



**WATFORD
BOROUGH
COUNCIL**

DEVELOPMENT MANAGEMENT COMMITTEE

7 November 2018

7.00 pm

Town Hall

Contact

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For further information about attending meetings please visit the council's [website](#).

Publication date: 30 October 2018

Committee Membership

Councillor P Jeffree (Chair)

Councillor S Johnson (Vice-Chair)

Councillors N Bell, R Laird, M Mills, I Sharpe, R Smith, M Watkin and T Williams

Agenda

Part A – Open to the Public

1. **Apologies for absence/committee membership**
2. **Disclosure of interests**
3. **Minutes**

The [minutes](#) of the meeting held on 3 October 2018 to be submitted and signed.

CONDUCT OF THE MEETING

The committee will take items in the following order:

1. All items where people wish to speak and have registered with Democratic Services.
2. Any remaining items the committee agrees can be determined without further debate.
3. Those applications which the committee wishes to discuss in detail.

4. 18/01159/FUL Units N-Q, 100 Cecil Street (Pages 6 - 17)

Revision to planning permission ref. 17/01269/FUL to add 1 two bedroom unit with new staircase entrance, modify 2 approved houses and insert 6 additional dormers in the elevation.

5. 18/01094/FULH 39A Market Street (Pages 18 - 28)

Erection of a new single storey outbuilding at ground level with a green roof in the rear garden of the property and the relocation of the gates.

6. 18/01182/FUL Mulberry Lodge, Eastbury Road (Pages 29 - 45)

Enlargement and conversion of roof space to provide 5 self-contained flats, with associated bin and cycle storage.

7. Review of Performance 01 April 2017 to 30 March 2018 (Pages 46 - 54)

Report of the Development Management Section Head regarding the performance of development management between 1 April 2017 and 30 March 2018.

Introduction

Please note that the officer report is a summary of the issues including representations made and consultation responses. Full details of the applications, plans submitted, supporting information and documents, representations made, consultation responses and correspondence can be found on the council's web based [Public Access system](#) using the application reference or address.

Specific policy considerations for each application are detailed within the individual reports. The background papers and policy framework listed below have been relied upon in the preparation of the reports in this agenda.

Background papers

- The current planning applications under consideration and correspondence related to that application.
- All relevant third party representations and consultation replies received.

Policy Framework

- The Statutory Plans and Supplementary Planning Guidance, together with relevant Government legislation, Circulars, Advice, Orders, Directions and Guidance listed below:

Local Planning Documents

Local Development Documents provide the framework for making planning decisions. These can be found on the Council's [website](#) and include:

- the existing Local Plan which consists of the Core Strategy, saved policies in the Watford District Plan 2000 and Proposals Map); and
- Supplementary Planning Documents.

County Planning Documents

The Hertfordshire Waste Local Plan and Minerals Local Plan prepared by Hertfordshire County Council are material considerations alongside the Watford Local Plan. These documents can be found on the county council's [website](#).

National Planning Documents

Key legislation can be found using this [weblink](#), including:

- Growth and Infrastructure Act (2013)
- Housing and Planning Act (2016)

- Localism Act (2011) and subsequent amendments
- Planning Act (2008) and subsequent amendments
- Planning and Compulsory Planning Act (2004) and subsequent amendments
- Town and Country Planning Act (1990) and subsequent amendments
- Town and Country Planning (Local Planning) (England) Regulations 2012 and subsequent amendments.

National guidance can be found on the government service and information [website](#), including:

- National Planning Policy Framework (revised July 2018) and supporting Technical Guidance
- Planning Practice Guidance (PPG) (web based)
- Planning policy for traveller sites
- Relevant government circulars
- Relevant Ministerial Statements (which will be referred to in the individual reports as necessary)

Section 106 Planning obligations and 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 where relevant. Section 106 planning obligations can only be used to secure affordable housing provision and other site specific requirements, such as the removal of entitlement to parking permits in Controlled Parking Zones and the provision of fire hydrants.

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.

Agenda Item 4

Committee date	7 th November 2018
Application reference	18/01159/FUL
Site address	Units N-Q, 100 Cecil Street
Proposal	Revision to planning permission ref. 17/01269/FUL to add 1 two bedroom unit with new staircase entrance, modify 2 approved houses and insert 6 additional dormers in the elevation. Revised bin storage arrangements.
Applicant	Mr Lee Turner
Agent	Kristofer Adelaide Architecture Limited
Type of Application	Full planning application
Reason for Committee Item	Number of objections
Target decision date	2 nd November 2018
Statutory publicity	None required
Case officer	Paul Baxter paul.baxter@watford.gov.uk
Ward	Callowland

1. Recommendation

Approve subject to conditions as set out in section 8 of this report.

2. Site and surroundings

- 2.1 The application site forms part of a larger commercial site at 100, Cecil Street formerly comprising various single storey and 2 storey units with car parking and servicing (now demolished). The application site itself forms the northern part of the site which backs onto Judge Street. The various buildings within the southern part of the site are to remain.
- 2.2 The surrounding roads are characterised by 2 storey, Victorian terraced housing.
- 2.3 Further information, including the site plan and drawings, is available in the appendices to the report and on the council's [website](#).

3. Summary of the proposal

3.1 Proposal

The development approved under ref. 17/01269/FUL comprised 4 x 3 bedroom houses and 3 x 2 bedroom houses. The houses formed a terrace with an archway centrally located leading through to 8 car parking spaces. Two of the 3 bedroom houses contained a bedroom in the roofspace served by a

dormer window. The other two 3 bedroom houses included a bedroom over the archway.

3.2 The current proposal is to modify the approved scheme with the two approved 3 bedroom houses with dormer windows remaining unchanged. The changes proposed comprise:

- i) A dormer window added to the rear roofslope of each of the remaining houses and above the archway to allow the provision of 6 bedrooms in the roofspace.
- ii) The space above the archway to be converted into a 2 bedroom maisonette (with 1 bedroom in the roofspace).
- iii) Provision of individual bin stores to each of the houses (in the front garden areas) and the new maisonette.

3.3 **Conclusion**

The terrace of 7 houses granted permission under ref. 17/01269/FUL is already under construction. The proposal will introduce 5 new dormer windows in the rear roofslope that will match the 2 approved dormers. These are acceptable in design terms and will have no additional impacts on surrounding properties. The formation of a 2 bed maisonette above the archway will not change the scale or design of the development and will have no impact on the appearance of the development within the streetscene. The proposed bin stores in the front gardens will be well screened and will not have an adverse impact on the streetscene. The originally approved 8 car parking spaces will be retained allowing 1 parking space for each dwelling. This is acceptable. The proposal is therefore recommended for approval.

4. **Relevant policies**

Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application is determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. **Relevant site history/background information**

5.1 17/00943/FUL - Demolition of units N-Q and J-M and construction of 7 new houses (4 x 3 bedroom and 3 x 2 bedroom) with access from Judge Street. Planning permission refused on 6th September 2017 for the following reason:

Judge Street and the surrounding roads experience high levels of parking demand and parking congestion at all times, especially in the evening and night-time periods. The local area is not within a controlled parking zone and

there are no existing restrictions on parking on the public highway. The proposed development will result in the loss of at least 1 on-street parking space to form the new access. Three of the proposed houses will also have no on-site parking provision. For these reasons, the proposed development will not only reduce the available on-street parking space but is also likely to generate additional demand for on-street parking from the proposed houses. This will exacerbate the existing parking congestion on Judge Street to the detriment of the quality of life of local residents and the quality of the local area, contrary to the objectives of the NPPF for new development to be of high quality and enhance the local area and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

- 5.2 17/01269/FUL - Demolition of units N-Q and J-M and construction of 7 new houses (4 x 3 bedroom and 3 x 2 bedroom) with access from Judge Street and 8 parking spaces. Planning permission granted on 1st November 2017.

6. Main considerations

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

- (a) Principle of development.
- (b) Scale and design.
- (c) Quality of residential accommodation.
- (d) Impact on surrounding properties.
- (e) Access, parking and servicing.

- 6.2 (a) Principle of development
The principle of the residential development of the site has already been established through the grant of planning permission ref. 17/01269/FUL. This development has commenced. The addition of one additional 2 bed maisonette is acceptable in principle.

- 6.3 (b) Scale and design
The scale and design of the approved terrace of houses will remain unchanged with the exception of the 6 additional rear dormers. Each of these will match the approved rear dormers and are acceptable in their scale, design and siting. A new staircase to serve the new maisonette is introduced under and to the rear of the archway. This will have no significant impacts.

- 6.4 (c) Quality of residential accommodation
All of the proposed houses and the maisonette meet the nationally described space standards for 2 bedroom and 3 bedroom dwellings respectively. All of the habitable room windows will have good levels of outlook, natural light and

privacy with the garden areas and main living rooms facing south and receiving good levels of sunlight. All of the houses will have private, rear garden areas as originally approved. Only the maisonette will have no private amenity area. Whilst this is regrettable, it is not considered that this alone can justify a refusal of planning permission in this case. The site is within a highly sustainable and accessible location and many upper floor residential flats in the nearby north Watford shopping centre have no access to private amenity space.

6.5 (d) Impact on surrounding properties

The approved terrace of houses maintains the front and rear building lines of the existing, adjoining houses and does not project beyond any existing windows. The addition of the 6 dormer windows in the rear roofslope will give rise to some oblique overlooking of adjoining garden areas but this is a perfectly normal relationship between properties within the street. It will not give rise to any significant or unacceptable harm.

6.6 (e) Access, parking and servicing

Access and servicing will remain unchanged from the approved scheme. Access to the parking spaces will be from the archway as originally approved. All servicing of the houses will take place from Judge Street in the same way as for the existing houses.

6.7 Following the refusal of application ref. 17/00943/FUL on the grounds that the provision of only 4 spaces was inadequate, the number of parking spaces was increased to 8 under application ref. 17/01269/FUL. This level of provision, which provided 1 space per dwelling and 1 visitor space, was considered acceptable. The 8 approved parking spaces remain in the current scheme with the visitor space allocated to the new maisonette. This is considered an acceptable level of provision in this sustainable and accessible location.

