed development would provide an acceptable standard of amenity for future occupiers. In comparison to the previous refused application (ref: 15/01385/FUL), the standard of amenity has been improved because of the removal of the warehouse use from the proposal, the changes to windows, and the introduction of outdoor amenity space.

6.10 (e) Impact on amenity of adjoining residential properties

The proposed pitched roof to the existing single storey side/front projection would not cause a significant loss of light or outlook to neighbouring properties.

6.11 The existing building is currently used for storage & distribution and has previously been used for light manufacturing. It is very close to neighbouring residential

properties and the proposed residential use would be more compatible with the surrounding area. The proposal is likely to reduce noise and disturbance from the site, particularly given that there would no longer be vehicular movements to the front of the building. The environmental improvements arising from the replacement of hard surfacing with soft-landscaped gardens would also provide a more pleasant outlook from neighbouring properties.

- 6.12 Paragraph 7.3.16 of the Residential Design Guide highlights that privacy is an important aspect of residential environments. The existing warehouse has first floor windows that allow views towards the rear gardens and windows of neighbouring residential properties in Burton Avenue, Southsea Avenue and Durban Road West. The surrounding area consists predominantly of high density terraced housing where there is mutual overlooking of rear gardens. The number of ground floor and first floor windows in the rear elevation of the building would be reduced and a condition could be attached to any grant of planning permission to require the windows to be obscurely glazed and fixed closed below 1.7m internal floor level. Furthermore, the new rooflights would be at least 1.7m above internal floor level, therefore views into neighbouring properties in Southsea Avenue would be restricted. As such, the proposed development would not cause a loss of privacy to neighbouring properties in Southsea Avenue.
- 6.13 The proposed development would intensify the use of the building because the nature of a residential use is such that the building would be occupied at evenings and weekends, whereas the existing business use is only likely to be operated during normal working hours. The previous application (ref: 15/01385/FUL) was refused planning permission, among other reasons, because the intensification of the use of the building and the provision large bay windows on the front and side elevations would result in a loss of privacy to No. 27 Burton Avenue and the adjacent properties in Durban Road West. In comparison to the previous application, the side bay window adjacent to No. 27 Burton Avenue has been removed from the scheme and the plans show that the side panes of the front bay window would be obscurely glazed. It is considered that these alterations would reduce the level of overlooking compared to the previous application.
- 6.14 It should also be borne in mind that the nearest property in Durban Road West which is affected by the front windows (No. 83 Durban Road West) has a large parking area to the rear of the property rather than an outdoor amenity space – as shown in Fig. 11 below. Taking into account that the existing building already overlooks neighbouring properties, that there is mutual overlooking between properties in the area and that the degree of overlooking has been reduced in comparison to the previous application, it is not considered that the proposal would cause a significant loss of privacy to neighbouring properties in Burton Avenue and

Durban Road West. Furthermore, the scheme has been significantly improved compared to the previous application and the public benefits of the contribution towards meeting the Borough's housing need, the effective use of a brownfield site and the provision of a more compatible residential land use outweigh the less than significant impact on privacy.



Fig. 11. Aerial view of site to show the relationship of the building to properties in Durban Road West.

6.15 (f) Highways impacts and car parking provision

The Highway Authority has no objection to the proposed development. The application site is located within walking distance to Watford town centre and is well served by passenger transport facilities. No on-site parking spaces are proposed, which is acceptable in a sustainable location such as this.

6.16 The application site is located in the Central/West Watford Controlled Parking Zone, therefore, in accordance with "Saved" Policy T24 of the Watford District Plan 2000, it is necessary to complete a Unilateral Undertaking to remove permit entitlement for future occupants of the proposed dwellings. This is to ensure that future occupants of the proposed development would not exacerbate demand for on-street parking in an area that already experiences parking problems. The owner has completed a Unilateral Undertaking to meet the costs of varying the Traffic Regulations Order 2010 to remove permit entitlement of the future occupants of the development, in accordance with Policies T24 and T26 of the WDP.

6.17 The existing dropped kerb would be made redundant as a result of the proposed car-free residential development. A condition should be attached to any grant of planning permission to require the kerb to be raised, which would provide

additional on-street parking space.

6.18 The submitted plans indicate that the flats would have cycle parking facilities, which accords with the sustainable transport objectives in “Saved” Policy T10 of the Watford District Plan 2000.

6.19 (g) Land contamination

The application site has been previously used by potentially contaminative land uses, therefore a condition should be attached to any grant of planning permission to require the submission of a Phase 1 Land Contamination Assessment.

## **7.0 Community Infrastructure Levy and Planning Obligation**

### **7.1 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 floorspace created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted.

7.2 The CIL charge applicable to the proposed development is £120 per sqm. 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.

7.3 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.

### **7.4 S.106 planning obligation**

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. On and from this date, s.106 planning obligations can only be used to secure site specific requirements.

7.5 The development proposed in this application is one where, in accordance with saved Policy T26 of the Watford District Plan 2000 and Policy INF1 of the Watford

Local Plan Part 1 Core Strategy 2006-31, the Council will normally require the applicant to enter into a planning obligation which provides for a financial contribution towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude future residents of the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the application site. It is necessary to amend the traffic order so as to exclude the occupiers of the development from any entitlement to claim permits for the local Controlled Parking Zone because otherwise the proposed development would be likely to give rise to additional vehicles parking on local streets, thus worsening traffic congestion which would be a reason to refuse planning permission.

- 7.6 The proposed development is also one where Hertfordshire County Council, in pursuance of its duty as the statutory Fire Authority to ensure fire fighting facilities are provided on new developments and that all dwellings are adequately served by fire hydrants in the event of fire, seeks the provision of hydrants required to serve the proposed buildings by means of a planning obligation. The requirements for fire hydrant provision are set out within the County Council's *Planning Obligations Toolkit* document (2008) at paragraphs 12.33 and 12.34 (page 22). In practice, the need for hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.
- 7.7 Under Regulation 122 of the Community Infrastructure Levy Regulations 2010, where a decision is made which results in planning permission being granted for development, a planning obligation may only constitute a reason for granting planning permission for that development if the obligation is:
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.
- 7.8 The contribution sought by the Council for amending the Controlled Parking Zones Traffic Regulation Order varies according to the number of dwellings existing and to be created and according to the existing use of the property. The contribution is thus directly related to the proposed development and is fairly and reasonably related in scale and kind to that development. It is also necessary to make the development acceptable in accordance with the Council's planning policies.
- 7.9 As the County Council's requirement for the provision of fire hydrants accords with the provisions of the *Planning Obligations Toolkit*, this obligation is also directly

related to the proposed development and is fairly and reasonably related in scale and kind to that development. It is also necessary to make the development acceptable in accordance with the County Council’s statutory duty as the Fire Authority.

7.10 Accordingly, the contribution sought by the Council towards the amendment of the Controlled Parking Zones Traffic Regulation Order and the County Council’s requirement for fire hydrants meet the tests in Regulation 122 of the Community Infrastructure Regulations 2010, and, consequently, these planning obligations can be taken into account as material planning considerations in the determination of the application. Both the Council’s approach to seeking a financial contribution and the County Council’s approach to seeking the provision of fire hydrants by means of planning obligations are also fully in accordance with the advice set out in paragraphs 203 to 205 of the National Planning Policy Framework.

7.11 The Council’s contribution in the case of the development proposed in this application is set out below:

<i>New residential development</i>	The sum of £2000 (two thousand pounds) towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude future residents of the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the site in accordance with saved Policy T24 of the Watford District Plan 2000.
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## 8.0 Conclusion

8.1 The application site is located in a predominantly residential area, therefore the proposed residential use of the building would be compatible with the surrounding area. It appears that the existing business use of the premises has been under-utilised for some time and the proposed residential use would provide a more effective use of the land and contribute towards meeting the housing need in the Borough. The proposal would accord with one of the core planning principles in the National Planning Policy Framework to “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value*”. Furthermore, the application site is in a sustainable location and meets the core planning principle of the NPPF to “*make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are sustainable*”.

- 8.2 The layout of the proposed development would provide an acceptable standard of amenity for future occupiers. Furthermore, the proposal would not cause a loss of light or outlook to neighbouring properties. The building is very close to neighbouring residential properties and the change of use from storage & distribution to residential would be more compatible with the surrounding area. The existing building overlooks neighbouring properties and although the proposed residential use would increase the occupancy of the building it would not cause a significant loss of privacy to neighbouring properties.
- 8.3 The application site is in a sustainable location, therefore a car-free development is acceptable. The applicants have completed a Unilateral Undertaking to remove permit entitlement for future occupants of the development, which ensures that there would not be increased demand for on-street parking in the Controlled Parking Zone.
- 8.4 As such, taking the above into account, the proposal is considered to be a sustainable development which accords with the Development Plan and National Planning Policy Framework and it is therefore recommended that the application should be approved.

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## **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.

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## **10.0 Recommendation**

- (A)** That, pursuant to a planning obligation under s.106 of the Town and Country Planning Act 1990 having been completed to secure the following Heads of Terms, planning permission be granted subject to the conditions listed below:

### Section 106 Heads of Terms

- i) To exclude future residents of the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the application site.
- ii) To secure the provision of fire hydrants as required by the County Council to serve the development.

### 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 hereby permitted shall be carried out in accordance with the following approved drawings:-

Location plan; 15/2935/01; 15/2935/02; 15/2935/03; 15/2935/04; 15/2935/09; 15/2935/10A; 15/2935/11; 15/2935/12A.

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

3. No construction works shall commence until details of the materials to be used for all the external finishes of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved materials.

Reason: In the interests of the visual appearance of the site and the character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31. This is a pre-commencement condition as the materials need to be approved by the Local Planning Authority before the development is constructed.

4. No part of the development shall be occupied until full details of a soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of the development. 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, or in accordance with details approved by the Local Planning Authority.

Reason: In the interests of the visual appearance of the site and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31. This is a pre-commencement condition as the details need to be approved by the Local Planning Authority before the development is constructed.

5. No part of the development shall be occupied until full details of a hard landscaping scheme, including details of all site boundary treatments and all fencing within the site, have been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details.

Reason: In the interests of the visual appearance of the site and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31. This is a pre-commencement condition as the details need to be approved by the Local Planning Authority before the development is constructed.

6. No part of the development shall be occupied until details of the siting, size and design of refuse, recycling and cycle storage have been submitted to and approved in writing by the Local Planning Authority and the storage facilities have been installed in accordance with the approved details. The storage facilities shall be retained at all times thereafter.

Reason: In the interests of the visual appearance of the site, and, to ensure that sustainable transport objectives are met.

7. The ground floor and first floor windows in the south-western rear elevation of the building shall be permanently fixed closed below 1.7m internal floor level and shall be fitted with obscured glass at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring premises.

8. The side window panes of the two storey bay window on the north-eastern front elevation of the building, as indicated on drawing No. 15/2935/11, shall be permanently fixed closed below 1.7m internal floor level and shall be fitted

with obscured glass at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring premises.

9. Prior to the commencement of the development hereby approved a Phase I Report to assess the actual or potential contamination at the site shall be submitted to and approved in writing by the Local Planning Authority. If actual or potential contamination and/or ground gas risks are identified further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.

A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.

A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.

10. All remediation or protection measures identified in the Remediation Statement referred to in Condition 9 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the

Local Planning Authority prior to the first occupation of any part of the development hereby permitted.

For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.

11. No part of the development shall be occupied until details of the reinstatement of the kerb and pavement to the front of the site have been submitted to and approved in writing by the Local Planning Authority and the kerb and pavement have been reinstated in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: The development is a car-free scheme therefore the dropped kerb would be redundant. The raising of the kerb would provide additional on-street parking space.

### Informatives

1. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to exclude future residents of the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the application site.
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 2010, as amended. The Council also gave pre-application advice on the proposal prior to the submission of the application.
3. 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](mailto: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.

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 out more information and for advice as to whether a Building Regulations application will be required please visit [www.watfordbuildingcontrol.com](http://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](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc__Act_1996_-_Explanatory_Booklet.pdf)
6. 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.
7. The applicant is advised that storage of materials associated with the development should take place within the site and not extend into within the public highway without authorisation from the highway authority, Hertfordshire County Council. If necessary further details can be obtained from the County Council Highways via either the website <http://www.hertsdirect.org/services/transtreets/highways/> or telephone 0300 1234047 to arrange this.
8. 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.

