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| PART A | |
| Report of: Head of Development Management | |
| Date of committee: | 15 February 2017 |
| Site address: | 2, Melrose Place |
| Reference Number: | 16/01676/FUL |
| Description of Development: | Erection of an attached, 3 storey house |
| Applicant: | Mr V T Shanmugan |
| Date Received: | 09 January 2017 |
| 13 week date (major): | 06 March 2017 |
| Ward: | Nascot |

1.0 Site and surroundings

- 1.1 The site is located at the junction of Melrose Place and Wentworth Close and close to the junction with Hempstead Road. It comprises an end-of-terrace, 3 storey house built in the 1970s. The surrounding area is characterised by 2 and 3 storey housing comprising primarily detached and terraced houses built in the 1970s and 1980s.

2.0 Proposed development

- 2.1 To erect a 3 storey, attached house with single storey side extension within the side garden area of the application property. The house will have 5 bedrooms and 2 car parking spaces on the frontage.

3.0 Relevant planning history

- 3.1 9/203/79 – Planning permission refused in May 1979 for a single storey side extension.

9/561/87 – Planning permission granted in December 1987 for a single storey rear extension.

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**

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|------|--|
| WBC1 | Presumption in favour of sustainable development |
| SS1 | Spatial Strategy |
| SD1 | Sustainable Design |
| SD2 | Water and Wastewater |
| SD3 | Climate Change |
| SD4 | Waste |
| HS1 | Housing Supply and Residential Site Selection |
| HS2 | Housing Mix |
| INF1 | Infrastructure Delivery and Planning Obligations |
| UD1 | Delivering High Quality Design |
| GI1 | Green Infrastructure |

4.4 **Watford District Plan 2000**

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|------|--|
| SE7 | Waste Storage, Recovery and Recycling in New Development |
| SE37 | Protection of Trees, Woodlands and Hedgerows |
| SE39 | Tree and Hedgerow Provision in New Development |
| T10 | Cycle Parking Standards |
| T21 | Access and Servicing |
| T22 | Car Parking Standards |
| T24 | Residential Development |

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

No relevant policies.

4.6 Hertfordshire Minerals Local Plan Review 2002-2016

No relevant policies.

4.7 Supplementary Planning Documents

The following Supplementary Planning Documents are relevant to the determination of this application, and must be taken into account as a material planning consideration.

4.8 *Residential Design Guide*

The Residential Design Guide was adopted in July 2014. It provides a robust set of design principles to assist in the creation and preservation of high quality residential environments in the Borough which will apply to proposals ranging from new individual dwellings to large-scale, mixed-use, town centre redevelopment schemes. The guide is a material consideration in the determination of relevant planning applications.

4.9 *Watford Character of Area Study*

The Watford Character of Area Study was adopted in December 2011. It is a spatial study of the Borough based on broad historical character types. The study sets out the characteristics of each individual character area in the Borough, including green spaces. It is capable of constituting a material consideration in the determination of relevant planning applications.

4.10 National Planning Policy Framework

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

Achieving sustainable development

The presumption in favour of sustainable development

Core planning principles

Section 1 Building a strong, competitive economy

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Decision taking

5.0 Consultations

5.1 Neighbour consultations

The following properties were notified:

4, 6, 8, Melrose Place
1, 3, 5, 7, 4, 6, 8, 10, Wentworth Close
203, 205, 207A, Hempstead Road

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

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|-----------------------------------|----|
| Number of original notifications: | 14 |
| Number of objections: | 32 |
| Number in support: | 0 |
| Number of representations: | 0 |
| TOTAL REPRESENTATIONS: | 32 |

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

| Representations | Officer's response |
|--|--|
| Loss of existing trees in the side garden area. | These trees were lawfully removed as they were not subject to a tree preservation order. |
| High level of on-street parking on Melrose Place and at junction with Wentworth Close. Traffic hazards. | This is discussed in Section 6.5 of the report. |
| Single storey side extension will reduce visibility of vehicles at the Melrose Place/Wentworth Close junction. | The side extension will not infringe the visibility splay at this junction. |

Other issues have been raised which relate to the renting of the property, its maintenance, covenants on the land and issues of water supply and sewerage which are not planning considerations.

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

5.3 **Statutory publicity**

No statutory advertisement was required for this application.

5.4 **Technical consultations**

The following responses have been received from technical consultees:

Hertfordshire County Council (Highway Authority)

No comments received.

Arboricultural Officer

The proposals will not affect any trees subject to TPO No.8 on the adjacent land.

The boundary fences should provide adequate protection to the protected trees.

6.0 Appraisal

6.1 Main issues

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

- (a) Character and appearance of the area.
- (b) Scale and design.
- (c) Residential accommodation.
- (d) Car parking.
- (e) Trees and landscaping.

6.2 (a) Character and appearance of the area

Melrose Place was developed in 2 phases. The initial phase was in the mid-1960s and comprised 3 terraces of 3 storey houses (nos. 2-8, 10-18 and 3-15). The road was then extended to include 2 blocks of flats (nos. 20-34 and 17-35) and 2 storey houses (nos. 36-64 and 37-53) in the late 1980s.

6.2.1 Wentworth Close was also initially developed in the mid-1960s at the same time as the first phase of Melrose Place, comprising detached, 2 storey houses on the northern side (nos. 1- 17) and a terrace of 3 storey houses on the southern side (nos. 4-26). The road was extended in the mid-1980s with a further development of detached houses.