6.8 In the approved scheme, the bins for each of the houses were sited underneath the archway. These need to be relocated in order to accommodate the staircase to the new maisonette. The bins are now proposed to be stored in the front gardens of each of the houses, screened by a wall and timber slats. This will effectively screen the bins from view within the streetscene and is acceptable. The bins for the maisonette are sited to the rear of the archway and will not be visible within the streetscene.

6.9 A secure cycle space is shown under the stairs and is also acceptable.

7. Consultation responses received

7.1 Statutory consultees and other organisations

None required.

7.2 Internal Consultees

Waste and recycling

No objections to the proposed bin storage arrangement.

7.3 Representations received from interested parties

Letters were sent to 77 properties in the surrounding area. Responses have been received from 8 properties, all objecting to the proposal or raising concerns about aspects of the proposal. The comments are summarised below:

Representations	Officer's response
Size of space for 8 cars insufficient. Cars will park on-street.	The parking area with 8 spaces remains as previously approved.
Bins stored in the front gardens will look ugly.	The bins are to be screened by a wall and timber slats.
No provision of additional parking for the additional unit. Not enough parking provided for this development.	The additional unit will be allocated the visitor space. This remains an acceptable provision of 1 space per dwelling.

8. Recommendation

That 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 with the following approved drawings:-

0049-01, 0049-011, 0049-021, 0049-120, 0049-121, 0049-400

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

3. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to, and obtained written approval from, the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination is to be dealt with. All works shall be carried out in accordance with the approved details.

Reason: In the interests of the health of the future occupiers of the site, in accordance with Policy SE24 of the Watford District Plan 2000.

4. The development shall only be carried out in accordance with the approved Written Scheme of Investigation for an Archaeological Strip, Map and Sample Excavation by KDK Archaeology Limited (Project code 349/WCS, dated January 2018) under ref. 18/00110/DISCON.

Reason: To ensure that any archaeological remains are properly recorded, in accordance with Policy UD2 of the Watford Local Plan Core Strategy 2006-31.

5. The development shall be carried out only in accordance with the approved materials as detailed in the schedule of materials (LL 001 Details of Materials – Condition 7) subject to all multiple light windows having equal sightlines, as approved under ref. 17/01714/DISCON.

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

6. No dwelling shall be occupied until the following works have been carried out in full:
 - i) The construction of the new access from Judge Street and the internal access drive as shown on drawing no. 0049-01;
 - ii) The construction of the 8 car parking spaces as shown on drawing no. 0049-01;
 - iii) The construction of the bin stores as shown on drawing nos. 0049-01 and 0049-400;

Reason: To ensure adequate facilities are provided for the future occupiers of the development.

7. No dwelling shall be occupied until a detailed hard landscaping scheme for the site, including details of all site boundary treatments and external lighting, has 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, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

8. No dwelling shall be occupied until a detailed soft landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The approved soft landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of 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, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

9. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, as amended (or any modifications or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, 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 site and its surroundings and will not prove detrimental to the amenities of residents in accordance with Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

Informatives

1. IN907 Consideration of the proposal in a positive and proactive manner.

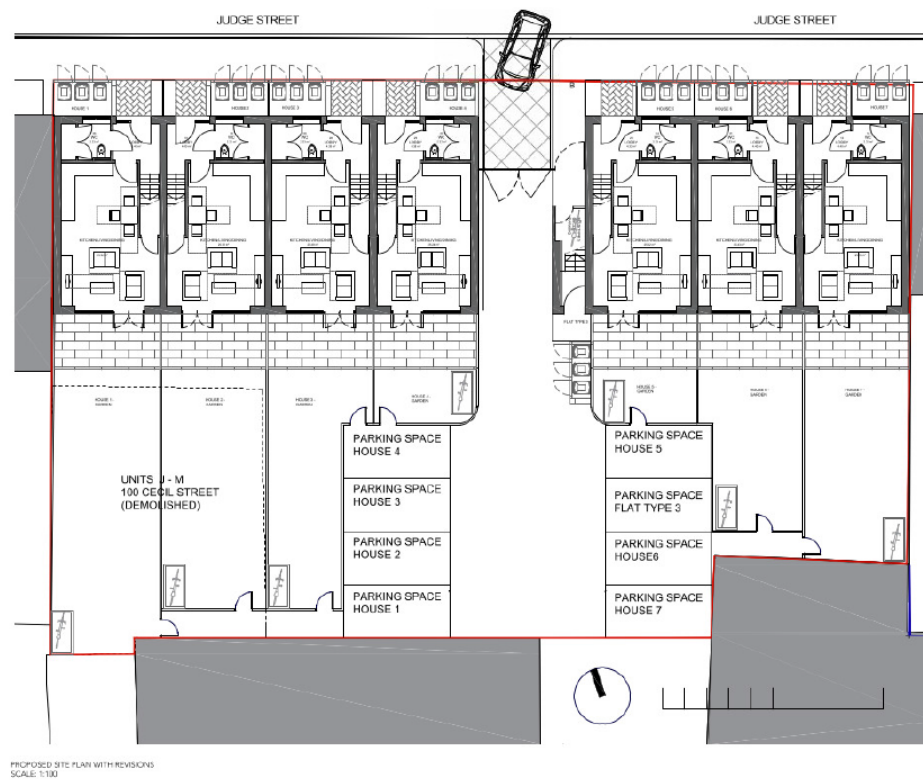
2. IN910 Building Regulations.
3. IN911 Party Wall Act.
4. IN912 Hours of construction.
5. IN913 CIL Liability.
6. IN909 Naming and numbering.

100 Cecil Street 18/01159/FUL



18/01159/FUL Units N To Q 100 Cecil Street

1 - Site layout plan



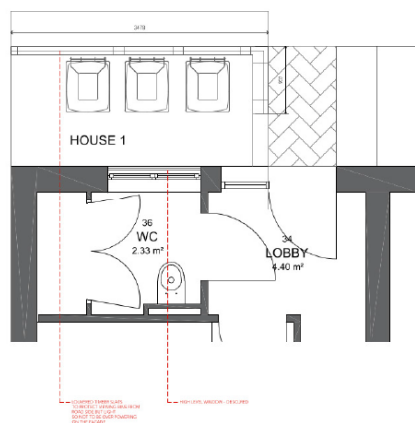
2 – Floorplans



3 - Rear elevation



4 - Bin stores



5 - 3D image of bin stores



Agenda Item 5

Committee date	7 th November 2018
Application reference	18/01094/FULH
Site address	39A Market Street
Proposal	Erection of a new single storey outbuilding at ground level with a green roof in the rear garden of the property and the relocation of the gates.
Applicant	Ms Amanda Conlon
Agent	KCMCD Architects
Type of application	Minor household application
Reason for committee item	Number of residents raising concern with regards to the proposed development
Target decision date	8 th November 2018 – extension of time by mutual agreement
Statutory publicity	23 August 2018
Case officer	Habib Neshat habib.neshat@watford.gov.uk
Ward	Central

1. Recommendation

Approve subject to conditions as set out in section 8 of this report.

2. Site and surroundings

- 2.1 The application property is part of a Victorian mid-terrace building which is located within a designated secondary shopping frontage. The ground floor of the building consists of a commercial unit (a nail bar). The upper floors, the subject of this application, are occupied as a single family accommodation over the first and second floors.
- 2.2 The main building has a pitched roof and also benefits from a part one and part two storey rear extension. To the rear, there is an open yard which is used for amenity / car parking purposes in connection with the application premises.
- 2.3 The maisonette flat, is accessed from the flank elevation of the building which is sited within the under-croft between the application site and number 41 Market Street which stretches over the passageway. The passageway provides vehicular and pedestrian access to a court yard which accommodates a number of commercial buildings and associated parking spaces to the rear of the site, as well as the garden space of the application premises.
- 2.4 The application site is located in a sustainable location due to its close proximity to

the town centre and the surrounding roads are subject to parking restrictions.

2.5 The building is not listed, nor is it located in a designated conservation area.

2.6 Further information, including the site plan and drawings, is available in the appendices to the report and on the council's website.

3. Summary of the proposal

3.1 Proposal

The application seeks planning permission for the erection of a single storey outbuilding at the far end of the rear open space. The building will be 5.5m deep, 4m wide and 4m high, with a total floor space of 22m², incorporating a Sedum roof.

3.2 The proposal also includes the rearrangement of the existing gates closer to the building, so that the remainder of the open space could be used for accommodating the applicant's car.

3.3 Conclusion

There is no objection in principle to the provision of an outbuilding in this location. The scale and design of the proposed single storey outbuilding is considered to be acceptable and appropriate for this site. The proposed development will be used as incidental accommodation only and should comply with the Residential Design Guide. Given its location, scale and bulk and subject to conditions, the proposal will not have a significant impact on the amenities of the adjoining neighbouring buildings.

4. Relevant policies

4.1 Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application was determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5 Relevant site history/background information

5.1 There is no relevant planning history with respect to this application. However, there is a concurrent planning application (18/01092/FULH) by the applicant seeking permission to use the flat roof over the rear extension as an amenity space. This application is currently being considered and has yet to be determined.

6. Main considerations

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

- (a) Principle of development.
- (b) Scale and design.
- (c) Impact on residential amenity of adjoining dwellings.
- (d) Access, parking and servicing.

6.2 (a) Principle of development

There is no in principle objection to the erection of an outbuilding in this location. The outbuilding which is intended to be used as incidental accommodation serving the main dwelling above the shop is considered acceptable.

6.3 (b) Scale and design

Policies SD1 and UD1 of the Watford Local Plan Core Strategy 2006-31 seek to ensure that all new development is based on an understanding of the local characteristics of the surrounding area. Particular regard should be paid to the height, size, roof-pitch, use of materials, textures, finishes, size and scale of window and door openings and the impact on the streetscene. This is supported further by Section 3.1 of the Residential Design Guide. At a national level, the government's planning guidance places a strong emphasis on the creation of high quality environments through good design.

6.3.1 The character of the area is derived from generally two to three storey Victorian terrace buildings with commercial uses on the ground floors and upper floors mainly in residential use.

6.3.2 To the front the buildings are generally arranged on consistent building lines. These Victorian brick buildings display interesting features such as recessed windows, decorative arches, brick bands and gabled bay windows. The ground floor elevations generally display shopfront windows with a variety of goods and services on display.