9. Where works are required within the public highway 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. Please see the Hertfordshire County Council guidance at <http://www.hertfordshire.gov.uk/services/transtreets/highways/highwaysinfo/hiservicesforbus/devmanagment/dmhwaysec278/>
10. 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](https://www.watford.gov.uk/info/20010/your_environment/188/neighbour_complaints_%E2%80%93_construction_noise)

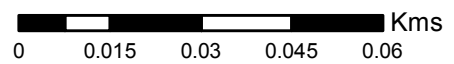
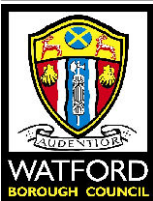
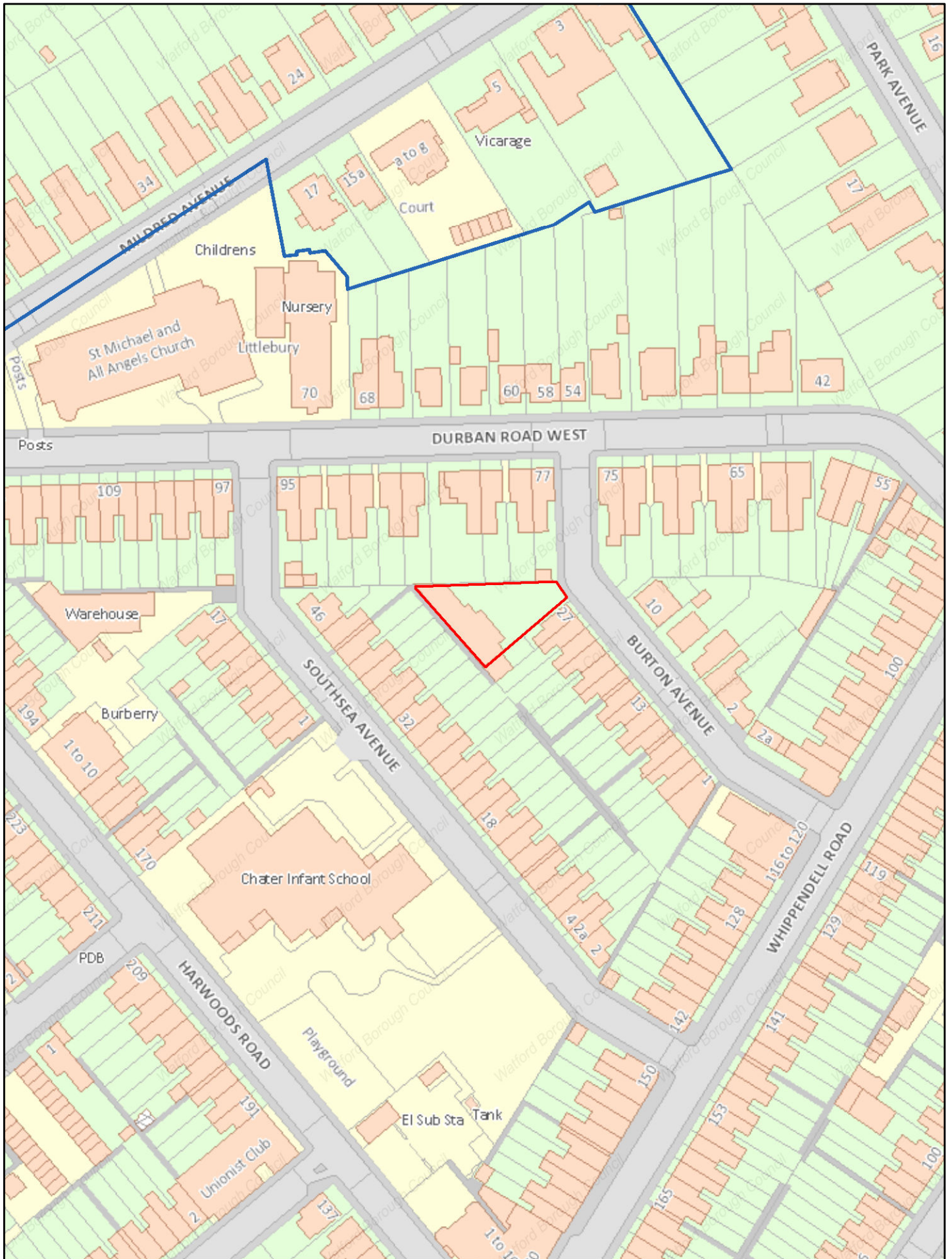
Drawing numbers

Location plan; 15/2935/01; 15/2935/02; 15/2935/03; 15/2935/04; 15/2935/09; 15/2935/10A; 15/2935/11; 15/2935/12A

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**Tel: 01923 278968**









PART A	
Report of: <b>Head of Development Management</b>	
Date of committee:	<b>1<sup>st</sup> September 2016</b>
Site address:	<b>7 Elfrida Road Watford</b>
Reference Number:	<b>16/00868/FUL</b>
Description of Development:	<b>Demolition of existing bungalow and construction of a two storey building to provide 4no. 1-bed flats.</b>
Applicant:	<b>Mr &amp; Mrs Darley</b>
Date Received:	<b>22nd June 2016</b>
8 week date (minor):	<b>17th August 2016</b>
Ward:	<b>Central</b>

## **1.0 Site and Surroundings**

- 1.1 The application site is within Watford Fields, which consists of attractive Victorian terraced streets. The dwellings are of two storeys and are modest in size. They are close to the Watford Fields recreation ground.
- 1.2 The dwellings are predominantly designed with gabled roof forms and ground floor front bay windows are a common feature. The terraces are built close to the road and the front gardens are small. It is a high density urban area, which has a few larger buildings dating from the same period. The adjacent school is a local landmark, which is a designated Locally Listed Building.
- 1.3 The application site is in marked contrast to the local vernacular because it contains a single storey bungalow dating from 1926 that has a low density of development. The bungalow is designed with a hipped roof and is horizontal in emphasis, which differs from the narrow vertical proportions of the adjacent Victorian houses. The property has a large garden space, in contrast to the small rear gardens of neighbouring dwellings.
- 1.4 The property is served by an existing vehicular crossover which provides on-site parking spaces. The site is located in the Central/West Watford Controlled Parking Zone.
- 1.5 The north-western side boundary adjoins the rear gardens of Tucker Street properties. The neighbouring gardens are small. No. 48 Tucker Street has a

detached garage adjacent to the boundary and No. 46 has an outbuilding adjacent to the boundary.

- 1.6 A vehicular access runs to the south-east of the application site, which provides access to Field Junior School to the rear.
- 1.7 There are a number of mature trees to the rear of the site.
- 1.8 The property is not listed or located in a conservation area.



Fig. 1. Aerial view of the site.

## 2.0 Proposed Development

- 2.1 The application proposes demolition of the existing bungalow and construction of a two storey building to provide 4no. 1-bed flats.
- 2.2 The proposed building is designed with a pitched roof and gabled side elevations. It would have a ridge height of 7.65m and an eaves height of 5.1m. The front elevation features 2no. ground floor bay windows. The windows and doors would be constructed in timber and the windows would be sash style. A two storey gabled

projection would extend to the rear of the building. The external walls would be finished in yellow stock brickwork with detailing in red brickwork. The roof would be clad in slate.

2.3 The main part of the building would be 11.2m wide and 8.2m deep. The rear projecting element would extend a further 5m to the rear. The main front wall would be 2m from the front boundary and the side wall would be 5.35m from the north-western side boundary at its closest point.

2.4 There would be 2 flats over each of the ground and first floors. One on-site parking space would be provided adjacent to the existing vehicular crossover. The proposed site plan indicates that bin and cycle storage would be provided adjacent to the north-western boundary. The proposed ground floor flats would have independent garden areas and there would also be a communal garden. A number of small trees would be removed.

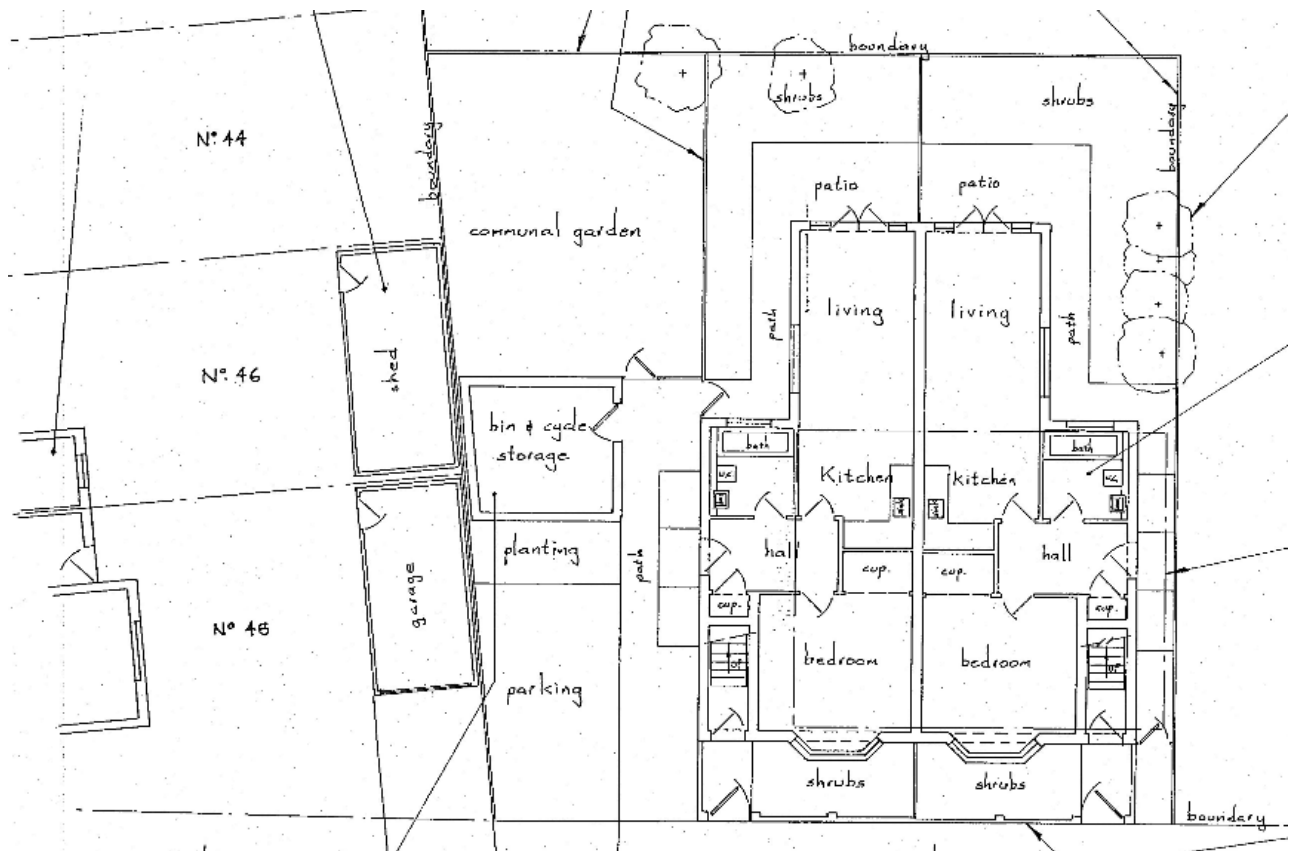


Fig. 2. Proposed site plan.

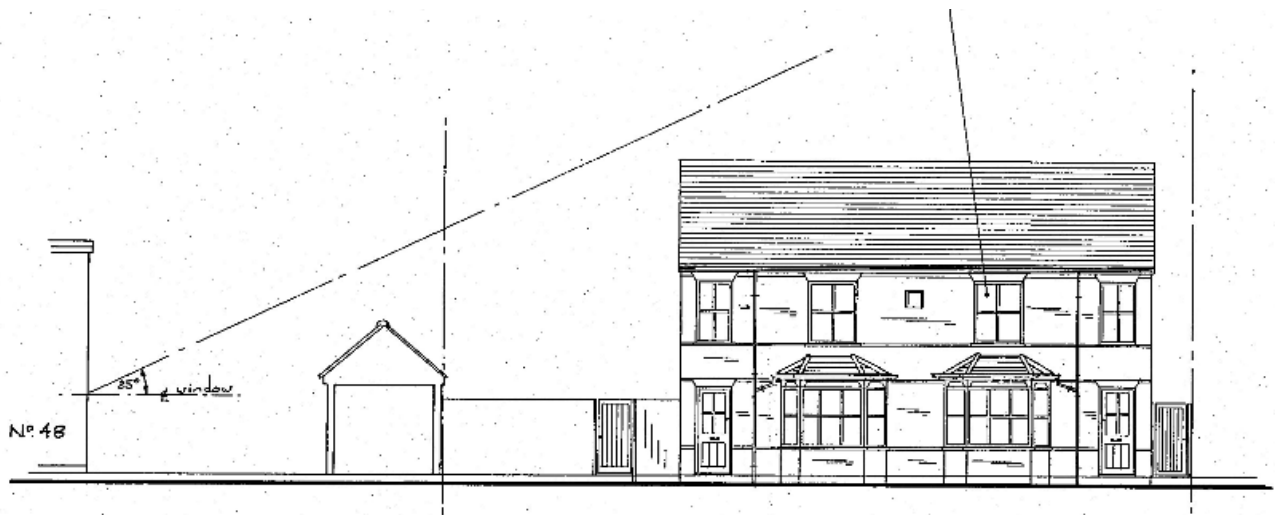


Fig. 3. Proposed front elevation.



Fig. 4. Proposed northern side elevation.

2.5 The application follows a number of refused and withdrawn applications for residential development on the site – as shown in the ‘relevant planning history’ section of the report. In comparison to planning application 14/00170/FUL (the most recent refused application) the following amendments have been made:

- Reduction in width of the building to increase the gap to the north-western boundary with Tucker Street properties by 4.35m.
- Provision of a gabled roof rather than a hipped roof.
- Provision of gabled rear projection.
- Proposal for 4no. 1-bed flats rather than 3no. 2-bed houses.
- Inclusion of 1no. parking space.

### **3.0 Relevant Planning History**

**16/00403/FUL** - Demolish existing bungalow and construct four new two bedroom flats. Application Withdrawn. March 2016.

**15/00648/FUL** - Demolish existing bungalow and construct four new two bedroom flats. Application Withdrawn. June 2015.

**14/00170/FUL** - Demolition of existing bungalow and erection of 3no. two bedroom houses. Refused Planning Permission. March 2014.

Reasons:

- 1) Paragraph 8.2.7 of the Watford Local Plan Core Strategy 2006-31 (CS) states that there is a significant need for dwellings with 3 or more bedrooms, as informed by the Strategic Housing Market Assessment (SHMA). Policy HS2 of the CS states that the Council will seek the provision of a mix of housing types, sizes and tenures at a local level to meet the requirements of all sectors of the community. This includes the provision of family sized units. The proposed development would not provide any 3-bed dwellings, therefore the proposal would fail to contribute to the identified need for dwellings with 3 or more bedrooms. As such, the proposal fails to provide a housing mix that meets the housing needs of the borough and is therefore contrary to Policy HS2 of the Watford Local Plan Core Strategy 2006-31.
  
- 2) The design of the proposed terrace fails to respond effectively to the context of the surrounding area. The existing Victorian terraces and the nearby Locally Listed Field Junior School are all designed with gabled roofs, which is a unifying feature that contributes to the distinctiveness and strong character of the area. The hipped roof of the proposed terrace would appear out of keeping and would not preserve or enhance the character and appearance of the area. Moreover, the design of the proposed terrace is confused because it displays features of Victorian origin, such as ground floor bay windows and vertically proportioned sash windows, in combination with a hipped roof, which is not a roof form that was commonly used on typical Victorian terraces. The design of the proposed terrace combines different elements of different building typologies, but presents a built form that is not true to any of them. As such, the proposed terrace would fail to respect or enhance the character and appearance of the area, contrary to Policy UD1 of the Watford Local Plan Core Strategy 2006-31, the provisions of the Residential Design Guide Volume 1 and Section 7 of the National Planning Policy Framework.

