

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

1. Summary

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

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

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

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

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

2. Background

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

3. Site and Surroundings

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

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

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

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

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

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

4. Proposed Development

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

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

5. Planning History

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

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

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

6. Relevant Policies

National Planning Policy Framework

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

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

- Requiring Good Design
- Decision Taking

The Development Plan

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

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

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

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

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

The Watford District Plan 2000 (saved policies)

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

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

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

There are no policies that are relevant to this case.

Hertfordshire Minerals Local Plan (saved policies)

There are no policies that are relevant to this case.

Supplementary Planning Guidance

The following Supplementary Planning Documents are relevant to this application:

Residential Design Guide (SPD adopted July 2014)

Background Documents

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

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

7. Consultations

7a. Neighbour consultations

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

7b. Statutory consultations

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

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

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

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

Advisory Note.

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

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

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

Reason: In the interest of highway users safety

Details: Planning Application'

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

Site and surrounding

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

Local Road Network

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

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

Accessibility.

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

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

Access and Parking

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

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

Conclusion

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

8. Appraisal

8a. Change of use to residential

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

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

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

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

8b. Demolition

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

8c. Design

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

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

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

8d. Windows

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

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

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

8e. Walls

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

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

8f. Roofs

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

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

8g. Internal space standards

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

FLAT 1

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

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

FLAT 2

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

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

FLAT 3

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

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

FLAT 4

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

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

FLAT 5

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

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

FLAT 6

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

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

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

FLAT 7

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

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

FLAT 8

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

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

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

FLAT 9

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

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

8h. Stores

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

8i. Impact on neighbouring properties

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

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

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

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

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

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

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

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

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

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

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

9. Consideration of objections received

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

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

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

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

10. Community Infrastructure Levy (CIL)

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

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

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

11. Conclusion

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

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

12. Human rights implications

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

13. Decision Level: Delegated

14. Recommendation: Conditional Planning Permission

15. Conditions

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

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

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

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

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

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

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

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

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

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

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

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

16. Informatives

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

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

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

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

Case Officer: Mr Max Sanders

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