6.3.3 To the rear however, there is no consistency in built environment. There is a variety of the extensions to the original buildings and in a number of cases the gardens and open spaces have largely been covered by extension. There are also odd, outbuildings erected in a haphazard arrangement, differing in scale, height and materials.

6.3.4. The proposal is to erect a single storey flat-roof outbuilding incorporating a green Sedum roof. The proposed building will measure 5.5m wide, 4m deep with the height of 4m. The outbuilding will not have a street frontage. Given the nature of

the built environment to the rear of the main buildings, the proposed single storey outbuilding will not form an incongruous feature and will blend with all other buildings. Therefore, the proposed outbuilding will have an acceptable visual impact within this rather disorderly court yard and the proposed green roof will provide a respite onto this environment.

6.4 (c) Impact on surrounding properties

The immediate neighbour, having a boundary with the application building is number 37 Market Street. However, this building is used as a restaurant on the ground floor and to the rear the entire yard is covered with structures. Therefore, the proposal will have no significant impact in terms of loss of light or privacy to this neighbouring property. The proposed outbuilding will be well away from the other buildings and therefore by reason of its scale, bulk and location it will have no significant impact upon the amenities of the adjoining occupiers.

6.4.1 There are some objections with respect to the potential noise and disturbance which may arise from the inappropriate use of the outbuilding, such as playing loud music. However, incidental outbuildings are a common feature of urban environments and do not generally give rise to such issues. In any event, such disturbances could generally be better dealt under other legislation.

6.5 (d) Transportation and parking

Given the sustainable location of the site and the incidental use of the proposed outbuilding the proposal would not result in any increase in demand for on-street parking. The property would remain as a single planning unit and therefore the number of parking permits currently assigned to the property would not be increased. Taking this into account, the proposal would not exacerbate demand for on-street parking in the area.

6.5.1 However, the proposal will also include the relocation of the double entry gate to the open yard closer to the building and the under-croft passageway. The opening of gates onto the public passage is not safe and would potentially hinder vehicular movement with the court yard. However, this matter could be addressed by way of a planning condition and therefore would not constitute grounds to refuse the application. An appropriate condition is recommended to prevent the gates swinging outwards.

6.6 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. Consultation responses received

7.1 Statutory consultees and other organisations

None required.

7.2 Representations received from interested parties

Letters were sent to 4 properties in the surrounding area. Responses have been received from 5 properties, all objecting to the proposal or raising concerns about aspects of the proposal. The comments are summarised below:

Representations	Officer's response
The applicant is only the lease holder and has no permission from the free-holder to erect a building or use the passageway and the garden	This is not a material planning consideration. The planning permission does not override other property laws and regulation.
There has not be sufficient publicity for the scheme	Given the scale of the development only the immediate neighbours on the boundary of the site have been notified. The level of notification has been in accordance with the council's pledge in its adopted "Statement of Community Involvement" strategy.
The occupier has no right of access by vehicles to use the passageway	This is not a material consideration. The planning permission does not override any other property right which may exists.
The applicant display a degree of unneighbourly behaviour by playing loud music, sing loudly in the garden, and has blocked fire escape to the neighbouring buildings. If the permission were to be granted potentially there will be additional disturbances.	The proposal is only to erect a small outbuilding for domestic use which normally do not raise any significant disturbance issues. In any event, such disturbances could generally be better dealt under other legislation.
The green roof will require attention and irrigation which	The Sedum roof are generally low maintenance, but they do require some

may result in splash of water onto adjoining properties and cars parked	attention occasionally. However, the likelihood of inconsiderate irrigation fashion would not form a justifiable reason to refuse the scheme.
Impacts of construction work on the car park and existing residents users of the court yard	This is not a material planning consideration. There are controls outside the planning system including the Environmental Protection Act, the Control of Pollution Act, the Health and Safety at Work Act, the Clean Air Act and the Highways Act.

8. Recommendation

That 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 with the following approved drawings:

161EX/101, 102, 103, 104, 105, 106, 107, 108
161PA/201, 202, 203, 204, 205, 206, 207, 208
And Site Location Plan

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

3. No development shall takes place above damp proof course until the details of the materials shall have been submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out in accordance with the approved details.

Reason: In the interests of the visual appearance of the site, pursuant to Policy UD1 of the Watford Local Plan: Core Strategy 2006 - 31.

4. The outbuilding hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as 39A Market Street. For the avoidance of doubt it shall not be utilised for any purposes which one would expect to be accommodated within the main dwelling such as sleeping and shall not be fitted out with kitchen, bathroom, toilet or shower facilities.

Reason: In the interests of the amenity of adjoining residential occupiers, in accordance with Policy UD1 of the Watford Local Plan Part 1 Core Strategy and principle 8.4 (Neighbourliness) of the Residential Design Guide supplementary planning document. Also to ensure that the outbuilding is not put to a residential use because it would not provide an adequate standard of accommodation.

5. Notwithstanding the drawings hereby approved no gate shall be installed which opens outwards from the site. No gate shall be installed, until details have been submitted to and approved in writing by the Local Planning Authority. Thereafter it shall be installed and maintained in accordance with the approved details.

Reason: To avoid hazard and to ensure the safety of the pedestrians and vehicular user of the court yard is safeguarded and to ensure the vehicular movement within the yard is not inappropriately restricted.

6. No development above damp proof course level shall be carried out until full details of the proposed green roof has been submitted to and approved in writing by the Local Planning Authority. The approved green roof shall be carried out not later than the first available planting and seeding season after completion of the development. Any plants within the green roof 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.

Informatives

IN907 Consideration of the proposal in a positive and proactive manner.

IN910 Building Regulations.

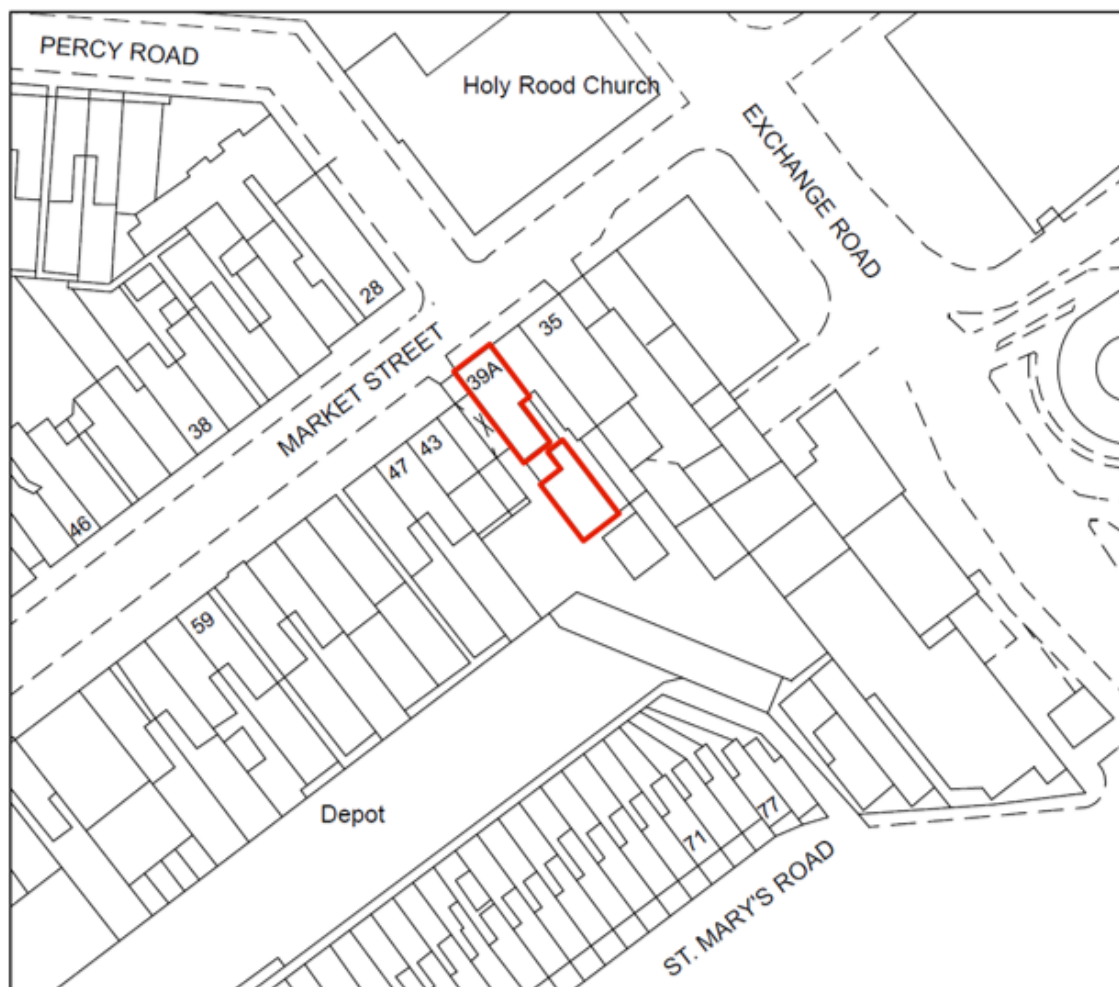
IN911 Party Wall Act.

