

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

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 2nd 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 3rd 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.

9.0 Human Rights Implications

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

10.0 Recommendation

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

3. This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other building control legislation. Nor does it override any private rights which any person may have relating to the land affected by this decision.

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

4. 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

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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