3) Currently, the existing single storey bungalow is approximately 8m from the boundary with Nos. 44 – 48 Tucker Street and the rear elevations of the Tucker Street houses are approximately 8m from the boundary. By contrast, the proposed two storey terrace would be only 1m from the boundary. The proposed terrace, by reason of its height, close proximity and location directly to the south of Tucker Street properties would cause a significant loss of sunlight and daylight to the rear windows and garden areas of the neighbouring dwellings. Moreover, the proposed terrace would appear overbearing and have a significant impact on the outlook from the habitable rooms and gardens. As such, the proposed development would adversely effect the residential amenities of neighbouring properties in Tucker Street, contrary to Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

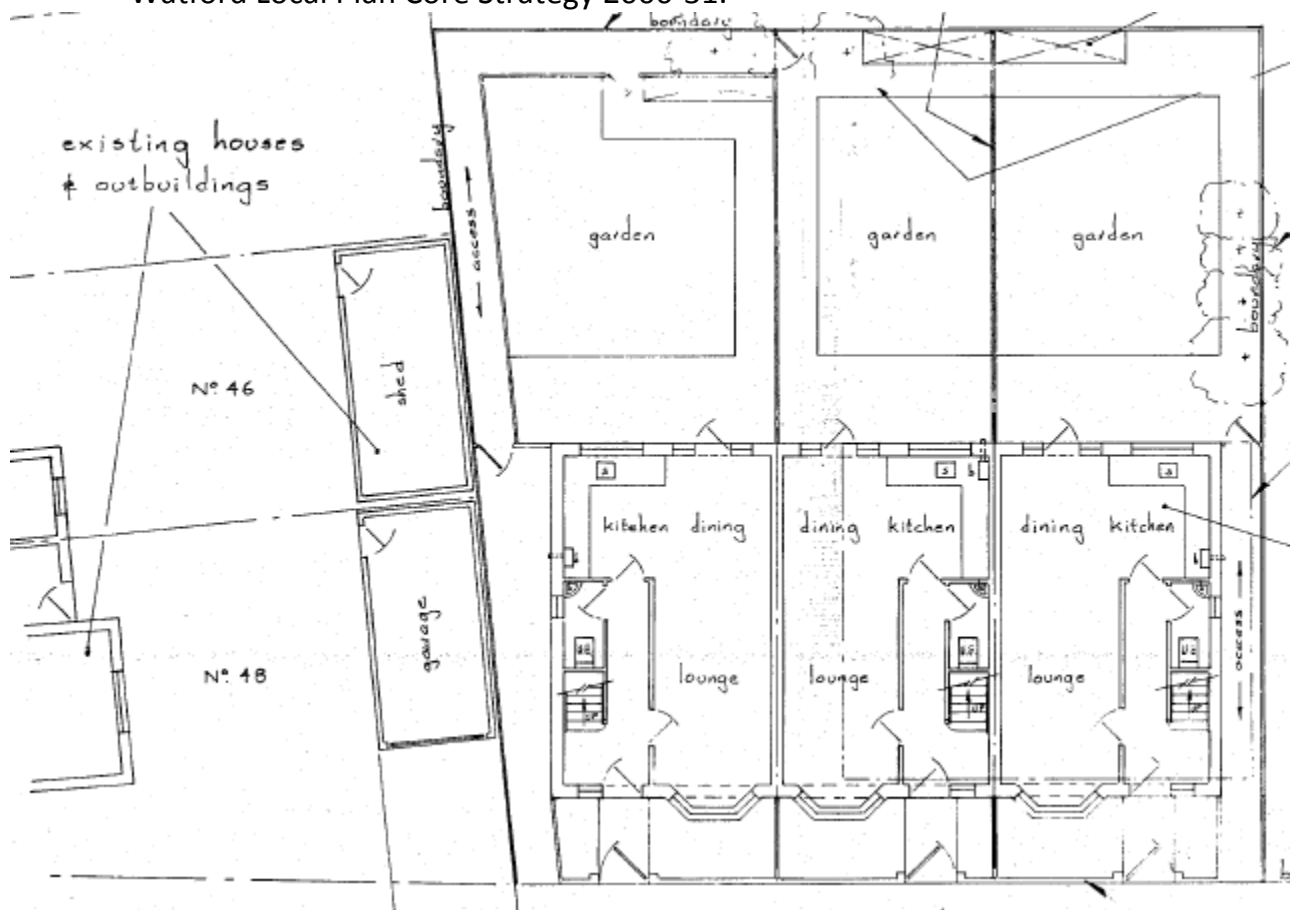


Fig. 5. Refused site plan for planning application 14/00170/FUL.



Fig. 6. Refused front elevation for planning application 14/00170/FUL.

An appeal was subsequently submitted to the Planning Inspectorate, which was dismissed on 30<sup>th</sup> December 2014. The Inspector considered 3 main issues – 1) the effect of the proposed development on the character and appearance of the area; 2) the effect of the proposed development on the living conditions of Nos. 44 – 48 Tucker Street with regard to light and outlook; and 3) whether the proposed development would provide an acceptable mix of dwelling types, having regard to the requirements of the Development Plan. The Inspector’s comments on the main issues are summarised below:

1) The effect of the proposed development on the character and appearance of the area:

The Inspector stated that appeal scheme adopted some features of the surrounding residential vernacular, including building materials, ground floor bays and decorative brickwork. However, the atypical expansive hipped roof is at odds with the dominant end of terrace roof treatment in the area and would appear as an incongruous intervention. The Inspector therefore concluded that the appeal scheme would have an adverse effect on the character and appearance of the area.

2) The effect of the proposed development on the living conditions of Nos. 44 – 48 Tucker Street:

The Inspector highlighted that the proposed development would be, at best, around 1.8m from the boundary with Nos. 46 and 48 Tucker Street. The proposed building would rise some distance above the boundary fence and outbuildings and the height and close proximity would result in a marked change to the open outlook from the garden and rear windows of No. 48 and, to a lesser extent No. 46, which would be overbearing on their occupants. The Inspector commented that the outlook from No. 44 would be largely unaffected.

The Inspector opined that given the proximity of the proposed dwellings to the boundary, and the position in relation to the movement of the sun, there would be

a loss of sunlight to the garden of No. 48, and to a lesser extent No. 46. No. 44 is unlikely to be adversely affected due to its distance from the proposed development.

The Inspector commented that the appeal scheme would not infringe the 25 degree line from the ground floor rear windows of properties in Tucker Street, therefore there would not be a significant loss of daylight to the dwellings.

3) Whether the proposed development would provide an acceptable mix of dwelling types:

The Inspector acknowledged that there is a greater requirement for three bedroom dwellings in the Borough than for other types of dwellings, however there is also a requirement for two bedroom units.

The Inspector stated that Policy HS2 of the Core Strategy makes no reference to a requirement to provide three bedroom dwellings, either in general or in specific locations, nor does the policy require a mix of units within development schemes. Taking this into consideration, the Inspector concluded that the appeal scheme would provide an acceptable mix of dwelling types.

**03/00313/FUL** - Demolition of existing bungalow and garage and erection of 2 no. three bedroom houses. Refused planning permission. July 2003.

Reason:

1) The proposed houses, by reason of their height and proximity to the boundaries of properties in Tucker Street, will give rise to a loss of outlook and to overshadowing of these properties, contrary to Policy SE16 of the Watford District Local Plan 1993 and Policies U1a and U1b of the Watford District Plan 2000 : Pre-Inquiry Version.

**01/00870/FUL** - Demolish existing bungalow and build 2 new 3 bedroom semi-detached houses. Refused planning permission. March 2002.

Reason:

1) The proposed houses, by reason of their height and proximity to the boundaries of properties in Tucker Street, will give rise to a loss of outlook and to overshadowing of these properties, contrary to Policy SE16 of the Watford District Local Plan 1993 and Policies U1a and U1b of the Watford District Plan 2000 : Pre-Inquiry Version.

**00/00642/FUL** - Demolition of existing bungalow and garage and erection of 3 no. 2 bedroom houses. Refused planning permission for 3 reasons. December 2000.



**00/00265/FUL** - Demolition of existing bungalow and garage and erection of 3 no. 2 bedroom houses. Refused planning permission for 6 reasons. August 2000.

An appeal was submitted to the Planning Inspectorate, which was dismissed in the appeal decision dated 27<sup>th</sup> February 2001.

## **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
TLC2	Neighbourhood Centres
INF1	Infrastructure Delivery and Planning Obligations

- UD1 Delivering High Quality Design
- UD2 Built Heritage Conservation

#### 4.4 **Watford District Plan 2000**

- SE7 Waste Storage, Recovery and Recycling in New Development
- SE22 Noise
- U15 Buildings of Local Interest
- T10 Cycle Parking Standards
- T21 Access and Servicing
- T22 Car Parking Standards
- T24 Residential Development
- T26 Car Free Residential Development

#### 4.5 **Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026**

- 1 Strategy for the Provision of Waste Management Facilities
- 1A Presumption in Favour of Sustainable Development
- 2 Waste Prevention and Reduction
- 12 Sustainable Design, Construction and Demolition

#### 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. 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

Section 12 Conserving and enhancing the historic environment

Decision taking

### 5.0 Consultations

#### 5.1 Neighbour consultations

Letters were sent to properties in Elfrida Road, Tucker Street and Neal Street.

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

Number of original notifications:	36
Number of objections:	9
Number in support:	0
Number of representations:	9

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

Representations	Officer's response
<p>Car parking is a great problem in this street especially after 6.30pm (when permit parking generally ceases). The spaces outside the bungalow are normally taken up by cars belonging to residents who cannot find spaces outside their own homes. The proposed development only allows for one off-street parking place. Therefore, in the evenings there could be three or more extra vehicles requiring parking spaces which are simply not available.</p>	<p>The applicant has completed a Unilateral Undertaking to remove permit entitlement for future occupiers of the development, in accordance with "saved" Policies T24 and T26 of the Watford District Plan 2000. As such, future occupants of the proposed development would not be able to park in the Controlled Parking Zone between the hours of 08:00 to 18:30 Monday - Saturday, which is a sufficient deterrent to prevent on-street parking in the Controlled Parking Zone. It would not be practicable for future occupants to park on the street only between the hours of 18:30 – 08:00.</p> <p>The Highway Authority have no objection to the proposed development. The application site is located within walking distance to Watford town centre and is well served by passenger transport facilities, therefore a car-free development is acceptable in a sustainable location such as this.</p> <p>The proposal accords with Paragraph 17 of the National Planning Policy Framework, which, among other things, states that planning should "<i>actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable</i>".</p>
<p>More traffic and pollution.</p>	<p>Given that there would only be 1 on-site parking space and permit entitlement for on-street parking would be removed through a Unilateral Undertaking, the proposed</p>

	<p>development would not cause a material increase in traffic generation or pollution.</p> <p>The application site is in a sustainable location and accords with the objectives in paragraph 17 of the National Planning Policy Framework, as discussed above.</p>
Loss of light and outlook to the houses in Tucker Street.	This is discussed in paragraphs 6.14, 6.16 and 6.17 of the report.
Loss of privacy to properties in Tucker Street.	This is discussed in paragraph 6.19 of the report.
The communal garden will be right next to our back fence, which could mean extra noise and our peaceful garden area being compromised.	The proposed communal garden would not cause a material increase in noise and disturbance compared to the existing garden.
The rear of the proposed development has an upper storey with windows and opening doors overlooking Field Junior School. This presents a potential risk to the security of the children below and is contrary to the current climate of heightened awareness for the safety and privacy of young children.	The school is already overlooked on 3 sides by properties in Tucker Street, Elfrida Road and Lammas Road, which are positioned close to the school.
The design is not in keeping with the houses already in and around Watford Fields.	This is discussed in paragraphs 6.6 – 6.11 of the report.
The current bungalow at 7 Elfrida Road, and its location adjacent to the entrance to Field Junior School, give a welcome relaxation to the skyline of the street and in particular gives a sense of space to the school which is set well back from the road. Replacement of the bungalow with a two storey property will introduce a 'corridor' effect to the street and make the school feel hemmed in.	The proposed building would maintain a sizeable gap to the properties in Tucker Street and there are green spaces to the south-east within the school grounds. The proposed building would sit comfortably in the street scene and would not appear cramped. Given the distances maintained to neighbouring properties, the proposed development would not cause an unacceptable sense of enclosure in the

	street scene.
The area already has a significant number of smaller properties but it is in desperate need of larger properties and bungalows.	This is considered in paragraph 6.4 of the report.
Advice should be sought from Thames Water regarding the capacity of the current sewerage system as we have already experienced blockages and are concerned that there is not the capacity for the waste water from 3 additional properties.	Thames Water have no objection with regard to sewerage infrastructure capacity.
Elfrida Road and neighbouring streets comprise mainly Victorian terraced houses. The small size of these means that very few of the properties have been divided into flats and houses are occupied by couples and small families who stay for many years. A building of one bedroom flats will be out of character with such a neighbourhood, and is likely to bring rapid turnover of short term tenants.	<p>There is no evidence that the provision of 1-bed flats would bring a rapid turnover of short term tenants and a reason for refusal on these grounds could not be substantiated.</p> <p>Paragraph 8.2.9 of the Core Strategy identifies that there is a need for 1-bed dwellings, and there is no presumption in the Core Strategy against the provision of purpose-built flats in a sustainable location such as this, as discussed in the report.</p>

**5.3 Statutory publicity**

No statutory advertisement was required for this application.