IN300 Property rights

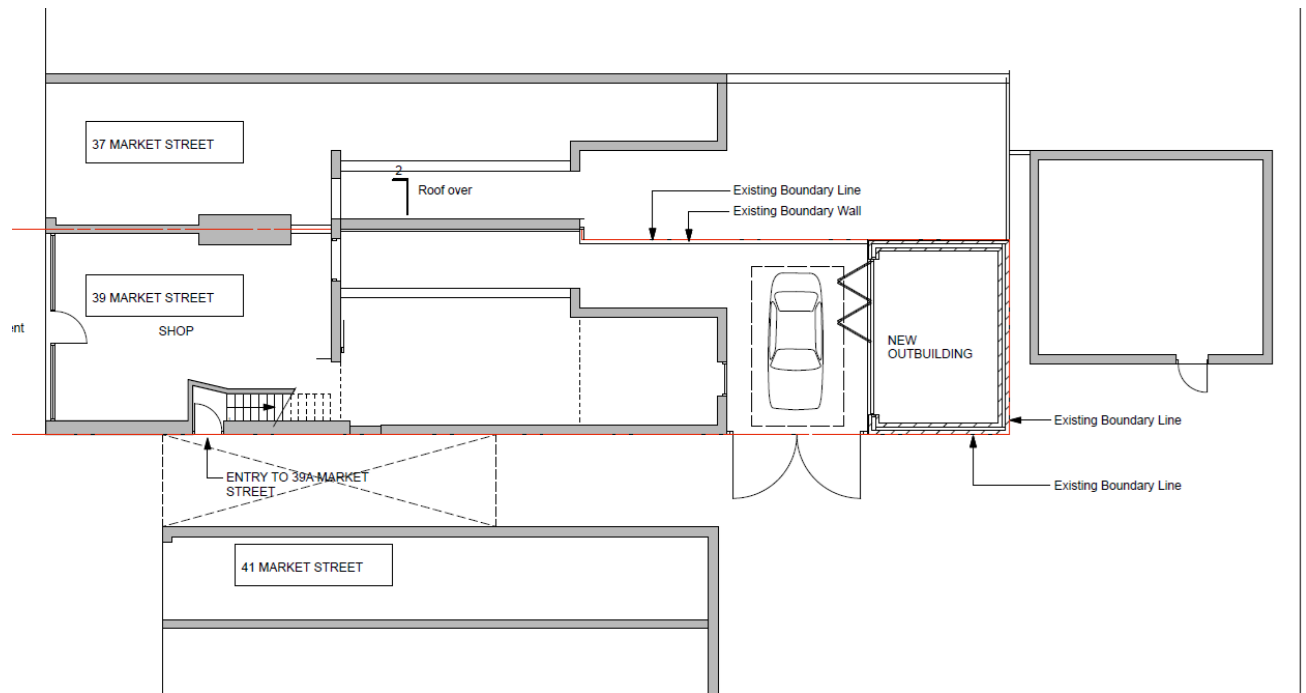
IN912 Hours of Construction.

IN913 Community Infrastructure Levy Liability.

39A Market Street,



39A Market Street,

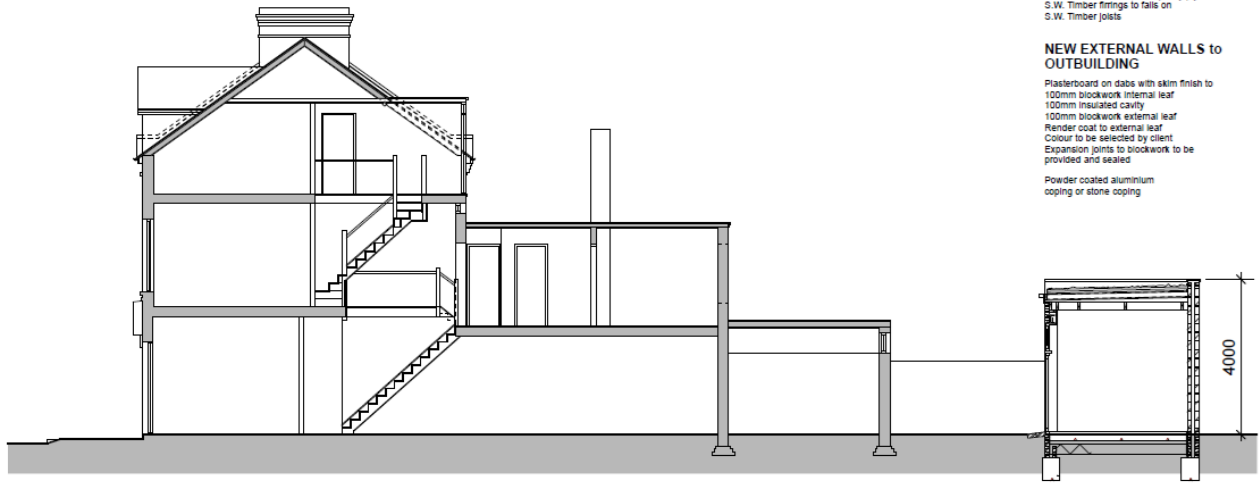


NEW FLAT ROOF to OUTBUILDING

New sedum roof and construction layers/build up to manufacturer's instructions and details on Waterproof membrane (single ply) on separating layer on
Insulation on
Vapour control layer on
25mm Min. WBP external quality ply on
S.W. Timber fixings to falls on
S.W. Timber joists

NEW EXTERNAL WALLS to OUTBUILDING

Plasterboard on dabs with skim finish to
100mm blockwork internal leaf
100mm insulated cavity
100mm blockwork external leaf
Render coat to external leaf
Colour to be selected by client
Expansion joints to blockwork to be provided and sealed
Powder coated aluminium
coping or stone coping

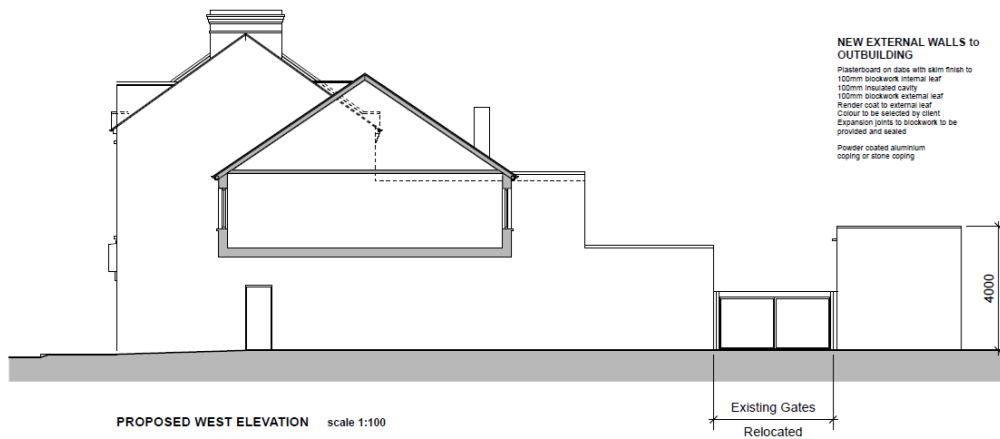


Notes

All dimensions are in millimetres
All dimensions are to be checked on site

NEW EXTERNAL WALLS to OUTBUILDING

Plasterboard on dabs with skim finish to
100mm blockwork internal leaf
100mm insulated cavity
100mm blockwork external leaf
Render coat to external leaf
Colour to be selected by client
Expansion joints to blockwork to be provided and sealed
Powder coated aluminium
coping or stone coping





Committee date	7th November 2018
Application reference	18/01182/FUL
Site address	Mulberry Lodge, Eastbury Road
Proposal	Enlargement and conversion of roof space to provide 5 self contained flats, with associated bins storage and cycle storage.
Applicant	Thomas Wrenn Homes Ltd
Agent	The Gillett Macleod Partnership
Type of Application	Full planning application
Reason for committee item	10 objections have been received.
Target decision date	07.11.2018 - Extended by agreement to 12.11.2018
Statutory publicity	None required
Case officer	Alice Reade alice.reade@watford.gov.uk
Ward	Oxhey

1. Recommendation

Approve subject to conditions as set out in section 8 of this report.

2. Site and surroundings

- 2.1 The application site consists of a 3 storey building containing 15 flats. The building has a pitched, crown roof with eave level set level with the 2nd floor windows on three elevations. The building elevations include projecting features with gable and hipped gable roof detailing. The building of 15 flats was constructed following the grant of planning permission in 1997.
- 2.2 The building fronts Eastbury Road and is on a raised ground level relative to the road. Due to the ground level changes, the access, surface car park and access to basement level of Mulberry Lodge approximately level with the road level. The Basement level car park contains 17 car parking spaces and bin storage accessed from the east elevation and access. The surface level car parking outside the east of the building includes 4 parking spaces for Mulberry Court and 3 for residents at the adjacent flats at Cherry Court set to the rear of Mulberry Lodge.
- 2.3 The site is adjacent to Bushey Station to the east, Cherry Court to the rear (south) and St Matthews Church to the west. Eastbury Road predominantly contains 2 storey semi detached dwellings however Mulberry Lodge is located within a cluster of 3 and 4 storey flatted buildings on the south side of Eastbury Road. Oxhey park is opposite on the north side of Eastbury Road.

2.4 Mulberry Lodge is not Listed and not within a Conservation Area. The immediately adjacent building, St Matthew's church, is a Grade II Listed Building. There are no TPO trees in the site.

2.5 The site is not within a Controlled Parking Zone.

Further information is available in the appendices to the report and on our [website](#).

3. Summary of the proposal

3.1 Proposal

Enlargement and conversion of roof space to provide 5 self contained flats consisting of 4 x 1bed flats and 1 x studio flat.

3.2 The development includes the following extensions and external changes:

- Increase of recessed eaves of the building to be level with the highest eave levels
- Increase of the ridge height by 0.4m (from 10.5m to 10.9m as seen centrally on the north elevation)
- Retention of crown roof design with an increased roof pitch
- Insertion of dormer windows in all elevations

3.3 The car parking for the development includes the retention of 17 basement car spaces and the retention of 3 on surface level spaces. Following amendments to the bin storage and to remove parking from the banked area of the site, no new parking spaces are proposed and one existing space is to be lost. The 20 units at Mulberry Lodge (15 existing and 5 proposed) will be served by 20 car parking spaces.

3.4 Conclusion

The proposed increases to the roof height, scale and pitch are modest and the overall shape and form of the roof would remain consistent with the existing building. The dormers are subordinate to the roof and appropriately positioned on the building. The extended roof would therefore be of a form, scale and bulk that would be well proportioned in relation to the building.

3.5 The 3 storey height with dormers at 4 storeys would be inkeeping with the height and design of the adjacent building at Cherry Court and would be consistent with the scale of 2, 3 and 4 storey buildings in the cluster of buildings at this Eastern end of Eastbury Road. The scale and bulk of the roof additions would be modest and would not be dominant or harmful to the

streetscene or within the setting of the adjacent Listed Building of St Matthews church.

- 3.6 The development provides sufficient floor space to all new dwellings, amenity areas, parking, bin and bicycle storage is provided. The development has therefore fully overcome all design and amenity concerns of the previous application and is fully policy compliant as set out in the report.

4 Main relevant policies

Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application was determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5 Relevant site history/background information

97/00145/FUL Conditional Planning Permission for Construction of 15 no. flats with associated parking and amenity space.

18/00263/FUL

Enlargement and conversion of roof space to provide 5 self contained flats, with associated bins storage and cycle storage. Refused planning permission, reasons:

- 1. The proposed development would be of unacceptably poor design. The proposed introduction of a mansard roof would be inappropriate in shape, pitch and bulk for the host building and would result in a poorly proportioned and unattractive building. The increased eave and ridge height of the building, the additional massing to the roof of the mansard shape and projection of the windows (not shown in elevation drawings) would add undue bulk to the building. This increased building height and bulk would fail to relate to the context and would be unduly prominent in the streetscene and within the setting of the adjacent Grade II Listed Building. This dominance would be particularly evident due to the elevated position of the building in the context. The development would result in harm to the appearance of the building, the streetscene, the character of the area and the setting of the adjacent Listed Building, contrary to the advice contained within Sections 7 and 12 of the National Planning Policy Framework (NPPF), the provisions of the Residential Design Guide 2016 and policies UD1, UD2 and SS1 of the Watford Local Plan Core Strategy 2006-31.*

2. *The application has failed to demonstrate that the proposed flats would have useable Gross Internal Areas (GIA) compliant with the minimum standards of the Residential Design Guide 2016. The floor layouts indicated would have areas with restricted internal height resulting in the useable GIAs of each flat likely to be below the minimum standards. The application has therefore failed to demonstrate that it would provide satisfactory residential accommodation for future occupiers of the development pursuant to Policy UD1 of the Watford Local Plan Part 1 - Core Strategy 2006-31 and the Residential Design Guide (2016).*

18/00745/PREAPP

Pre-application enquiry for enlargement and conversion of roof space to provide 5 no. flats, with associated bins storage and cycle storage.

Officer advice summary:

The revised scheme has fully overcome the previous reasons for refusal. The pitch and style would be sympathetic to the age and style of the main building. The dormers would be of a more sympathetic proportion and position. The ridge height increase is modest and the overall bulk is also modest. This would allow for the extended roof to not be unduly dominant or harmful to the building or within the setting of the Listed Building. The sections and amended floor areas show all flats would have internal space compliant with the RDG. The development is considered to be compliant with policy and guidance and application is invited for formal assessment and consultation.

6 Main considerations

- 6.1 The main issues to be considered in the determination of this application are:
- (a) Scale and design
 - (b) Impact on streetscene and setting of heritage assets
 - (c) Impact on surrounding properties.
 - (d) Residential Amenity
 - (e) Access, Transport and Parking
 - (f) Bin and bicycle storage
- 6.2 (a) Scale and design and impact on heritage assets
- Mulberry Lodge has a simple design relevant to its time of construction. The existing roof is a crown roof form. The projecting features of the building have gable and hipped gable roof projections. There are varying eave heights on different elements of the building with some eaves set-down below or mid way to the second floor windows.
- 6.3 The development proposes to increase the eave height, ridge height and pitch of the existing roof. In respect of the eaves of the building, where these are

set down to be level or below the existing second floor windows, these will be increased to be above the windows and create a consistent eave level around the building. This new eave level would be no higher than the highest existing eave of the building and, at just above the second floor windows, is entirely appropriate and well proportioned for the building.

- 6.4 The development also increases the pitch and ridge height of the building. Unlike the previous refused scheme, the pitch increase is modest. The proportions of the pitch remain appropriate for the building and would retain the existing roof form and shape.
- 6.5 The ridge height increase, of 40cm is again considered to be modest. This small increase along with the part increase of eave height will ensure that the total scale of the roof remains proportionate to the scale of the building and would not appear as excessive or 'top heavy' to the building. The vertical massing of the building will remain successfully proportioned by the brick, banding and render detailing on the building elevations. As such, the overall proportions of the extended roof would be entirely suitable, proportionate and well designed to the host building.
- 6.6 The position of front dormers in the roof of the building to create the 4th floor accommodation is acceptable in principle. This would be a design replicating that at the adjacent Cherry Court. The dormers would be suitable in scale and position in the roof and in relation to the building. The height and combined width of the dormers on each elevation would not exceed half the width and height of the roof and would be set up from the eaves and set down from the ridge. As such these are fully compliant with the RDG guidance for dormers. Not all of the proposed dormers are aligned to lower windows however they are positioned centrally within the projecting features of the building which is an appropriate arrangement.
- 6.7 The development design proposed under this application has overcome the design concerns of the original refused application. In particular, the mansard roof design, steeper pitch increase and 70cm ridge height increase of the refused scheme have not been included. The roof additions now proposed have a more modest roof pitch increase and modest 40cm ridge increase and importantly retain the form and shape of the existing roof. Despite the increase in height, the bulk increase of this roof design is modest and well proportioned in relation to the building and would not be harmful to its character or appearance.
- 6.8 (b) Impact on streetscene and setting of heritage assets

The height and bulk increase to the roof are now considered to be modest and proportional to the building. As such, the roof form will have a shape, mass and bulk that is appropriate for the streetscene. As Mulberry Lodge is situated away from neighbouring buildings, the 40cm height increase would not be unduly evident or harmful to the context. The overall scaling of the building would remain consistent with the height and scaling of the adjacent Cherry Court and the character of this cluster on Eastbury Road which includes 3 and 4 storey buildings.

- 6.9 It is noted that Mulberry Lodge sits on an elevated position and its North and East elevations have a strong visual presence in the streetscene. The design of the roof increases the height and pitch of the roof however this would not add undue bulk to the streetscene. In particular, the eave height of the building is being increased only where there are set down eaves and these increases will be level with the existing highest eaves on the north and east elevations. The roof pitch and ridge height increases are modest and would not be unduly evident in the context. On the north elevation, the existing front projecting gable features will have a reduced bulk in the hipped roofs on these front projections. As such, on balance, it is considered that the bulk and massing of the building, as seen in the streetscene, would not be unduly or notably increased by the development.
- 6.10 As the roof massing, design and scale is appropriate and proportional to the building, it is not considered that this would present as a dominant or incongruous addition in the setting of the adjacent Listed Building at St Matthews Church. The bulk, massing and character of Mulberry Lodge within this setting would not be substantially changed and no negative harm is foreseen. This is confirmed in the comments from the Conservation Officer.
- 6.11 The revised scheme has therefore fully overcome the design objections of the previous application and would not create harm to the character and appearance of the streetscene or setting of the adjacent listed building.
- 6.12 (c) Impact on surrounding properties
The development would not exceed the perimeter of the existing Mulberry Lodge building and the light, outlook and privacy of the existing flats would not be materially harmed. The building retains its minimum distance of over 27.5m to Cherry Lodge to the rear and this property would not experience increased overlooking.
- 6.13 The light, outlook and amenity of the existing flats within Mulberry Lodge would not be adversely harmed by the development. It is not unreasonable or harmful for flats to have flats above. Subject to suitable insulation between

dwellings, as required by building regulations, the flats would not result in harm to the existing dwellings.

6.14 (d) Residential Amenity

Due to the roof design, some of the proposed new floor space has restricted height. In accordance with the RDG, areas under 1.5m internal height are not included and space with a height of under 2.3m should not constitute more than 25% of the floor area. The floor plans and sections illustrate the areas of each flat which would have full height and the areas which would have a restricted height of between 1.5m and 2.4m. This demonstrates that the restricted height areas do not exceed 25% of the areas for any of the units. The floor area of the proposed flats is calculated as set out in the following table:

Flat	GIA (m2) of at least 2.4m	GIA (m2) of at least 1.5m	Total GIA (m2)	Minimum GIA standard of RDG (m2)	Compliant?
1 (1b2p)	45.6	5.4	51	50	Yes
Studio (1b1p)	41.7	2.0	43.7	38	Yes
2 (1b2p)	48.4	4.6	53	50	Yes
3 (1b2p)	42.7	7.3	50	50	Yes
4 (1b2p)	44.3	7.7	52	50	Yes

Table 1: Internal floor area of development

6.15 The submission has therefore demonstrated that all flats would be compliant with the minimum floor area requirements of the RDG and would create high quality residential dwellings. All but one dwelling would be dual aspect. Following amendments to the layout of flat 1, all flats would have good light and outlook to all habitable rooms.

6.16 The large amenity area at the rear of the building would be of sufficient size to serve the existing and proposed flats, compliant with the amenity requirement of the RDG.

6.17 (e) Access, Transport and Parking

The proposed development would be served by the existing access arrangements and there are changes to the access to the site and no highway concerns.

6.18 Parking information in the application had been inconsistent. This has however been clarified and confirmed. The 15 flats on site are currently served by 17 basement car parking spaces and 4 surface level car parking

spaces with a total of 21 spaces for 15 flats. Another 3 spaces outside Mulberry Court are for use by Cherry Court. The scheme initially proposed the creation of 3 additional spaces on site to create 24 spaces for 20 flats. Two of these new spaces would have cut into the landscaped banked area in front of Cherry Lodge. These would have been detached from the development and the necessary retaining walls would have been unattractive. These have therefore been removed at the request of the case officer. Other parking has also been lost to allow for sufficient bin storage. The development would not therefore create new parking spaces and would see the loss of one space to allow for bin storage. Mulberry Lodge would therefore have 20 spaces to serve the 20 flats (15 existing flats and 5 new flats).

- 6.19 The Watford District Plan 2000 sets a maximum standard of 28 car parking spaces for 20 flats in this location. The proposed provision of 20 is within this maximum standard and is considered to be appropriate for the likely parking requirements of future occupiers.
- 6.20 The site is not within a controlled parking zone and on street parking cannot be restricted by resident permits. The site however includes sufficient parking for the development, it is located immediately adjacent to Bushey train station and is in walking distance of amenities. As such it is unlikely that the development would create a notable increase in on-road parking demand. Indeed due to the sustainable location of the development, a car-light scheme would be appropriate.
- 6.21 (f) Bin and bicycle storage
Following amendments to the external layout of the site, the bin storage for the existing and proposed flats is to be contained in a new enclosure adjacent to the front retaining wall of the site. This will provide bin storage for the new flats but also provide sufficient storage for the bins of the existing flats for which the current storage space is insufficient.
- 6.22 Bicycle storage was originally proposed within the banked landscaping and would have been detached from the main building and would have required large retaining walls. Following the relocation of the bin storage, the bicycle storage is now proposed in the area which is the current bin store and will provide convenient and secure storage.