**5.4 Technical consultations**

The following responses have been received from technical consultees:

Policy (Urban Design and Conservation)

*Policy Considerations:*

*NPPF:*

*Para 64 states:*

*Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.*

*Local Plan:*

*UD1: requires new development to respond to the character of the area.*

*UD 2 specifically mentions protecting the setting of locally listed buildings.*

*Issues:*

*Character of the area:*

*Applicant has chosen to follow the Victorian aesthetic so that the proposals will sit comfortably with the Victorian character of this area. If this approach is to be successful attention must be paid to getting it right; just because the buildings have a pitched roof and broadly similar materials and design features does not make them a good fit with the character of the area. The width of the buildings should match that of the surrounding area, along with the depth and relationship of principle building to outrigger; this in turn has an impact on the roof pitch. In this case each of these elements is different to that of the surrounding area so whilst the buildings look like they should fit in, in fact they will not- this is harder to assess as there are no streetscene images or comparators drawn on the plans. A brief assessment of the footprint from the 1:1250 location plan and the submitted plans shows that:*

<i>Building width:</i>	<i>Existing principle block:</i>	<i>4.5-5m.</i>
	<i>Existing outrigger:</i>	<i>3m</i>
	<i>Proposed principle block:</i>	<i>6m</i>
	<i>Proposed outrigger:</i>	<i>7.8m</i>

<i>Building depth:</i>	<i>Existing excl outrigger:</i>	<i>7m</i>
	<i>Existing inc outrigger:</i>	<i>10m</i>
	<i>Proposed excl outrigger</i>	<i>9.5m</i>
	<i>Proposed incl outrigger</i>	<i>14.5m</i>

*This results in:*

- The outriggers to the rear being oversized and too dominant – also at first floor level there may be overlooking issues - balconies and French doors.*
- The roof angles being different and out of character with the area;*
- The side elevations being too big in relation to the existing building typology*
- Bay windows appear to be too wide;*
- The window proportions look out of character with the area.*

*I would suggest that whilst there is the impression that the buildings will fit into the existing character they will in fact look like poor imitations of the Victorian buildings and will not meet the NPPF test or the Local plan test set out above.*

*Such a poor imitation will not sit well in the views to the locally listed building and will have a negative impact on its setting.*

*As such, the principle of a pair of houses, albeit they are split into flats, is acceptable and if the design approach were executed well this would be acceptable as well. As it stands the buildings will look out of place in the streetscene and amendments made to deal with this.*

Hertfordshire County Council (Highway Authority)

*Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following condition:*

*Condition 1. Prior to the commencement of the site works the applicant shall submit a construction management plan setting out details of on-site 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*

*Planning Application:*



*Application is for demolition of existing bungalow and construct 4 new one bedroom flats.*

*Site and surrounding:*

*The site located at 7 Elfrida Road is within the residential area of West Watford. This is a detached bungalow near the end of the road Local Road Network.*

*Like most roads in West Watford there is on-street parking restrictions on both sides by means of permit holders parking. Elfrida Road forms a junction with Lammas Road which provides access to A4178 Wiggenhall Road. Wiggenhall Road is a main distributor road and a key road in West Watford.*

*Accessibility:*

*The site is within few minutes walking distance to West Watford shopping facilities along Vicarage Road and to Watford Town. The local area is well served by buses and easy access to Watford Town Centre and railway station by a short ride by buses. On completion of the Croxley Rail Link the site is within walking distance to the railway station. In summary the site is in a sustainable location. There are opportunities for residents to use all modes of transport and the access to all the necessary facilities.*

*Access and Parking:*

*On-site parking is a matter for the local planning authority. There is off street parking for the site for two cars. The applicant's proposal is to provide one car parking space with no alterations to vehicular access. Most properties along Elfrida Road are without off-street parking. Highway Authority has no objection to the proposal.*

*Conclusion:*

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

N.B. The requested condition relating to on-site parking facilities for construction workers and details of storage of materials is not necessary to make the development acceptable in planning terms, therefore the condition does not meet the tests in Paragraphs 204 and 206 of the National Planning Policy Framework. This is not a material planning consideration and any adverse effect on highway safety could be addressed through other legislation, including the Highways Act.

Arboricultural Officer

*Whilst none of the trees on site are of no particular merit (see my comments on the previous refused scheme) I would wish to see some replanting which can be secured through a landscaping scheme should permission be granted.*

### Thames Water

*Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.*

## **6.0 Appraisal**

### **6.1 Main issues**

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

- (a) Land use
- (b) Housing
- (c) Impact on the character and appearance of the area.
- (d) The quality of the new accommodation provided.
- (e) Impact on amenity of adjoining residential properties.
- (f) Highways impacts and car parking provision.
- (g) Trees and landscaping.

### **6.2 (a) Land use**

The application site is located in a predominantly residential area, therefore the proposed residential use of the site would be compatible with the surrounding area. The existing bungalow is sited on a very large plot compared to other properties in the area and the proposal would make more effective use of a brownfield site, which accords with one of the core planning principle in paragraph 17 of the National Planning Policy Framework to *“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”*. Furthermore, the application site is in a sustainable location and meets the core planning principle of the NPPF to *“make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are sustainable”*. As such, the proposed land use is considered to be acceptable in principle.

### **6.3 (b) Housing**

Policy SS1 of the Watford Local Plan Core Strategy 2006-31 (CS) states that the Council seeks to deliver a minimum of 6,500 additional homes by 2031. Policy HS2 states that medium density developments such as flats and houses may be

appropriate close to neighbourhood centres where they are well served by transport links. The proposed development would make effective use of a sustainable location and would contribute towards meeting the Borough's housing need, which should be afforded weight in consideration of the application.

6.4 Paragraph 8.2.7 of the CS identifies that there is a significant need for dwellings with 3 or more bedrooms. The table in paragraph 8.2.9 also shows that there is a need for 1 and 2 bedroom dwellings. The first reason for refusal of planning application 14/00170/FUL related to the lack of any 3-bed dwellings in the proposed development and the failure to meet the identified need for dwellings with 3 or more bedrooms. However, as shown in the 'Relevant Planning History' section of the report, the appeal Inspector stated that there is also a need for 2-bed units. He commented that Policy HS2 of the CS makes no reference to a requirement to provide three bedroom dwellings, either in general or in specific locations, nor does the policy require a mix of units within development schemes. Paragraph 8.2.9 of the CS highlights that there is also a need for 1-bed units and taking the Inspector's comments into account it is not considered that a reason for refusal based on housing mix could be substantiated.

6.5 The proposed development would provide less than 10 dwellings and the site area is less than 0.5ha, therefore affordable housing is not required.

6.6 (c) Impact on the character and appearance of the area

The Conservation Officer has stated that the principle of the building is acceptable, however he has concerns with respect to the design approach. The proposed building is designed to respond to the features of the surrounding Victorian properties in the area – as can be seen through the provision of bay windows, sash windows, the proposed materials and detailing, the gabled roof form and the provision of a gabled rear outrigger. However, the Conservation Officer comments that because the proposed building would be wider and deeper than the Victorian properties, it would have a shallower roof pitch; the outriggers would appear oversized; the side elevations would be too big and the window proportions appear out of character. As such, the proposed building would not be an exact replica of the Victorian properties.

6.7 However, it should be borne in mind that this is not a conservation area where great weight is given to preserving or enhancing historic and architectural significance. Although the proposed building is not an exact replica of the Victorian properties in the area, it does respond to the local vernacular through the design details and the use of materials. Furthermore, the appeal Inspector for planning application 14/00170/FUL stated that *"the appeal scheme has adopted some features of the surrounding residential vernacular, including building materials,*

*ground floor bays and decorative brickwork. However, the atypical expansive hipped roof is at odds with the dominant end of terrace roof treatment in the area and would appear as an incongruous intervention".* The hipped roof has now been replaced by a gabled roof, which responds better to the roof treatment of neighbouring properties. Although the roof pitch would be slightly shallower and the side wall would be longer than neighbouring properties, it is not considered that this would be particularly noticeable in the street scene. In relation to the rear outrigger, it is acknowledged that it would be larger than neighbouring outriggers, however it would be set down from the main roof and would be set in from the side walls, which would make it appear proportionate to the main part of the building. Given the position of the outrigger to the rear of the property and its setting in from the site boundaries, it is not considered that it would appear dominant in the surrounding area.

- 6.8 The front bay windows would be larger than others in the area, however it is not considered that this would have a harmful impact on the character and appearance of the area, particularly as this is not a conservation area. The bay windows would not appear dominant on the front elevation. The front windows have vertical proportions and would be sash style, which would be in keeping with the street scene. Some of the rear windows would be more horizontal in emphasis, which is not a Victorian aesthetic; however it is not considered that these would have a significant impact on the character and appearance of the area given their position to the rear of the property.
- 6.9 Field Junior School is located to the rear of the application site and is a Locally Listed Building. There are currently no significant views through the application site towards the school; therefore the proposed development would not restrict important views of the school building. The school is most visible adjacent to the vehicular access from Elfrida Road, a view that would be maintained. The proposed development would be sited a sizeable distance to the school and it would not appear overly dominant in relation to it. It should also be borne in mind that the school is not a nationally listed building where greater weight would be attached to the preservation of the setting.
- 6.10 The proposed building would maintain a sizeable gap to the properties in Tucker Street and there are green spaces to the south-east within the school grounds. The proposed building would sit comfortably in the street scene and would not appear cramped. Given the distances maintained to neighbouring properties, the proposed development would not cause an unacceptable sense of enclosure in the street scene.
- 6.11 In summary, although the proposed building would not be an exact replica of the

existing Victorian properties, it would respond to the various design features in the local area. Bearing this in mind, it is not considered that a reason for refusal based on the issues raised by the Conservation Officer could be substantiated given that this is not a conservation area. The building in itself would provide an acceptable appearance, subject to appropriate materials being used. Furthermore, the existing bungalow appears out of keeping in the area and the proposed development would improve the character and appearance of the site.

6.12 (d) The quality of the new accommodation provided

The floor areas and room sizes of the proposed flats accord with the minimum space standards in the Nationally Described Space Standard. Furthermore, each habitable room would benefit from sufficient natural lighting and outlook.

6.13 Paragraph 7.3.23 of the Residential Design Guide states that the minimum communal garden space for flatted development is 50sqm plus an additional 15sqm per additional unit over two units. As such, the minimum communal garden space for a development of 4 flats is 80sqm. The proposed ground floor flats would have individual gardens, which ensures that privacy would be maintained and there would be a communal garden area adjacent to the north-western boundary. The combined garden area would exceed 80sqm, therefore the proposed development complies with the garden size standard in paragraph 7.3.23 of the RDG. As such, the proposed development would provide an acceptable standard of amenity for future occupiers.

6.14 (e) Impact on amenity of adjoining residential properties

Outlook:

Planning application 14/00170/FUL was refused permission, among other reasons, because the proposed building would appear overbearing and cause a significant loss of outlook to neighbouring properties at Nos. 44 – 48 Tucker Street. The appeal Inspector agreed that the proposed building would cause a loss of outlook to Nos. 46 and 48 because of the height of the building and its close proximity to the rear windows and garden. In comparison to planning application 14/00170/FUL, the proposed building would be positioned 4.35m further from the boundary with Tucker Street properties; the roof would be gabled rather than hipped; and there would be a two storey rear projection that would be a minimum of 8.4m from the boundary. The proposed building would maintain considerably more space to the rear windows and gardens of Nos. 46 and 48 Tucker Street than the previous refusal and it is now felt that it would not appear overbearing or cause a significant loss of outlook. The appeal Inspector for planning application 14/00170/FUL commented that the development would not cause a significant loss of outlook to No. 44 due to the distance maintained to the proposed development. The proposal now includes a two storey rear projection, however this would not cause a loss of outlook to No.

44 due to the distance maintained to the boundary.

- 6.15 The proposed building would be more visible than the existing bungalow when viewed from the houses on the opposite side of Elfrida Road. However, it is not considered that it would appear overbearing or have a significant impact on outlook because it would be located on the opposite side of the road and would reflect the pattern of development in the surrounding area whereby the front elevations of buildings are separated by a distance of approximately 15m.
- 6.16 Sunlight and daylight:  
The proposed building would not infringe the 25 degree line taken from the centre of the ground floor rear windows of Tucker Street properties, therefore it would not cause a significant loss of daylight or sunlight to the habitable rooms of the neighbouring properties. Furthermore, the appeal Inspector for planning application 14/00170/FUL stated that the proposed development would not cause a significant loss of light to neighbouring habitable rooms due to compliance with the 25 degree rule. The development proposed in the current application would be significantly further from the boundary than the previous application, therefore there are no grounds to refuse planning permission based on loss of sunlight to habitable rooms.
- 6.17 The appeal Inspector for planning application 14/00170/FUL stated that there would be a loss of sunlight to the garden of No. 48 Tucker Street and to a lesser extension No. 46 given the proximity of the proposed dwellings to the boundary and the position in relation to the movement of the sun. In comparison to the previous application, the proposed building has been moved 4.35m further from the boundary and there is now a sizeable gap between the proposed building and the rear gardens of Nos. 46 and 48 Tucker Street. Consequently, it is not considered that the proposed building would cause significant overshadowing of the gardens in Tucker Street.
- 6.18 The proposed building would maintain a gap of approximately 15m to the houses on the opposite side of Elfrida Road and would not infringe the 25 degree line measured from the centre of the neighbouring ground floor front windows. Therefore, the proposed development would not cause a significant loss of daylight or sunlight to the neighbouring properties in Elfrida Road.
- 6.19 Privacy:  
The site is in a high density urban area where mutual overlooking of gardens is to be expected. The rear windows of the proposed building would not be at a higher level than neighbouring windows and they would allow only oblique views into the

rear gardens of Tucker Street properties, therefore there would not be an unacceptable level of overlooking. The rear windows would be at an angle of at least 90 degrees from the rear windows of Tucker Street houses, therefore there would not be a significant loss of privacy to neighbouring properties. The submitted plan shows that the first floor side living room window facing Tucker Street would be obscurely glazed and fixed closed, which would restrict views into the neighbouring properties. A condition should be attached to any grant of planning permission to require the first floor windows in the north-western side elevation to be obscurely glazed and fixed shut below 1.7m internal floor level. The proposed ground floor side windows would not cause significant overlooking due to their position at ground floor level, their distance to the boundary and the screening provided on the boundary.

6.20 In comparison to the existing bungalow, the proposed building would increase overlooking of properties on the opposite side of Elfrida Road. However, the building reflects the pattern of development in the surrounding area whereby the front elevations of houses on opposite sides of the road are separated by a distance of approximately 15m. In these circumstances, it is considered that the level of overlooking is acceptable.

6.21 (f) Highways impacts and car parking provision

The Highway Authority have no objection to the proposed development. The application site is located within walking distance to Watford town centre and is well served by passenger transport facilities. One on-site parking space is proposed, which is acceptable in a sustainable location such as this.

6.22 The application site is located in the Central/West Watford Controlled Parking Zone, therefore, in accordance with "Saved" Policy T24 of the Watford District Plan 2000, it is necessary to complete a Unilateral Undertaking to remove permit entitlement for future occupants of the proposed dwellings. This is to ensure that future occupants of the proposed development would not exacerbate demand for on-street parking in an area that already experiences parking problems. The owner has completed a Unilateral Undertaking to meet the costs of varying the Traffic Regulations Order 2010 to remove permit entitlement of the future occupants of the development, in accordance with Policies T24 and T26 of the WDP.

6.23 The submitted plans indicate that the flats would have cycle parking facilities, which accords with the sustainable transport objectives in "Saved" Policy T10 of the Watford District Plan 2000.