7 Consultation responses received

7.1 Statutory and technical consultees

Name of Consultee	Comment	Officer Response
Hertfordshire Highways	The location is highly sustainable for amenities and public transport. No highways issues or concerns relating to capacity, safety and sustainability.	Noted.
WBC Waste and recycling	The 20 dwellings will require 6 x 1100 litre bins and 3 x 240 litre bins.	Noted. Amendments have been sought to find suitable space and location for the bin storage space however full details to be secured by condition.
WBC Conservation	Conservation involvement through preapplication and application stages. Advised that the development is appropriate in scale, bulk and design for the host building. The roof additions would not create a dominant or harmful impact in the setting of the Listed Building. Previous concerns have been overcome.	Noted and agreed.

7.2 Representations received from interested parties

10 letters of objection have been received

Comments	Officer response
The development is of poor design and top heavy to the building. The character and appearance of the building would be harmed and the setting of St Matthews Church and Bushey Station would be harmed.	This is not agreed. The crown roof form of the building is retained and the shape and bulk of the extended roof would remain proportionate to the building. The scale and bulk of the building would not be incongruous in the context.
Harmful to the views of the adjacent church.	This is not agreed. Unlike the previous refused application, the additional bulk to the

	roof is modest and would not be unduly prominent in the setting of the church.
Insufficient parking. Existing residents use the visitor spaces for their second cars.	Due to the location of the site with sustainable transport links and close to amenities, the flats are well suited for low car ownership and a lower car parking provision is appropriate. The 20 flats at Mulberry Lodge would be served by 20 car spaces. This is acceptable and appropriate for the site, location and units. The reallocation of visitor spaces currently used by existing occupiers is acceptable in planning terms.
Increased congestion on surrounding roads.	As confirmed by the highway authority, the development is highly unlikely to have a material impact on surrounding roads. The existing access serving multiple units is unchanged and the location is described as highly sustainable for transport options.
The existing basement parking is difficult to use and the new parking spaces are too narrow.	The basement parking layout is unchanged. The amended surface level spaces would have a minimum width of 2.4m and minimum depth of 4.8m and so would meet the minimum parking space standards.
The flat leases state that 4 visitor parking spaces should be provided.	The Watford parking standards are maximum standards and do not require the provision or retention of visitor spaces. In planning terms, the provision of 20 spaces for 20 flats is within maximum standards and is sufficient to support the likely car needs. The allocation of these spaces is a matter for the owner/applicant. The leases, rights of existing leasees and any other legal matter on the site are a civil matter. These are not overridden by the grant of planning permission and cannot be protected or enforced under the planning process.
The additional car parking and proposed bike store are positioned in the embankment/landscaped area and are unlikely to be deliverable.	The ground level changes on site are seen and noted. The 2 parking spaces and bike storage would have indeed required large retaining walls which would not have been attractive. Due to the sustainable location of the site, additional parking spaces were not required and the spaces were removed from the

	scheme. The relocated bin storage allows for bicycle storage within the original bin store.
Development creates loss of landscaped areas and verges.	Some small areas of landscaping are lost however the site includes substantial landscaped areas and this loss would not be visually harmful.
There is insufficient bin storage for the existing flats and this will be exacerbated.	It is seen that the original bin store was too small for the original 15 flats. This has been relocated and expanded to ensure sufficient storage for the 15 existing and 5 new flats.
Noise, disturbance and inconvenience would occur from the construction.	This is not a material planning consideration.
Insufficient information has been provided about the construction process.	This is not required as part of the planning process and is not relevant to the assessment of the application.
Harmful impact to the privacy and enjoyment of existing top floor flats.	Subject to Building regulation compliance (sound insulation etc), it is not considered that there would be any unreasonable impact to other flats in the building.
The development could harm the structure of the building.	Not a material planning consideration.
The resale and rental value of the flats will go down.	Not a material planning consideration.

8 Recommendation

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

Conditions

1. The development to which this permission relates shall be begun within a period of 3 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:-

Site Location Plan 1:1250

18/3169/2 Existing site plan

18/3169/3 Rev B Proposed site plan

18/3169/4 Existing floor plans
18/3169/105 Rev B Proposed floor plans
18/3169/106 Existing elevations
18/3169/107 Proposed elevations
18/3169/8 Sections

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

3. None of the new dwellings shall be occupied until details of the size, type, siting and finish of refuse and recycling storage enclosures for the flats has been submitted to and approved in writing by the Local Planning Authority. The siting of the bin storage shall be in accordance with the approved plans. The stores approved under this condition shall be installed and made available for use prior to the occupation of any of the new dwellings and shall be retained at all times for refuse/recycling only and shall not be used for any other purpose.

Reason: In the interests of the visual appearance of the site, to ensure that adequate waste storage facilities are provided and to ensure that a suitable living environment is provided, in accordance with 'saved' policies H13 and SE7 of the Watford District Plan 2000 and Policies UD1 and SD4 of the Watford Local Plan Core Strategy 2006-31.

4. None of the new dwellings shall be occupied until details of the size, type, siting and finish of a cycle storage enclosure for the proposed flats has been submitted to and approved in writing by the Local Planning Authority. The storage approved under this condition shall be installed and made available for use prior to the occupation of any part of the development and shall be retained at all times for cycle storage only and shall not be used for any other purpose.

Reason: To ensure that secure and weatherproof cycle storage facilities are provided for future residents in accordance with Policy T10 of the Watford District Plan 2000 and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

5. All the external surfaces of the development 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: In the interests of the visual appearance of the site, pursuant to Policy UD1 of the Watford Local Plan: Core Strategy 2006 - 31.

Informatives

IN907 Consideration of proposal in a positive and proactive manner

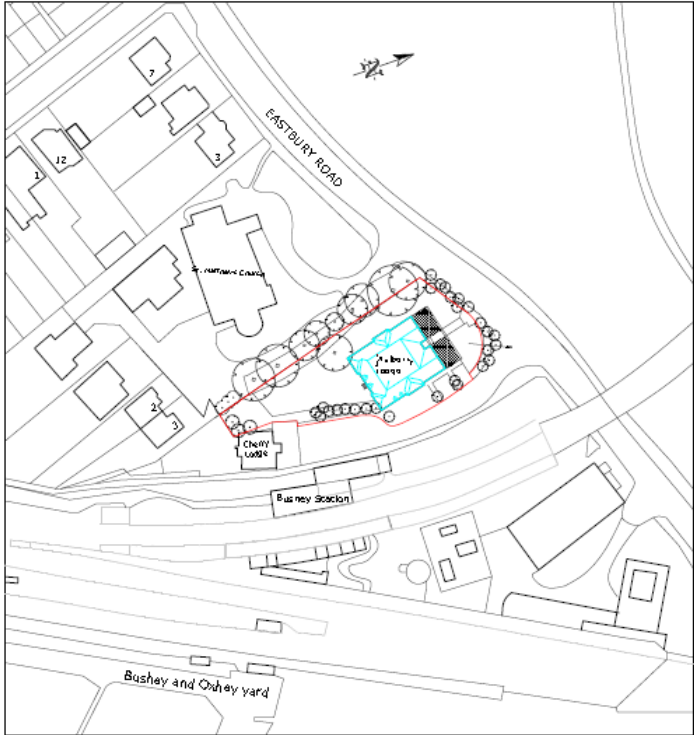
IN909 Street naming and Numbering

IN910 Building Control

IN911 Party Wall

IN912 Hours of Construction

IN913 Community Infrastructure Levy Liability



Location Plan

<i>Mulberry Lodge , Eastbury Road, Watford.</i>	
 <div>THE GILLETT MACLEOD PARTNERSHIP Chartered Architects & Town Planning Consultants <small>1 High Road Old Epsom Surrey TW20 6JF Tel. 0208 868 1333</small></div>	<div>Org. No.18/3169/1 Scale 1250@A4 Date 23/01/18 Drawn by E.R.</div>

Mulberry Lodge 18/01182/FUL

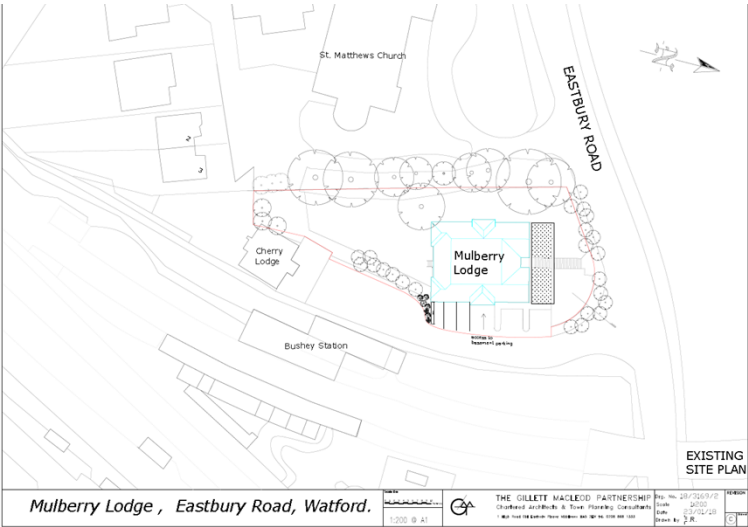
Mulberry lodge existing elevations



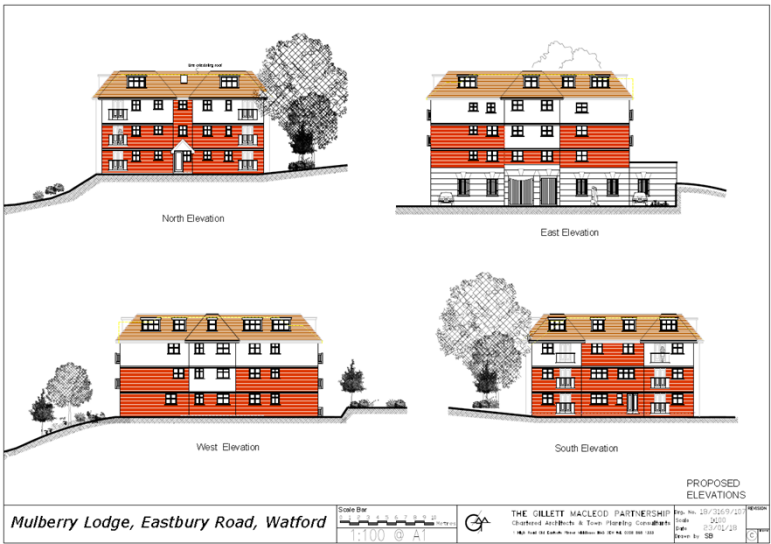
Mulberry lodge existing floor plans



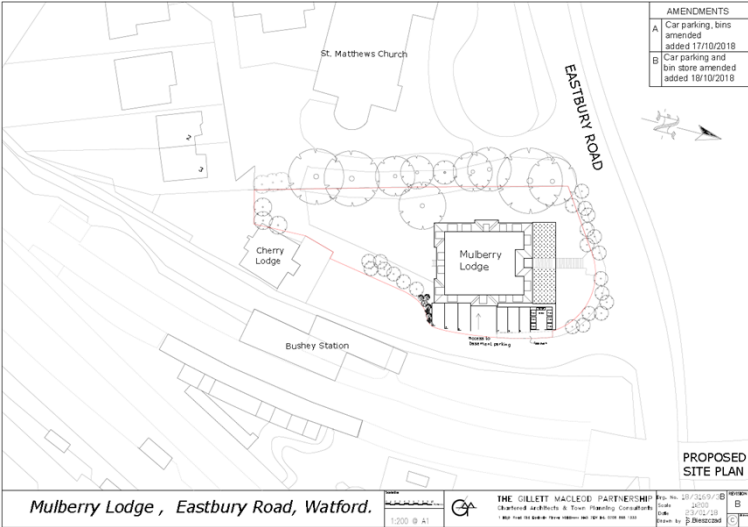
Mulberry lodge existing site plan



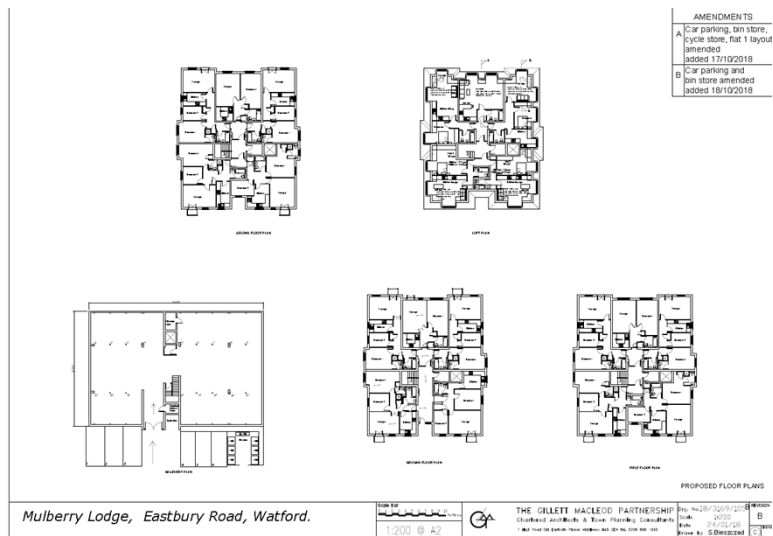
Mulberry lodge proposed elevations



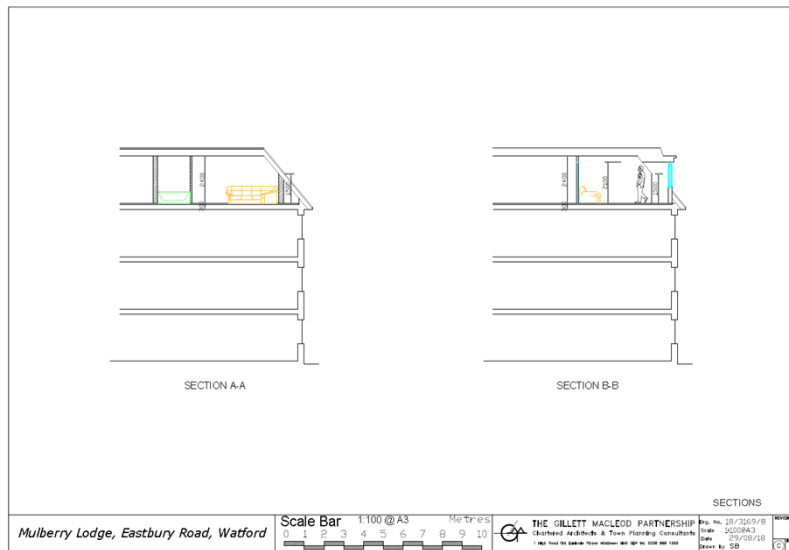
Mulberry lodge proposed site plan



Mulberry lodge proposed floor plans



Mulberry lodge sections



Agenda Item 7

PART A

Report to: Development Management Committee

Date of meeting: 03 November 2018

Report of: Development Management Section Head

Title: Review of Performance 01 April 2017 to 30 March 2018 (For Information Planning: Development Management)

Report

1. This report provides information on the performance of development management with regard to the number of planning applications determined between 1st April 2017 and 30th March 2018. It also provides information on appeal outcomes for appeals received within the same period.
2. Appendix 1 provides the performance figures against our internal target. For 2017-18, targets for minors and others were exceeded and the council fell just shy of the target for majors. Generally over 70% of applications are approved which indicates that planning officers are working with applicants and agents in a positive manner and are performing well.
3. The speed of planning decisions is now being monitored by the Department for Communities and Local Government for the purposes of designating poor performing authorities. The council is currently considered to be highly performing and is substantially exceeding the nationally prescribed standards.
4. Appendix 2 provides a summary of our performance on received appeals against our internal target of 65% being dismissed. For 2017/18 the national average is that 68% of appeals are dismissed. In 2017/18 we exceeded our target and were just below the national average.
5. Appendix 3 provides a list of all appeal decisions for new appeals received for the year ending 2017.
6. There are currently issues with performance at The Planning Inspectorate (PINs) which warrant some caution in using appeal statistics as an indicator of performance.

7. The Planning Inspectorate Annual Report for 2017/18 acknowledged that for many clients its performance was unacceptable, and fell short of the level of service it seeks to provide. An update issued on the 6th July 2018 demonstrated typical waits of 13 weeks between submission and start dates for written representations appeals and 19 weeks for hearings. Official figures indicate an average determination time of 44.3 for inquiries, 31.1 weeks for hearings and just under 20 weeks for written representation appeals.
8. Some of the issues arising from this are set out below:
 - a. The need for appeals falls away before PINs have assigned a start date. These appeals do not show on the statistics and ultimately no information is provided about the quality of the original decision.
 - b. Applicants who feel a decision is incorrect and would normally appeal are likely to seek local resolution instead, however this reduces the amount of information available about the quality of the authority's own decisions
 - c. Due to the delays the appeal decisions do not provide responsive up to date information with regard to any changing policies or priorities.
 - d. Due to the delays any issues of quality could have existed for a substantial period before coming to light through appeal decisions.
9. Given these issues it is important to consider the appeals figures, but officers recommended that the Development Management Committee continues to seek and attribute greater weight to the feedback of officers about recent decisions and emerging issues which is more responsive and up to date.
10. The Department for Communities and Local Government sets quality criteria for planning decisions which are based on success at appeal. The measure to be used for this is the percentage of the total number of decisions made by the authority on applications that are then subsequently overturned at appeal. The assessment period for this measure is the two years up to and including the most recent quarter for which data on planning application decisions are available at the time of designation.
11. At the last assessment period (June 2017) the Ministry of Housing, Communities & Local Governments (MHLG) Live Tables P152 and P154

show Watford's performance was clear of the 10% designation threshold. At this time 1.4% of non-major decisions were overturned and 5.6% of major decisions were overturned. The 5.6% figure for major applications was based on only two appeals being allowed.

12. The MHLG is likely to lower the threshold for designation in 2019 but have not yet published it, nor would it be possible to provide any accurate information of our performance against this threshold based on the data in this report. However, the last major application which was allowed at appeal was Caledonian House (allowed on 13 April 2017) 18 months ago and which was included within the previous assessment period. As such our performance would currently be better than when last reported.
13. The Development Management Committee is asked to note that the quality measure for major applications is particularly sensitive to appeal decisions due to the low total number of such applications.

Recommendation

That the committee note the performance of Development Management.