6.24 (g) Trees and landscaping

The site contains a number of trees (cypress and ash) on the rear and side

boundaries and a cherry at the side of the existing bungalow. None of the trees are particularly large but they are visible from the public domain. The trees are shown to be removed, however, the Arboricultural Officer considers that the trees are not of such significance to warrant a reason for refusal. A landscaping condition could be added to any grant of planning permission to require replacement planting.

## **7.0 Community Infrastructure Levy and Planning Obligation**

### **7.1 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 floorspace created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted.

7.2 The CIL charge applicable to the proposed development is £120 per sqm. 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.

7.3 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.

### **7.4 S.106 planning obligation**

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. On and from this date, s.106 planning obligations can only be used to secure site specific requirements.

7.5 The development proposed in this application is one where, in accordance with saved Policy T26 of the Watford District Plan 2000 and Policy INF1 of the Watford Local Plan Part 1 Core Strategy 2006-31, the Council will normally require the applicant to enter into a planning obligation which provides for a financial contribution towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude future residents of the development from entitlement to resident



parking permits for the controlled parking zones in the vicinity of the application site. It is necessary to amend the traffic order so as to exclude the occupiers of the development from any entitlement to claim permits for the local Controlled Parking Zone because otherwise the proposed development would be likely to give rise to additional vehicles parking on local streets, thus worsening traffic congestion which would be a reason to refuse planning permission.

- 7.6 The proposed development is also one where Hertfordshire County Council, in pursuance of its duty as the statutory Fire Authority to ensure fire fighting facilities are provided on new developments and that all dwellings are adequately served by fire hydrants in the event of fire, seeks the provision of hydrants required to serve the proposed buildings by means of a planning obligation. The requirements for fire hydrant provision are set out within the County Council's *Planning Obligations Toolkit* document (2008) at paragraphs 12.33 and 12.34 (page 22). In practice, the need for hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.
- 7.7 Under Regulation 122 of the Community Infrastructure Levy Regulations 2010, where a decision is made which results in planning permission being granted for development, a planning obligation may only constitute a reason for granting planning permission for that development if the obligation is:
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.
- 7.8 The contribution sought by the Council for amending the Controlled Parking Zones Traffic Regulation Order varies according to the number of dwellings existing and to be created and according to the existing use of the property. The contribution is thus directly related to the proposed development and is fairly and reasonably related in scale and kind to that development. It is also necessary to make the development acceptable in accordance with the Council's planning policies.
- 7.9 As the County Council's requirement for the provision of fire hydrants accords with the provisions of the *Planning Obligations Toolkit*, this obligation is also directly related to the proposed development and is fairly and reasonably related in scale and kind to that development. It is also necessary to make the development acceptable in accordance with the County Council's statutory duty as the Fire Authority.

7.10 Accordingly, the contribution sought by the Council towards the amendment of the Controlled Parking Zones Traffic Regulation Order and the County Council's requirement for fire hydrants meet the tests in Regulation 122 of the Community Infrastructure Regulations 2010, and, consequently, these planning obligations can be taken into account as material planning considerations in the determination of the application. Both the Council's approach to seeking a financial contribution and the County Council's approach to seeking the provision of fire hydrants by means of planning obligations are also fully in accordance with the advice set out in paragraphs 203 to 205 of the National Planning Policy Framework.

7.11 The Council's contribution in the case of the development proposed in this application is set out below:

<i>New residential development</i>	The sum of £2000 (two thousand pounds) towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude future residents of the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the site in accordance with saved Policy T24 of the Watford District Plan 2000.
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## 8.0 Conclusion

8.1 The proposal would contribute towards meeting the housing need in the Borough and would make effective use of a sustainable brownfield 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 responds to the features of other properties in the area and would be more in keeping than the existing bungalow. Future occupiers of the development would have easy access to shops and public transport facilities and the land owner has completed a Unilateral Undertaking to remove permit entitlement for future occupiers.

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.

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## 10.0 Recommendation

(A) That, pursuant to a planning obligation under s.106 of the Town and Country Planning Act 1990 having been completed to secure the following Heads of Terms, planning permission be granted subject to the conditions listed below:

### Section 106 Heads of Terms

- i) To exclude future residents of the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the application site.
- ii) To secure the provision of fire hydrants as required by the County Council to serve the development.

### 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 hereby permitted shall be carried out in accordance with the following approved drawings:-

Location plan; and un-numbered proposed plan.

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

3. No construction works above damp proof course level shall commence until details of the materials to be used for all the external finishes of the building, including walls, roofs, doors, windows and balcony balustrades, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved materials.

Reason: In the interests of the visual appearance of the site and the character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31. This is a pre-commencement condition as the materials need to be approved by the Local Planning Authority before the development is constructed.

4. No part of the development shall be occupied until full details of a soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of the development. 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, or in accordance with details approved by the Local Planning Authority.

Reason: In the interests of the visual appearance of the site and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31. This is a pre-commencement condition as the details need to be approved by the Local Planning Authority before the development is constructed.

5. No part of the development shall be occupied until full details of a hard landscaping scheme, including details of all site boundary treatments and all fencing or enclosures within the site, have been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details.

Reason: In the interests of the visual appearance of the site and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31. This is a pre-commencement condition as the details need to be approved by the Local Planning Authority before the development is constructed.

6. No part of the development shall be occupied until details of the siting, size and design of refuse, recycling and cycle storage have been submitted to and approved in writing by the Local Planning Authority and the storage facilities have been installed in accordance with the approved details. The storage facilities shall be retained at all times thereafter.

Reason: In the interests of the visual appearance of the site, and, to ensure that sustainable transport objectives are met.

7. The first floor windows in the north-western side elevation of the building hereby approved shall be permanently fixed closed below 1.7m internal floor level and shall be fitted with obscured glass at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring premises.

### Informatives

1. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to exclude future residents of the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the application site and to secure the provision of fire hydrants as required by the County Council to serve the development.
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 2010, as amended.
3. 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](mailto: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.

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 out more information and for advice as to whether a Building Regulations application will be required please visit [www.watfordbuildingcontrol.com](http://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](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc__Act_1996_-_Explanatory_Booklet.pdf)
6. 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.
7. The applicant is advised that storage of materials associated with the development should take place within the site and not extend into within the public highway without authorisation from the highway authority, Hertfordshire County Council. If necessary further details can be obtained from the County Council Highways via either the website <http://www.hertsdirect.org/services/transtreets/highways/> or telephone 0300 1234047 to arrange this.
8. 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.

9. 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](https://www.watford.gov.uk/info/20010/your_environment/188/neighbour_complaints_%E2%80%93_construction_noise)

Drawing numbers

Location plan; and un-numbered proposed plan.

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**Case Officer: Chris Osgathorp**

**Email: [chris.osgathorp@watford.gov.uk](mailto:chris.osgathorp@watford.gov.uk)**

**Tel: 01923 278968**







7 Elfrida Road

Date: 19/08/2016



Scale 1:1,250





PART A	
Report to: <b>Development Management Section Head</b>	
Date of Committee: 1 September 2016	
Site address:	<b>Cassiobury Farm And Fishery</b>
Reference Number :	<b>15/00510/FULM</b>
Description of Development:	<b>Erection of residential dwelling with linked garage, machinery store and a detached agricultural building for poultry and fish fry.</b>
Applicant	<b>Mr Stephen Cardell</b>
Date Received:	<b>2nd April 2015</b>
Agreed extended deadline	<b>5<sup>th</sup> September 2016</b>
Ward:	<b>PARK</b>

## Summary

The site encompasses an area of about 5 hectares. Much of the site lies within the Three Rivers Borough boundaries, but the area to be built on lies within Watford.

Until recently (2010) the site comprised disused watercress beds and lakes and appears to have been used for fly-tipping. However, the land has been restored, along with the watercress beds, to provide the basis for a rural business; including agriculture (poultry, livestock, watercress, vegetable and fishery production); bee keeping, breeding and rearing of rare and wild-breed animals; spring-water bottling; and an educational facility - the holding is opened occasionally for public and private visits.

Full planning permission is sought for a two storey dwelling house to accommodate an agricultural worker. Also the proposal includes the erection of two single storey buildings to be used for activities associated with the farming and fisheries, a covered storage area and 10 car parking spaces.

The application site falls within the designated Green Belt. The proposal to continue the use of the site for agricultural purposes is recognised to be an appropriate form of development in the Green Belt. The proposed physical work would have an impact upon the openness of the Green Belt, but given the necessity to accommodate an agricultural worker on site and the approach in design to limit the impact of the proposal upon the openness of the green building, it is considered that there are exceptional circumstances

to grant permission for the proposed development.

It is also considered that the proposal would not have a significant impact upon the amenities of the neighbouring dwellings in terms of loss of light or privacy.

The proposal would increase the traffic to and from the site. However, Hertfordshire CC Highways have emphasised that the proposal would not have a significant impact upon local roads over and above what is already generated.

The proposed scheme would help this private enterprise to establish and prosper. The highly ambitious venture is fully supported by officers and is regarded as an asset for Watford and the neighbouring Boroughs.

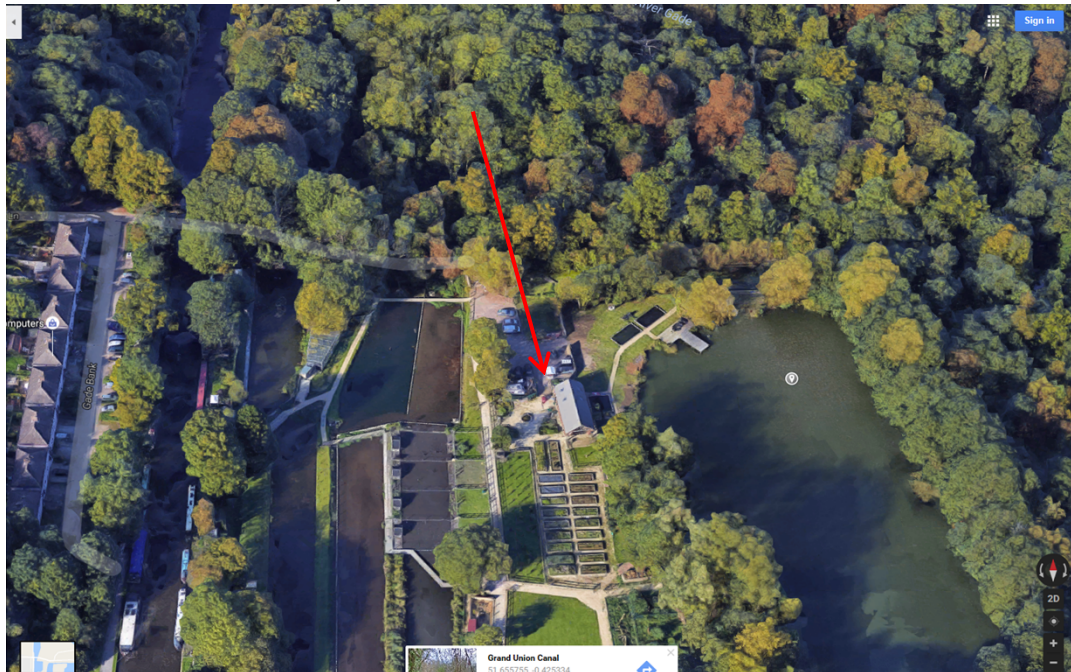
The Development Management Section Head therefore recommends that the application be approved, subject to appropriate conditions, as set out in the report.

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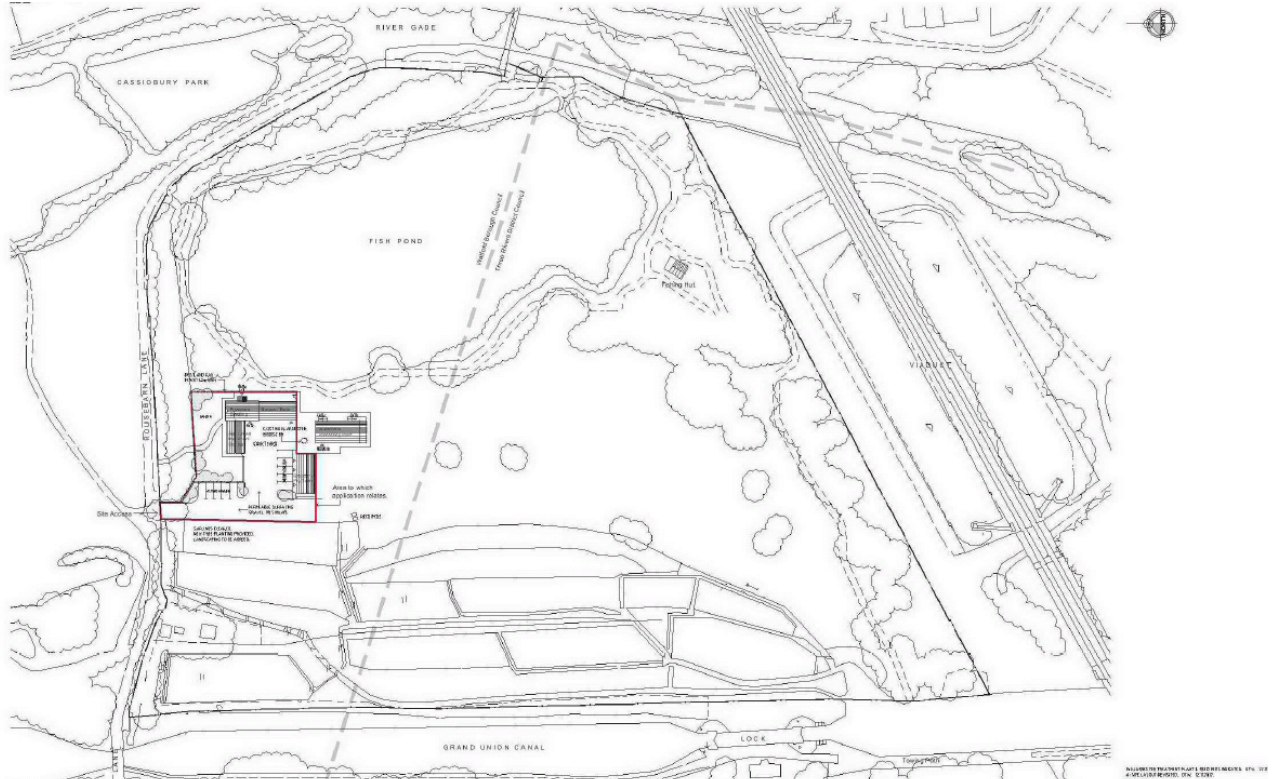
## Background

### Site and Surroundings

The site covers an area of approximately 5 hectares with the majority of the site being covered by Three Rivers District Council's area of jurisdiction. It is bounded by the Grand Union Canal to its west, the River Gade to its east, the Metropolitan Line railway viaduct to its south and Cassiobury Park to its north.