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Tel: 01923 278283

Appendix 1 – Applications Performance

Performance April 2017 – March 2018

Timescales					
	Total	Determined within agreed time	Not determined in agreed time	% in agreed time	Our Target
Majors	23	20	3	87%	90%
Minors	211	198	13	94%	92%
Others	536	509	27	95%	92%

Outcomes

	Total	Approved	Refused	% approved
Majors	23	17	6	74%
Minors	211	148	63	70%
Others	536	410	126	76%

Appendix 2 – Appeals Performance

Table 1 Appeals received in period (Pins assigned start date)							
Year	Total	Decisions Received	Dismissed	Allowed	Undecided or Withdrawn	Performance on decided appeals	Our Target
1 Jan 2017 – 31 Dec 2018	28	27	18	9	1	67%	65%

Our Ref	Appeal Ref	Ward	Address	Appeal Type	Decision Date	LPA Decision	Outcome	Note
16/01059/FULH	APP/Y1945/W/ 16/3162840	Leggatts	4A Ash Tree Road Watford WD24 6RT	Householder	08-May-17	Delegated	Dismissed	
16/00560/FUL	APP/Y1945/W/ 16/3161746	Callowland	Land Adjacent 1 Cromer Road Watford Hertfordshire	Written Representation	18-May-17	Delegated	Dismissed	
16/01200/FUL	APP/Y1945/W/ 17/3167283	Woodside	127 And 129 High Road Watford WD25 7AP	Written Representation	26-May-17	Committee	Dismissed	Committee Overturn of officers' recommendation
16/01577/FUL	APP/Y1945/D/1 7/3170286	Woodside	5 Newlands Walk Watford WD25 0NA	Householder	14-Jun-17	Committee	Allowed	Committee Overturn of officers' recommendation
16/00946/FUL	APP/Y1945/W/ 16/3165400	Leggatts	Land To The Rear Of 177-187 Gammons Lane Watford	Written Representation	16-Jun-17	Delegated	Allowed	
16/01373/COU	APP/Y1945/W/ 17/3168116	Stanborough	786 St Albans Road Watford WD25 9FH	Written Representation	16-Jun-17	Delegated	Dismissed	
16/01332/FUL	APP/Y1945/W/ 16/3165807	Central	19 - 21 The Parade High Street Watford WD17 1LQ	Written Representation	16-Jun-17	Delegated	Dismissed	
16/00596/FUL	APP/Y1945/W/ 16/3162669	Stanborough	58 Fern Way Watford Hertfordshire WD25 0HG	Written Representation	22-Jun-17	Delegated	Allowed	
16/01734/FULH	APP/Y1945/D/1 7/3173451	Central	18 Sutton Road Watford WD17 2QF	Householder	10-Jul-17	Delegated	Allowed	
17/00403/FULH	APP/Y1945/D/1 7/3177134	Oxhey	27 Watford Heath Watford WD19 4EU	Householder	18-Aug-17	Delegated	Dismissed	
17/00354/FULH	APP/Y1945/D/1 7/3178846	Nascot	37 Park Road Watford WD17 4QW	Householder	14-Sep-17	Delegated	Allowed	
17/00071/FUL	APP/Y1945/W/ 17/3176206	Vicarage	44 Park Avenue Watford WD18 7HP	Written Representation	27-Sep-17	Delegated	Dismissed	
17/00224/FULH	APP/Y1945/D/1 7/3175907	Park	11 Parkside Drive Watford WD17 3AS	Householder	06-Oct-17	Delegated	Dismissed	
17/00351/FULH	APP/Y1945/D/1 7/3181283	Meriden	31 Fourth Avenue Watford WD25 9QB	Written Representation	06-Oct-17	Delegated	Dismissed	
17/00516/FULH	APP/Y1945/D/1 7/3180035	Stanborough	26 Westwick Place Watford WD25 0FD	Written Representation	01-Nov-17	Delegated	Dismissed	
16/01352/FUL	APP/Y1945/W/ 17/3177024	Vicarage	105 Vicarage Road Watford WD18 0EY	Written Representation	09-Nov-17	Delegated	Allowed	

17/00151/FUL	APP/Y1945/W/ 17/3178133	Vicarage	105 Vicarage Road Watford WD18 0EY	Written Representation	09-Nov-17	Non-Determin	Allowed	
17/00411/FULH	APP/Y1945/W/ 17/3178472	Holywell	42 Omega Court The Gateway Watford WD18 7HG	Written Representation	13-Nov-17	Delegated	Dismissed	
17/00381/FUL	APP/Y1945/D/1 7/3186724	Nascot	55 Park Road Watford WD17 4QJ	Written Representation	28-Nov-17	Delegated	Dismissed	
17/00450/FUL	APP/Y1945/W/ 17/3182794	Central	55A Sotheron Road Watford WD17 2QB	Written Representation	01-Dec-17	Delegated	Dismissed	
17/00270/FUL	APP/Y1945/W/ 17/3182792	Stanborough	2 Clarke Way Watford Hertfordshire WD25 0BH	Written Representation	11-Dec-17	Delegated	Dismissed	
16/01589/LDC	APP/Y1945/X/1 7/3172977	Nascot	11 Malden Road Watford WD17 4EN	Written Representation	26-Jan-18	Delegated	Allowed	
17/00003/LDC	APP/Y1945/X/1 7/3175148	Park	282 Cassiobury Drive Watford WD17 3AP	Written Representation	26-Jan-18	Delegated	Dismissed	
17/00050/LDC	APP/Y1945/X/1 7/3177266	Park	Park Nursery 3 Park Avenue Watford WD18 7HR	Written Representation	26-Jan-18	Delegated	Dismissed	
16/00292/LDC	APP/Y1945/X/1 6/3163930	Park	The Old Orchard Grove Mill Lane Watford Hertfordshire WD17 3TU	Public Inquiry	04-May-18	Delegated	Dismissed	
17/00894/LDC	APP/Y1945/X/1 7/3184031	Park	152 Woodland Drive Watford WD17 3DB	Written Representation	11-May-18	Delegated	Allowed	
16/01281/FULH	APP/Y1945/D/1 6/3164701	Tudor	40 Munden Grove Watford WD24 7EE	Householder	NA	Delegated	Dismissed	
17/00096/HPD	APP/Y1945/D/1 7/3175166	Oxhey	79 Oxhey Avenue Watford WD19 4HB	Householder	NA	Delegated	Withdrawn	

Appeals							
	DCCREF	INSPDEPTREF	PROCEDURE	DATEAPPDEC		WARD	ADDRESS
Appeals - Appeal Allowed							
	16/00946/FUL	APP/Y1945/W/16/3165400	Written Representation	16-Jun-17	Allowed	Leggatts	Land To The Rear Of 177-187 Gammons Lane Watford
	16/00596/FUL	APP/Y1945/W/16/3162669	Written Representation	22-Jun-17	Allowed	Stanborough	58 Fern Way Watford Hertfordshire WD25 0HG
	16/01577/FUL	APP/Y1945/D/17/3170286	Householder	14-Jun-17	Allowed	Woodside	5 Newlands Walk Watford WD25 0NA
	16/01734/FULH	APP/Y1945/D/17/3173451	Householder	10-Jul-17	Allowed	Central	18 Sutton Road Watford WD17 2QF
	17/00354/FULH	APP/Y1945/D/17/3178846	Householder	14-Sep-17	Allowed	Nascot	37 Park Road Watford WD17 4QW
	16/01352/FUL	APP/Y1945/W/17/3177024	Written Representation	09-Nov-17	Allowed	Vicarage	105 Vicarage Road Watford WD18 0EY
	17/00151/FUL	APP/Y1945/W/17/3178133	Written Representation	09-Nov-17	Allowed	Vicarage	105 Vicarage Road Watford WD18 0EY
	16/01589/LDC	APP/Y1945/X/17/3172977	Written Representation	26-Jan-18	Allowed	Nascot	11 Malden Road Watford WD17 4EN
	17/00894/LDC	APP/Y1945/X/17/3184031	Written Representation	11-May-18	Allowed	Park	152 Woodland Drive Watford WD17 3DB
Appeals - Appeal Dismissed							
	16/00292/LDC	APP/Y1945/X/16/3163930	Public Inquiry	04-May-18	Dismissed	Park	The Old Orchard Grove Mill Lane Watford Hertfordshire WD17 3TU
	16/01059/FULH	APP/Y1945/W/16/3162840	Householder	08-May-17	Dismissed	Leggatts	4A Ash Tree Road Watford WD24 6RT
	16/00560/FUL	APP/Y1945/W/16/3161746	Written Representation	18-May-17	Dismissed	Callowland	Land Adjacent 1 Cromer Road Watford Hertfordshire
	16/01373/COU	APP/Y1945/W/17/3168116	Written Representation	16-Jun-17	Dismissed	Stanborough	786 St Albans Road Watford WD25 9FH
	16/01200/FUL	APP/Y1945/W/17/3167283	Written Representation	26-May-17	Dismissed	Woodside	127 And 129 High Road Watford WD25 7AP
	16/01332/FUL	APP/Y1945/W/16/3165807	Written Representation	16-Jun-17	Dismissed	Central	19 - 21 The Parade High Street Watford WD17 1LQ

	17/00071/FUL	APP/Y1945/W/17/3176206	Written Representation	27-Sep-17	Dismissed	Vicarage	44 Park Avenue Watford WD18 7HP
	17/00403/FULH	APP/Y1945/D/17/3177134	Householder	18-Aug-17	Dismissed	Oxhey	27 Watford Heath Watford WD19 4EU
	17/00224/FULH	APP/Y1945/D/17/3175907	Householder	06-Oct-17	Dismissed	Park	11 Parkside Drive Watford WD17 3AS
	17/00516/FULH	APP/Y1945/D/17/3180035	Written Representation	01-Nov-17	Dismissed	Stanborough	26 Westwick Place Watford WD25 0FD
	17/00411/FULH	APP/Y1945/W/17/3178472	Written Representation	13-Nov-17	Dismissed	Holywell	42 Omega Court The Gateway Watford WD18 7HG
	17/00351/FULH	APP/Y1945/D/17/3181283	Written Representation	06-Oct-17	Dismissed	Meriden	31 Fourth Avenue Watford WD25 9QB
	17/00003/LDC	APP/Y1945/X/17/3175148	Written Representation	26-Jan-18	Dismissed	Park	282 Cassiobury Drive Watford WD17 3AP
	17/00450/FUL	APP/Y1945/W/17/3182794	Written Representation	01-Dec-17	Dismissed	Central	55A Sotheron Road Watford WD17 2QB
	17/00270/FUL	APP/Y1945/W/17/3182792	Written Representation	11-Dec-17	Dismissed	Stanborough	2 Clarke Way Watford Hertfordshire WD25 0BH
	17/00050/LDC	APP/Y1945/X/17/3177266	Written Representation	26-Jan-18	Dismissed	Park	Park Nursery 3 Park Avenue Watford WD18 7HR
	17/00381/FUL	APP/Y1945/D/17/3186724	Written Representation	28-Nov-17	Dismissed	Nascot	55 Park Road Watford WD17 4QJ
Appeals - Appeal In Progress							
	16/01281/FULH	APP/Y1945/D/16/3164701	Householder			Tudor	40 Munden Grove Watford WD24 7EE
	17/00096/HPD	APP/Y1945/D/17/3175166	Householder			Oxhey	79 Oxhey Avenue Watford WD19 4HB