The application site is known as “Cassiobury Farm and Fisheries”- albeit- for a considerable period of time, at least since 1980, neither farming nor any fishery process took place on the site. However, the land and the lakes have been restored, along with the watercress beds, to provide the basis for a rural business.



In detail, the holding includes:

- the historic watercress beds (dating back to the 1820’s although commercial production ceased in 1980);
- a large informal fishing lake;
- a mixture of agricultural land and woodland used for agricultural livestock and horticultural production, and the rare and wild animals; and
- a natural water spring.

Over the recent year a number of small buildings have also been erected on site and at present the following buildings occupy the site;

- The largest building includes a double height single storey building incorporating a mezzanine level. This building received planning permission in 2009 to be used for water cress processing plant, but it is currently used for an extensive kitchen / storage purposes and the farm manager’s office
- A fishing club house with office type furniture which has replaced a fisherman’s hut
- An old shelter – converted into a storage area

- Variety of enclosures housing a variety of animals within fenced off areas
- Shed type structures of variety of size and design – providing shelters for animals within the enclosures
- Other shed type structures – 5 in number – along the water crest beds – accommodating ducks and other waterfowl
- Fenced off area providing an enclosure for an apple orchard
- Raised planter boxes and associated pathways
- Landscape features – including a water feature to the front of the so called water crest processing plant
- Jetty/pier type structure along the lake – incorporating out door domestic furniture
- Raised fishing pools accommodating variety of goldfish
- green house
- There is also a caravan on site
- The entire site is bound by a chain link fence. However, a mesh has recently been applied to part of the fence, obscuring the view to the farm
- The entire enclosure is fitted with a security system.

The only vehicular access to the site is gained from Rousebarn Lane. This is a narrow lane where a section of it only allows a single car to pass through. Currently the lane is also used by 16 houses in Gade Bank, which are located to the west of Grand Union Canal.

The nearest residential accommodation are the houses in Gade Bank, to the west of the Canal. There are also narrow boats mooring on the canals adjacent to the farm.

The site does not include any listed buildings and is not located within a Conservation Area. However, the site lies within Green Belt and is designated as part of the Grand Union Canal Corridor by the Watford District Plan 2000.

Whilst within the midst of the urban area, the area has a very rural feel and is very secluded.

The site also includes pathways and hard and soft landscape features within the enclosures.

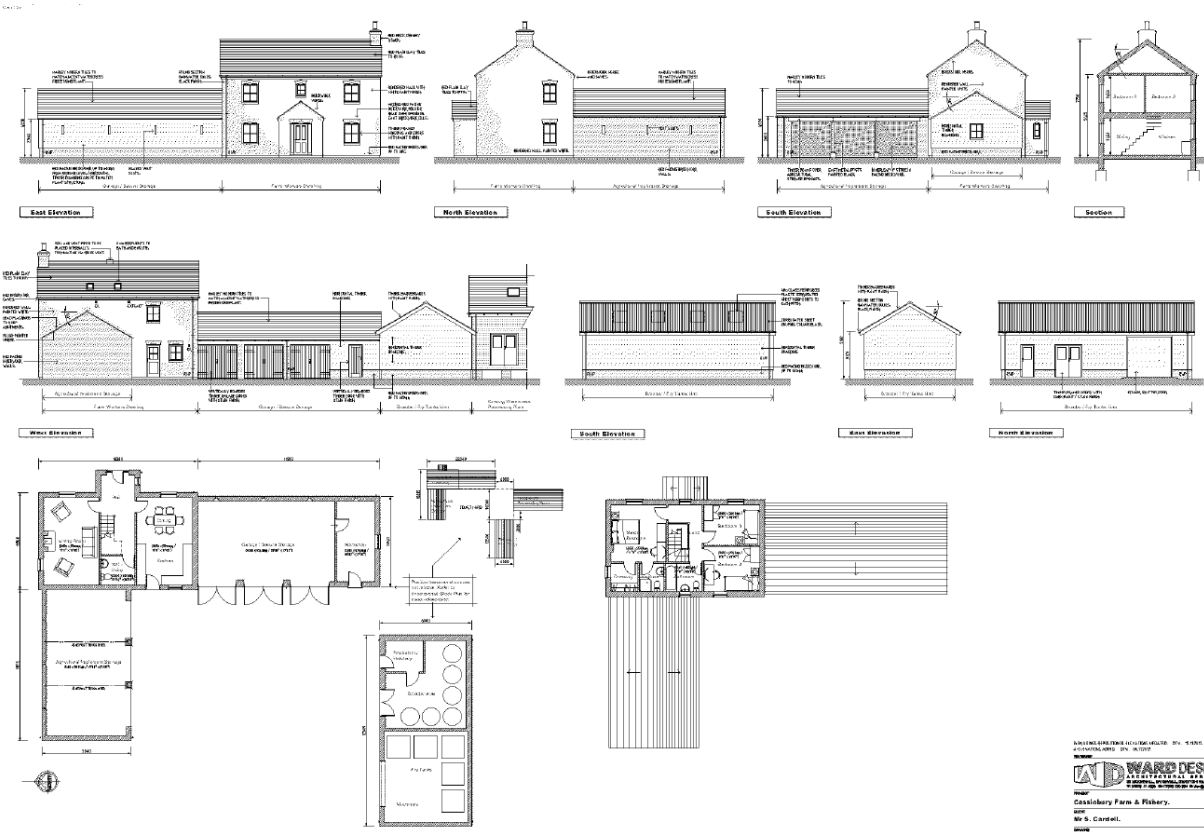
### **Proposed scheme**

Full planning permission is sought for;

- The erection of two storey house with the total floor space of approximately 138m<sup>2</sup>. The accommodation will provide living room and kitchen and dining room plus a WC and wash basin on the ground floor. The first floor will accommodate 3

bedrooms and a bathroom. One of the bedrooms will include an en-suite bathroom and a dressing room.

- The erection of single storey garage and secure storage – this will have a total floor space of approximately 72m<sup>2</sup>. This is envisaged to be built alongside the proposed house.
- A single storey structure accommodating an agricultural storage building with a total floor space of 53m<sup>2</sup> is proposed to be built perpendicular to the proposed house.
- A single storey standalone building to the total floor space of 75m<sup>2</sup>, close to the existing water cress processing plant. This will accommodate fry tanks, incubation hatchery and brooding area.
- The proposal will also provide a total of 10 car parking spaces.



On a number of days within the year there are currently and will continue to be organised

tours by groups visiting the centre. The use of the site by the visitors will take place only on 11 days of the year, for which planning permission will not be required.

It should be noted that the farm and fishery activities would not require the benefit of planning permission under the current planning legislation as these activities do not constitute development. There are a small number of non-agricultural species on the site. However, these are considered to be of incidental nature and not an independent use.

## **Planning History**

### Summary

The site has been subject to several schemes over recent years. The most significant scheme was approved in 2009 for the erection of a two storey building to be used for water cress processing plant. In 2011 the scheme was slightly revised and was approved. But on two occasions; January 2013 and October 2014, planning permissions were refused for the “erection of residential dwelling with linked garage, machinery store and a detached agricultural building for poultry and fish fry.”

### Detail history

On 02.07.1953 conditional planning permission (52/15151/FUL) was granted for the filling and future use for growing of watercress.

On 08.04.2009 conditional planning permission (Ref; 09/00075/FUL) was granted for Part retrospective planning permission for the watercress silt pits; Renewal and erection of boundary fences and gates; Relocation of watercress processing plant and removal of asbestos cement and its replacement with timber housing for water pump houses and processing plant

The conditions pertinent to the application where discharged as follow:

09/00422/DISCON DCN 31.07.2009 Details submitted to discharge Condition 2 (fencing) pursuant to planning permission 09/00075/FUL

09/00423/DISCON DCN 31.07.2009 Details submitted to discharge Condition 3 (Materials) pursuant to planning permission 09/00075/FUL

09/00424/DISCON DCN 31.07.2009 Details submitted to discharge Condition 6 (landscape management plan) pursuant to planning permission 09/00075/FUL



All conditions associated with this permission were discharged and building has now been completed. But in 2012 and 2014 two identical schemes were refused planning permissions. The details of the planning history is as follows;

09/00075/FUL CPP 08.04.2009 Part retrospective planning permission for the watercress silt pits; Renewal and erection of boundary fences and gates; Relocation of watercress processing plant and removal of asbestos cement and its replacement with timber housing for water pump houses and processing plant

09/00425/DISCON DCN 31.07.2009 Details submitted to discharge Condition 7 (habitat management plan) pursuant to planning permission 09/00075/FUL

09/00426/DISCON NFA 31.07.2009 Details submitted to discharge Condition 8 (tree/shrub) pursuant to planning permission 09/00075/FUL

On 09.05.2012 a planning permission (11/01188/FUL) was granted for the an amendment to Watercress Processing Building (Amendments to Building Approved under reference 09/00075/FUL)

09/00075/FUL CPP 08.04.2009 Part retrospective planning permission for the watercress silt pits; Renewal and erection of boundary fences and gates; Relocation of watercress processing plant and removal of asbestos cement and its replacement with timber housing for water pump houses and processing plant

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09/00425/DISCON DCN 31.07.2009 Details submitted to discharge Condition 7 (habitat management plan) pursuant to planning permission 09/00075/FUL

09/00426/DISCON NFA 31.07.2009 Details submitted to discharge Condition 8 (tree/shrub) pursuant to planning permission 09/00075/FUL

11/01188/FUL CPP 09.05.2012 Erection of Watercress Processing Building (Amendments to Building Approved under reference 09/00075/FUL)

12/01167/FUL RPP 21.01.2013 Erection of residential dwelling with linked garage, machinery store and a detached building for storage.

14/01179/FUL RPP 10.10.2014 Erection of residential dwelling with linked garage, machinery store and a detached agricultural building for poultry and fish fry.

The reasons for refusal of the above development were as follows;

- 1 *The proposed development is located in the Green Belt. The proposal constitutes inappropriate development and will also have a significantly harmful impact on the character and openness of the Green Belt. No very special circumstances have been advanced to justify the grant of planning permission for harmful inappropriate development. The proposal is therefore contrary to Policy GI1 of the Watford Local Plan Core Strategy (2006-2031) adopted January 2013 and the Government advice as set out in the National Planning Policy Framework 2012.*
- 2 *The proposed dwelling, by reason of its location, siting and site coverage, would have an adverse impact on the open character of the wooded area. Hence it will be harmful to the green character of the area and if permitted, could set an unacceptable precedent for further development of similar nature in the locality. The proposal is therefore contrary to and Policies GI1 and UD1 of the Watford Local Plan Core Strategy (2006-2031) adopted January 2013*
- 3 *Insufficient information has been provided to assess the full impact of the development upon the highway issues. In the absence of such information and in the view of the site, it is considered that the proposal is likely to have a significant impact on the free and safe flow of traffic over, and potential damage to, the bridge on the access road to the application site. The proposal is therefore contrary to Policy T4 of the Watford District Plan 2000.*
- 4 *Insufficient information has been provided with regard to the noise likely to be generated by the proposed activities, which the applicant has suggested will be significant. On these bases it is considered that the 24 hour operation of the proposed fishery and animal farming and the additional recreational activities proposed would potentially lead to additional noise and disturbance which*

would be detrimental to the residential amenities of nearby occupiers, contrary to Policy SE22 of the Watford District Plan 2000.

- 5 *The site is located in a sensitive groundwater area within a Source Protection Zone 3, indicating that groundwater beneath the site ultimately supplies public drinking water. The site is located on an historic landfill site ('Rousebarn Lane'), which indicates a known source of contamination. It is considered that insufficient information has been provided to demonstrate that the risk of pollution to controlled waters is acceptable. It is considered that a) the level of risk posed by this proposal to be unacceptable and b) The application fails to provide assurance that the risks of pollution are understood, as a Preliminary Risk Assessment (including a desk study, conceptual model and initial assessment of risk) has not been provided. It requires a proper assessment whenever there might be a risk, not only where the risk is known. As such the proposal will be contrary to Policy SD2 of the Watford Local Plan Core Strategy (2006-2031) adopted January 2013 and the advice given in the National Planning Policy Framework.*
- 6 *The proposed development fails to contribute towards the implementation of sustainable transport measures in the locality of the site as part of the South West Herts Transportation Strategy and the Council's Cycle Strategy and Walking Strategy. . As such the proposal is contrary to Policy T24 of the Watford District Plan 2000 and Policies T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31.*
- 7 *A unilateral undertaking has not been completed to secure a financial contribution towards the provision of public open space or children's play space, contrary to the provisions of Supplementary Planning Guidance 10 - Open Space Provision (SPG10) and Policies L8 and L9 of the Watford District Plan 2000.*
- 8 *A unilateral undertaking has not been completed to secure financial contributions towards the provision or improvement of library facilities, education facilities, childcare facilities or youth facilities, contrary to Policy H10 of the Watford District Plan 2000.*

### **Relevant Policies**

#### **Local Development Framework Core Strategy**

### **Relevant Policies**

Policy SE7	Waste Storage, Recovery and Recycling
Policy SE22	Noise
Policy SE23	Light Pollution
Policy SE27	Flood Prevention
Policy SE36	Replacement Trees and Hedgerows
Policy SE37	Protection of Trees, Woodlands and Hedgerows
Policy SE39	Tree and Hedgerow Provision in New Development
Policy T10	Cycle Parking Standards
Policy T21	Access and Servicing
Policy T22	Car Parking Standards

### **Watford Local Plan Core Strategy 2006-2031**

Policy SS1	Spatial Strategy
Policy SD1	Sustainable Design
Policy SD2	Water
Policy SD1	Sustainable Design
Policy SS1	Spatial Strategy
Policy UD1	Delivering High Quality Design
Policy SD3	Climate Change
Policy T2	Location of New Development
Policy T3	Improving Accessibility
Policy T4	Transport Assessments
Policy HS1	Residential site selection -Development on Previously-developed Land
Policy UD1	Delivering High Quality Design
Policy GI1	Green Infrastructure
Policy GI2	Green Belt
Policy GI3	Biodiversity

### **Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026**

There are no policies contained within the Hertfordshire Waste Local Plan that are relevant to this case.

### **Hertfordshire Minerals Local Plan (saved policies)**

There are no policies contained within the Hertfordshire Minerals Local Plan that are relevant to this case.

### **The 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 27 March 2012 and is a material consideration in planning decisions. However, it does not change the statutory status of the development plan as the starting point for decision-making. As a result of the publication of the NPPF, all previous Planning Policy Guidance Notes and Statements have been cancelled.

The NPPF comprises a number of sections containing policy that is relevant to this planning application, namely:

- 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 9 Protecting Green Belt
- Section 10 Meeting the challenge of climate change, flooding and coastal change
- Section 11 Conserving and enhancing the natural environment

### **Supplementary Planning Guidance Notes**

A revised Watford Residential Design Guide was adopted as a Supplementary Planning Document by Watford Borough Council's Cabinet on 23<sup>rd</sup> July 2014 following public consultation between 4<sup>th</sup> November and 16<sup>th</sup> December 2013. This supersedes the Residential Design Guides: Volume 1: Building New Homes & Volume 2: Extending Your Home (2008) and Supplementary Planning Guidance 6 (SPG6): Internal Space Standards (2004).

### **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 27<sup>th</sup> 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.

Section 7 – Requiring good design

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## Consultations

### Neighbour consultations

The following properties were notified:

- 1 Gade Bank, Croxley Green, Rickmansworth, WD3 3GD
- 2 Gade Bank, Croxley Green, Rickmansworth, WD3 3GD
- 3 Gade Bank, Croxley Green, Rickmansworth, WD3 3GD
- 4 Gade Bank, Croxley Green, Rickmansworth, WD3 3GD
- 5 Gade Bank, Croxley Green, Rickmansworth, WD3 3GD
- 6 Gade Bank, Croxley Green, Rickmansworth, WD3 3GD
- 7 Gade Bank, Croxley Green, Rickmansworth, WD3 3GD
- 8 Gade Bank, Croxley Green, Rickmansworth, WD3 3GD
- 9 Gade Bank, Croxley Green, Rickmansworth, WD3 3GD
- 10 Gade Bank, Croxley Green, Rickmansworth, WD3 3GD
- 11 Gade Bank, Croxley Green, Rickmansworth, WD3 3GD
- 12 Gade Bank, Croxley Green, Rickmansworth, WD3 3GD
- 13 Gade Bank, Croxley Green, Rickmansworth, WD3 3GD
- 14 Gade Bank, Croxley Green, Rickmansworth, WD3 3GD
- 15 Gade Bank, Croxley Green, Rickmansworth, WD3 3GD
- 16 Gade Bank, Croxley Green, Rickmansworth, WD3 3GD

Hertfordshire Biological Records Centre, County Hall Pegs Lane Hertford, SG13 8DN

Three Rivers District Council, Three Rivers House, Northway, Rickmansworth

Responses were received citing the following objections:

- Rousebarn road is very narrow with no pedestrian walk way along it therefore there is very poor and inadequate access to the site
- Concern with the increase in parking and traffic problem
- Complain that construction work has already caused damage to the highway and inform that Herts Highway are investigating the issue.
- Some of the works have already been carried out
- Gade Bank is a private road maintained by residents; no car should use this road but it appears that some vans and lorry in connection with the building operation park in Gade Bank
- Large heavy weight vehicles are dangerous for children

- The mud dropped from lorries will cause danger to other road users especially children and elderly
- Concerns regarding the flooding of the footpath
- Concerns regarding the obstruction of footpath.
- Concern about the future use of the site and noise associated with the farm activities including the hours of operation
- Concern that the bridge over the canal has weight restriction and lorries coming to the site will have to stop before the bridge, therefore causing disturbance, obstruction, congestion and danger to public safety,

### **Statutory consultations**

#### Environment Agency

The Environment Agency have advised that the scheme will be accepted subject to conditions safeguarding the quality of the underground water. The conditions and Informatives recommended by the Environment Agency have been included accordingly.

#### River and Canal Trust (previously British Waterways)

Have provided the following comments;

Access to the site is via the Canal Bridge at Rousebarn Lane. The bridge has a 3 ton weight limit, enforceable by law and the Trust are aware of local resident concerns that this weight limit has been breached several times during the course of building the processing building. The applicant is clearly aware of this weight limit as it is mentioned in the Design and Access statement. We would remind the applicant of the need to ensure that contractors are also aware of the weight limit and care is taken to ensure that vehicles do not cross the bridge exceeding this limit. Failure of the bridge would result in safety implications for users of the waterway and closure of the navigation.

If the Council is minded to grant planning permission, it is requested that the following informative is attached to the decision notice:

*“The applicant/developer is advised to contact Neil Owen in our Milton Keynes office on 01908 302 575 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust “Code of Practice for Works affecting the Canal & River Trust”.*

#### Hertfordshire CC Highways

Herts CC Highways have fully considered the proposal. They requested additional information to clarify the trip generation. Based on the information provided, Herts CC Highways have explained that they consider the impact of the development upon the

highways condition would not be severe. Hence, they have raised no objection to the scheme.

#### Herts Biological Records

The body considers the proposed activities on this site will degrade the ecology that had developed. However, they have no objection to the principle of appropriate agricultural use and restoration of the site. They further comment that no landscaping is proposed for the loss of cleared vegetation. They also consider that the agricultural proposals in many areas to be unrealistic, although an authoritative view would need to be obtained in this respect. Before any approval is given they advise that the issues in relation to credibility of the proposal is addressed so that the Local Planning Authority can be satisfied that the extent and nature of the current development proposal is fully justified.

#### Environmental Health

The environmental health team are already involved in monitoring the activities of the site and support the proposals. They have provided the following comments;

I have assessed this application and associated documents. I have also visited the site and spoken with the applicant.

From my examination of the documentation and the site, it does not appear that the proposed development contains any plant or other noise generating sources. The proposed residential property is associated with the farming operation and as such should not be disturbed by any existing noise sources.

On the basis that no significant new noise sources will be added to the existing environment, Environmental Health do not have any objections to the development.

#### **Observation on the comments raised by the objectors;**

The majority of the concerns raised by the objectors relate to the highways issues and in particular the impact of the proposed development upon the narrow Rousebarn Lane. These issues are discussed below.

A number of concerns relates to construction impact which are not material planning considerations. In addition some relate to the use of the site for agricultural purposes. The use is lawful and does not fall to be considered under this application.

The Council has obtained expert advice with regards to the use of the site. It is confirmed that the site is largely being used for agricultural purposes. And the need for agricultural worker to live on site is established.



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## Appraisal

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 (adopted January 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*; and
- d) the Hertfordshire Minerals Local Plan Review 2002-2016.

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 27<sup>th</sup> 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.

A revised Watford Residential Design Guide was adopted as a Supplementary Planning Document by Watford Borough Council’s Cabinet on 23<sup>rd</sup> July 2014 following public consultation between 4<sup>th</sup> November and 16<sup>th</sup> December 2013. This supersedes the Residential Design Guides: Volume 1: Building New Homes & Volume 2: Extending Your Home (2008) and Supplementary Planning Guidance 6 (SPG6): Internal Space Standards (2004).

The Local Development Framework Core Strategy was submitted to the Secretary of State for Communities and Local Government on 28 February 2012. Hearing sessions were held from 12 to 19 June 2012 and were followed by public consultation on proposed modifications from Monday 31 July to Monday 10 September. The Inspector concluded that the Watford Core Strategy provides an appropriate basis for the planning of the Borough to 2031 providing a number of modifications are made. These modifications were the subject of the summer 2012 public consultation. The Core Strategy is therefore sound and legally compliant in the view of the Inspector. The Core Strategy was formally adopted at a Council meeting on 30<sup>th</sup> January 2013. It is a material consideration and should be afforded considerable weight in the determination of planning applications.

The *Watford Character of Area Study* was approved by the Council’s Cabinet as a Supplementary Planning Document on 5<sup>th</sup> December 2011 and is a material consideration of significant weight in the determination of planning applications.

## **Planning Considerations:**

### **The main issues to be considered are:**

- whether the proposal will be an appropriate form of development in the Green Belt and whether it would harm the openness of the area, in which case whether any harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to very special circumstances necessary to justify the development
- whether the proposal will have an adverse impact on the amenities of local residents, in terms of noise and other activities associated with the proposed activities
- whether the proposal will preserve and protect the nature conservation and the ecological values of the site.
- Whether the proposal will have an acceptable impact upon the highway condition and the safe and free flow of traffic.
- Whether the proposal has overcome the previously refused scheme.

## **Planning Assessment**

### **Green Belt Issues**

The site is within designated Green Belt. In accordance to the national and local policies its openness is the primary attribute which needs robust protection. Only in very exceptional circumstances could permission for development be granted.

The NPPF adopts a very similar stance to its replacement PPS2. It explains that, “The construction of new buildings inside a Green Belt is inappropriate unless it is for the following purposes:

- agriculture and forestry
- essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other
- uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it
- limited extension, alteration or replacement of existing dwellings (unless permitted development rights have been removed).

It further emphasises that “the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”. It is also emphasised that “the Government attaches great importance to Green Belts”. At paragraph 80, the NPPF makes it clear that the Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;

- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The NPPF further advises that a local planning authority should regard the construction of new buildings as inappropriate development in a Green Belt. One of the exceptions to this general rule allows for the provision of appropriate facilities for agricultural purposes as long as the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Similarly the Council's policies specify that; within the Green Belt, planning permission will not be given, except in very special circumstances. And that the development will not be permitted within the Green Belt which might be visually detrimental by reason of its siting, materials or design.

Policy HS1 also adopts a number of criteria for selection of site suitable for housing. for site to be used in selecting sites for new housing. The factors that will support residential allocation in the site allocation document will include – sites on previously developed land and seek to resist the development of housing on sites that have been regarded as “not previously developed land such as designated green spaces, or gardens used as amenity spaces for residential purposes.

The proposal involves the erection of several buildings which will have some impact on the character and openness of the Green Belt. With the exception of the residential premises the buildings are agricultural and are appropriate development in Green Belt. The residential dwelling (for agricultural worker) however needs to be further considered against Green Belt policy.

The site is located within green belt, where there is a presumption against inappropriate development. The erection of the proposed house is regarded to be inappropriate with respect to the provision of NPPF. However, NPPF suggests, that new isolated homes are acceptable in special circumstances, such as, “the essential need for a rural worker to live permanently at or near their place of work in the Country site.”

Therefore the test is to ascertain whether there is a need for the essential worker to live on the site. To ascertain this issue, the officers sought expert advice on the subject. Peter William of Reading Agricultural Consultants (RAC), one of the prominent experts in this field was requested to provide advice on this. However, given the complexity of the case the RAC were requested to answers to the following questions;

- whether the enterprise can be classed as agriculture, either in whole or in part?
- whether it is a mixed-use operation, comprising various uses, and to a degree, that not one use could be regarded as ancillary use to another?
- whether the enterprise is viable?
- whether the size of dwelling is proportionate to the use/ income derived from the holding?

**In summary RAC provided the following observation;**

It is certainly clear the parts of the site are used for agricultural purposes. But there are other uses which cannot be regarded as agriculture, such as water bottling. RAC also confirmed that there is a clear need for a worker to live on the holding to ensure the welfare of the stock is assured. The need for an agricultural worker on site will in part, be derived from security reasons - ensuring that trespass and theft is minimised; but, it will also derive from the need to provide supervision for stock at parturition (lambing, farrowing etc) as well as providing specialist care overnight for ailing stock. And further the range and diversity of the stock also exacerbates the need for staff to live on site as the range of issues that might/could occur is extensive. Although the holding has been managed in the past without the need for staff to live on site, as the commercial activities are developed so the needs of the holding will increase.

However, the RAC was not satisfied that the business is still viable. Hence, their recommendation was that only a temporary building to be given permission for. The full report is attached at appendix 1.

Subsequently the applicant provided a single storey log cabin instead of the proposal for a two storey house. However, the officers consider that, such an approach, will have a number of drawbacks which can be summarised as follows;

- A temporary structure will put an undue financial pressure on the enterprise which is already struggling to establish. The officer considered that the significant degree of finance which already been invested, is for a long term plan and the future of the enterprise will be long lasting.
- From the design point of view, it is more advantages to cluster the worker's house and the other associated building together. The provision of a permanent building to be fully integrated in a coherent design approach will have a lesser impact upon the openness of the green belt.
- Finally the provision of a log cabin to be installed and then dismantled and then to be replaced by a two storey house will not be sustainable.

In addition the requirement to demonstrate viability of the business set out in RAC's report appears to stem from superseded guidance within Planning Policy Statement &. The requirement is not contained within the NPPF, upon which decisions must be based.

Therefore, the officers considered that the two storey cottage style house would be a more appropriate form of development here.

When the previous application was considered the level of work to restore an agricultural business at the site was less progressed and the need for such a dwelling was less credible. At that time, the land was still largely barren and there was no farming or fishing taking place on site. Therefore, it would not have been possible to establish whether there were exceptional circumstance to allow the scheme. However, since then a significant level of finance has been invested on the site and the barren and disused land has been transformed into a thriving farming and fishing enterprise. Therefore, the officers are confident that there is a need for a permanent house on the site. In any event the planning permission will have to be accompanied by an "occupancy condition". Planning permission for a new house in the countryside requires special justification, such as to enable agricultural or forestry workers to live close to their place of work. It is necessary for the planning permission to be subject to an appropriate occupancy condition to ensure the dwelling is kept available to meet this need for as long as it exists. Only people who comply with the wording of the occupancy condition may occupy the house. Therefore, it is considered that the essential need for agricultural worker is justified. Further the other structures associated with fish fry and incubation are necessary for the operation of the farm and are not inappropriate development. Therefore, exceptional circumstances have been established to grant the planning permission.

Whilst it has been established that there are exceptional circumstances for the case, it should also be ascertained whether the scheme has adopted the necessary measures to reduce the impact of the development upon the openness of the green belt.

The proposed dwelling and the proposed garage/secure storage building and the Agricultural Implement buildings are grouped together. The building accommodating the fry tanks and brooded area and incubation hatchery is separate from the other building but is in close vicinity of the other three buildings. These buildings will all be close to the existing so called "water cress processing plant".

The structure has been designed to be in keeping with the wooded nature of the site. The house has a cottage style appearance and the other buildings will appear as small barn type structures. It is considered that the proposed approach to cluster the buildings in the

location near to the entrance and adjacent to the existing structure is the appropriate strategy to minimize the impact of the development upon the openness of the green belt. Further the proposed design approach to create a farmstead style development of rural appearance development will be the appropriate strategy to reduce the impact of the development upon the openness of the green belt in this location.

**Impact upon the amenities of the adjoining occupiers;**

The processing buildings will be situated a significant distance from the neighbouring properties and hence it would have little bearing upon the amenities of the nearest residential building in terms of loss of light, outlook or privacy.

There may be potential noise or odour from the animals. However, these will be from the farm animals, which by definition, can be accommodated on an agricultural holding without requiring planning permission.

Therefore, the proposal will have no significant impact upon the amenities of the adjoining occupiers.

**Impact upon operation of the highway;**

The vehicular access to the site is only possible through Rousebarn Lane. This is a narrow road of some length with no pavement. It measures 420m from its junction with Lodge End to the site entrance and has only two passing bays or location for vehicle to wait. At the end of this road closer to the application site there is a bridge over the Grand Union canal with a 3t tonne weight limit. Before (to the west of) the bridge there is the T-junction with the private Gade Bank. After the bridge there is space for 4 to 5 cars to park along the south side of the road. On occasional visits made to the site, the officers noted that these spaces were generally occupied.

In respect of the previous scheme Herts CC Highways had raised the need for further information to give full observation on the scheme. However, in respect of this scheme, the applicant has provided the necessary information to satisfy the highway officers. Herts CC Highways consider that the proposal would not result in significant numbers of trips being generated over and above those arising from the existing use of the site based on the information provided and therefore they have no objection to the scheme in terms of its long term impact.

The applicant has also provided a Construction Management Plan which - inter alia - explains vehicles will bring items over the bridge in 1 tonne loads. Herts CC Highways consider the Construction Management Plan to be acceptable.

## **The impact upon the ecological value of the site**

Prior to the site being revitalised the land was laid idle, but provided a suitable ground for the natural wildlife. Consequently, the development of the site has resulted in degradation of the land in terms of a natural habitat for the local wildlife. Herts Biological Records, have commented on this, but explain that they had no record of any significant wildlife being present on the site. They have shown concern with regards to the plausibility of the scheme and required evaluation of the authenticity of the scheme. As explained above, officers have received professional advice confirming that the farm, whilst the farm is not at a financially profitable stage, the need for an agricultural worker to live on the site is established.

### **The previous reason for refusals**

The previous scheme were refused for a host of reasons. The reason for refusal largely related to other bodies such as Environment Agencies or Herts Highways not being satisfied with the level of information provided. However, the applicant has now provided sufficient information to satisfy the concerns of the external and internal consultees and hence this scheme has overcome the previous concern

## **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.

### **Conclusion;**

The site is within designated Green Belt. In accordance with national and local policies its openness is the primary attribute which needs robust protection. Only in very exceptional circumstances could permission for development be granted. The Borough Council in this case considers that the very special circumstances, in terms of especial need for an agricultural worker accommodation, exist to justify this development being permitted in the Green Belt.

The Borough Council also considers that appropriate measures in terms of the location of the proposed buildings have been incorporated to minimise the impact of the

development upon the openness of the Green Belt. The design of the house and other structures are sympathetic to the character of the original building.

It is also considered that the proposal would not have an impact upon the amenities of the neighbouring dwellings in terms of loss of light or privacy.

The expansion of the activities on site may result in additional traffic movement within the area. However, much of the traffic will be associated with the farming practice which could take place without the benefit of planning permission. It may be the case that the provision of worker accommodation on site would actually reduce the trip generated by agricultural workers to commute to and from the site. Herts CC Highways consider that the proposal would not result in significant numbers of trips being generated over and above those arising from the existing use of the site based on the information provided and therefore they have no objection to the proposed development.

This is a highly ambitious private enterprise with many benefits, including producing a variety of local foods. The enterprise would also offer educational and leisure facilities – albeit- the extent of which is limited. The officer fully supports the scheme and recommend the application be approved as set out in the report subject to the following conditions.

### **Recommendation**

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

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 51 of the Planning and Compulsory Purchase Act 2004.
2. Notwithstanding the drawing hereby approved, no development shall commence within the site until full details and samples of the materials to be used for the external surfaces of the building, including windows, shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.  
Reason: In the interests of the visual appearance of the site and the character and appearance of the area, pursuant to with policies UD1, GI1 and GI2 of Watford Local Plan Core Strategy 2006-2031 adopted January 2013.



3. Notwithstanding the drawing hereby approved, no development shall commence within the site until full details of, shiplap timber boarding, window and door reveals as well as a new design with a reduced scale for the porch, shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: In the interests of the visual appearance of the site and the character and appearance of the area, pursuant to with policies UD1, GI1 and GI2 of Watford Local Plan Core Strategy 2006-2031 adopted January 2013.

4. No external lighting shall be installed within the site or on any building except in accordance with a detailed scheme which shall have been previously submitted to and approved in writing by the Local planning Authority.

Reason: To ensure that any external lighting safeguards the amenities of surrounding and future properties and respects the character and appearance of the approved development and will have no impact upon the wildlife in accordance with Policies SE23 of the Watford District Plan 2000 and policies UD1, GI1 and GI2 of Watford Local Plan Core Strategy 2006-2031 adopted January 2013.

5. The occupation of the dwelling shall be limited to a person solely or mainly working, as an agriculture and fishery worker on this site farm.

Reason; The use of the building for the general housing is not appropriate in this green belt location and would not accord with the Council's policies or the advice given in the National Planning Policy Framework 2012, the use of the site for general purpose housing would not be sustainable and would be harmful to the objectives of the policies HS1 and HS2 of Watford Local Plan Core Strategy 2006-2031 adopted January 2013.

6. The development hereby permitted, with the exception for the requirement in respect of conditions 3 and 4 above, shall be carried out in accordance with the drawings 1119/12/B, 13B, 14B and 15A and other documents including Contaminated Land Desk Study Report (June 2014), Construction Management Plan Ecological Management Plan December 2014, and any drawings approved subsequently by the Watford Borough Council local planning authority pursuant to any conditions on this decision letter.

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

7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason; the site is located in Source Protection Zone 3, a groundwater vulnerable area that ultimately feeds a public drinking water abstraction point, and is in close proximity to a number of watercourses, including the River Gade. We are aware of a historic landfill site that may cause pollution issues to this sensitive groundwater. As part of a previous application at the site, we have assessed a Preliminary Risk Assessment, and are satisfied that the pollution risks are low. This condition is to ensure that any contamination that is identified as part of the development works is properly reported and remediated where required. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121). This is in line with the Policies SE24 (Unstable & Contaminated Land) and SE28 (Groundwater Quality) of Watford District Local Plan adopted 2003.

8. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason; The historic landfill beneath the site, coupled with the high groundwater levels, means that any pollutants could quickly reach the sensitive groundwater beneath the site if the surface water drainage is not effective. National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. This is in line with Policies SE24 (Unstable & Contaminated Land) and SE28 (Groundwater

Quality) of the Watford District Plan adopted 2003.

- 9 Prior to the commencement of development a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

details of treatment of site boundaries and/or buffers around water bodies;  
detail extent and type of new planting (NB planting to be of native species);  
details of maintenance regimes;  
details of any new habitat created on site.

Reason; The site is located within a sensitive natural landscape comprising a number of waterbodies and other sensitive habitats. Furthermore, the site forms part of the Cassiobury Park Local Wildlife Site. This condition will ensure that the development and ancillary landscaping is sensitive to these surroundings. This is in line with Policies SE32 (Sites of Nature Conservation Importance) and SE33 (Nature Conservation and Biodiversity Enhancement) of the Watford District Plan adopted 2003.

### **Informatives**

- 1 Under Section 30 of the Salmon and Freshwater Fisheries Act 1975 you are likely to require written consent obtained from the Environment Agency to stock your fishery – you should contact our Fisheries team on 01707 632765 to discuss our requirements.

You will also need to be registered with CEFAS (Centre for Environment, Fisheries and Aquaculture Science). This is to prevent the spread of fish diseases and to minimise damage to fisheries or the environment that may be caused by unregulated or inappropriate fish movements. Application forms can be found on [www.efishbusiness.co.uk](http://www.efishbusiness.co.uk).

- 2 *“The applicant/developer is advised to contact Neil Owen in our Milton Keynes office on 01908 302 575 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust “Code of Practice for Works affecting the Canal & River Trust”.*

- 3 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.
- 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 out more information and for advice as to whether a Building Regulations application will be required please visit [www.watfordbuildingcontrol.com](http://www.watfordbuildingcontrol.com).

- 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 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](https://www.watford.gov.uk/info/20010/your_environment/188/neighbour_complaints_%E2%80%93_construction_noise)

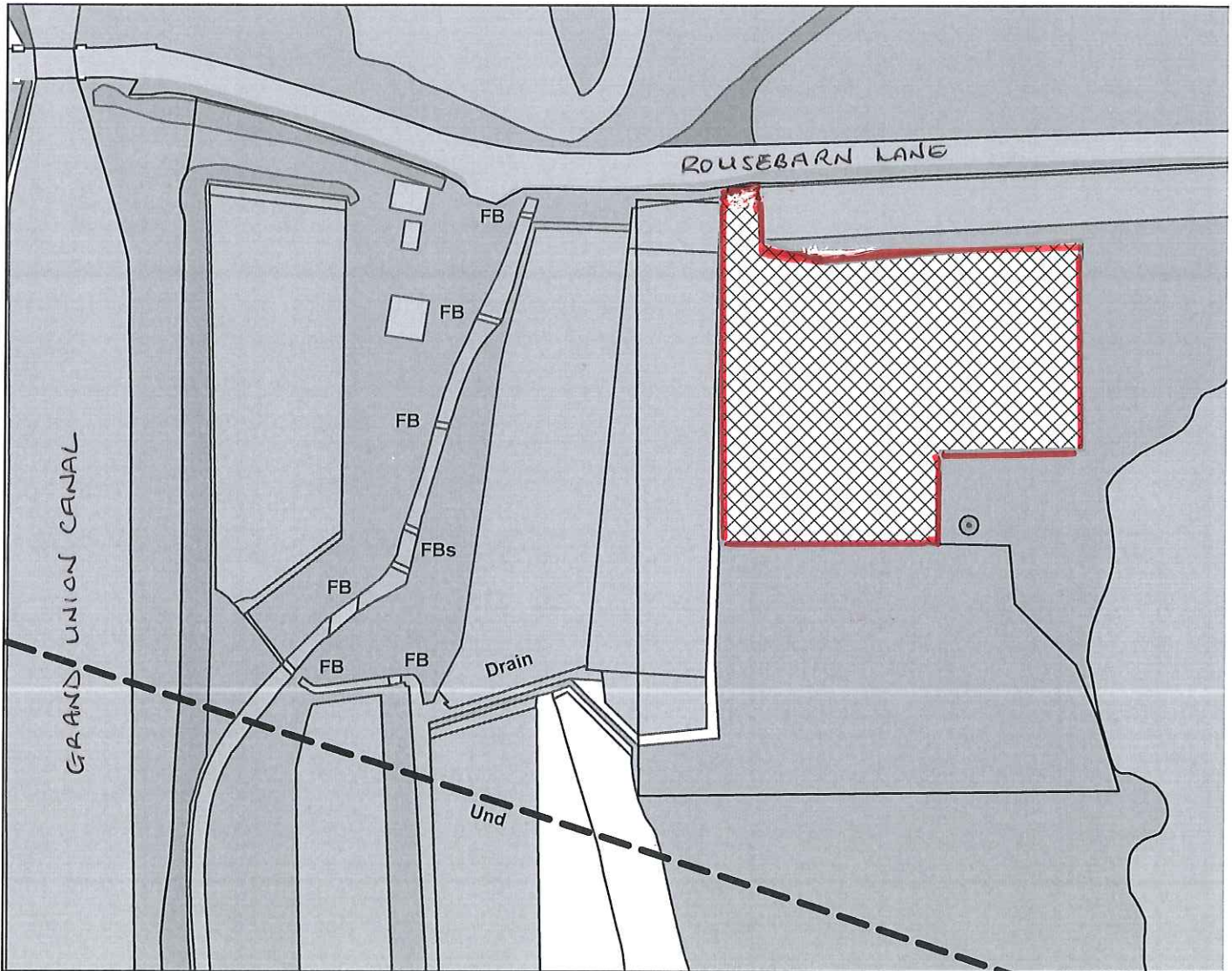
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**Case Officer:** Habib Neshat  
**Email:** [habib.neshat@watford.gov.uk](mailto:habib.neshat@watford.gov.uk)  
**Tel:** 01923 278285

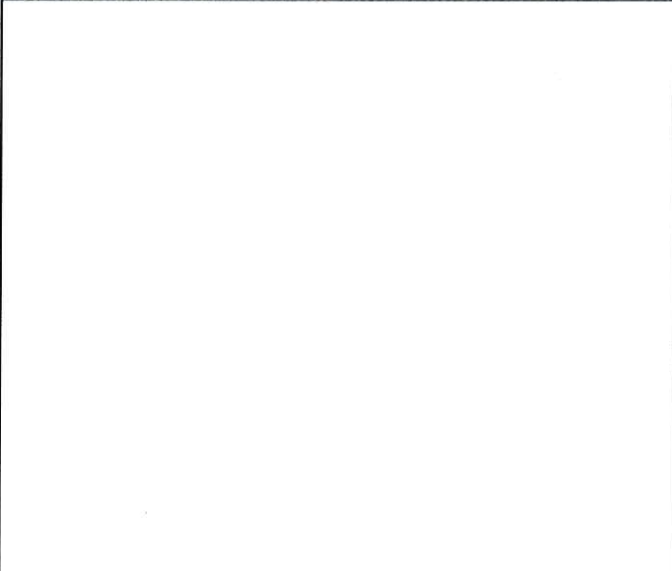
# Cassiobury Farm and Fishery



Rousebarn Lane



## Legend



Scale: 0 0.0075 0.015 0.03 KM

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Organisation	Watford Borough Council
Department	Department
Comments	Not Set
Date	22/08/2016
MSA Number	PSMA No 100018689