6.2.2 The character of the area is therefore of large, family houses with the 4 terraced blocks of 3 storey houses giving the immediate locality a distinctive appearance. The proposed house has been designed as an extension of the existing terrace and to visually complement the existing terrace and appear as a natural extension of it. This is considered to be an acceptable approach.

6.2.3 The road junctions between Hempstead Road/Wentworth Close and Wentworth Close/Melrose Place are close together (30m apart) and are quite open in their character. In addition to the belt of trees along the Hempstead Road frontage, the Hempstead Road junction also includes 2 areas of open grass either side of the junction. All of the existing houses on Wentworth Close and Melrose Place are set

back from the road frontages although there is no consistent building line. The set back on the northern side of Wentworth Close is 6.5m (with single storey projecting garages) and on the southern side it varies from 9m (no.4) to 15m (no.26). The existing house at 2, Melrose Place is set back 12m from Wentworth Close. The proposed house will be set back 4.5m, with the single storey side extension extending out to the boundary. The proposed house will not impact on the openness of the Hempstead Road junction and the set back of the main house and the small scale of the side extension, will maintain the open character of Wentworth Close.

- 6.2.4 Overall, it is not considered that the proposal will have any adverse impact on the character and appearance of the area.

6.3 (b) Scale and design

The proposed house is designed as an extension of the existing terrace of houses. It is 1m wider than the existing houses in the terrace but has the same depth and the same shallow pitched roof and ridgeline. The fenestration on the front elevation has been designed to match the existing houses, including the projecting balcony at first floor, but no integral garage is included at ground floor (2 windows are proposed). On the rear elevation, the proportions of the windows are similar but not matching. The existing materials of the houses in the terrace comprise a pale grey facing brick with mid-grey hanging tiles and a brown roof tile. It is proposed to use matching materials for the new house. Given that the original materials are unlikely to still be manufactured, it will be important to source alternative materials that provide a good match. These can be secured by condition.

6.4 (c) Residential accommodation

The proposed house has 5 bedrooms (3 double and 2 single) suitable for 8 persons. The minimum floorspace required for a dwelling of this size over 3 storeys in the nationally described space standard is 134m². The proposal has an internal floorarea of 184.5m² which significantly exceeds this standard.

- 6.4.1 All of the rooms will have good levels of outlook, natural light and privacy. Two internal store rooms of 4.4m² and 6.4m² are also provided. The proposed garden area is 99m² which is in excess of the 95m guideline for a dwelling of this size. A garden area of 65m² is retained for the existing house, which is also acceptable.

- 6.4.2 The proposal also incorporates a bin store and a cycle store with direct access from Melrose Place.

6.5 (d) Car parking

The proposal will incorporate 2 car parking spaces on the site frontage and will

retain the existing 2 car parking spaces for the existing house. This level of provision is acceptable and accords with the Council's maximum parking standard of 3 spaces for a dwelling of this size.

- 6.5.1 It is acknowledged that all of the objectors have raised concerns regarding the existing on-street parking situation in Melrose Place and Wentworth Close, however, all of the existing houses have on-site parking provision in the form of garages and parking spaces. Any on-street parking issue arising from existing levels of car ownership is not a ground for refusing the current application. The site is not within a controlled parking zone so no restrictions can be placed on the number of cars parking on-street. Both roads are unclassified and are residential cul-de-sacs serving only the houses within them with no through traffic or commercial traffic using the roads. As such, any parking issues are caused by and affect only the existing residents.

6.6 (e) Trees and landscaping

The side garden area previously contained a number of large trees which were removed, according to local residents, in June 2016. These trees were not preserved their removal was lawful. Trees along the rear boundary of the site, bordering Hempstead Road, are covered by TPO 8. These trees have been retained. The Council's Arboricultural Officer is satisfied the proposed new house will have no adverse impact on these trees.

7.0 Community Infrastructure Levy and planning obligation

7.1 Community Infrastructure Levy (CIL)

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. The CIL charge covers a wide range of infrastructure as set out in the Council's Regulation 123 list, including highways and transport improvements, education provision, youth facilities, childcare facilities, children's play space, adult care services, open space and sports facilities. CIL is chargeable on the relevant net additional floorspace created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted.

The CIL charge applicable to the proposed residential development is £120 per sqm. The charge is based on the net increase of the gross internal floor area of the proposed development. The proposed house has a gross internal area of 184.5m which equates to a CIL charge of £22,080. 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.

7.2 S.106 planning obligation

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. On and from this date, s.106 planning obligations can only be used to secure 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. There is no requirement for a planning obligation in this case.

8.0 CONCLUSION

- 8.1 There is no objection in principle to the erection of a new house on this site. The proposed house has been designed as an extension of the existing terrace of houses and will complement the character and appearance of the locality. It will provide a good standard of accommodation for future occupiers.
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9.0 Human Rights implications

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

That planning permission be granted subject to the following 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:-

3040/P/71B, 72C, 73B, 74B, 75B, 76B, 77B

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

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

Reason: In the interests of the visual appearance of the building, the streetscene and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31. This is a pre-commencement condition as the materials need to be agreed with the Local Planning Authority before construction commences.

4. No construction works shall commence until full details of a soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the retention of the existing trees along the western boundary, measures to protect these trees during construction works, and new tree planting within the site. The approved tree protection measures shall be implemented before construction works commence and shall be retained throughout the construction period. The approved planting scheme shall be carried out not later than the first available planting and seeding season after completion of the development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

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

5. The new dwellings hereby approved shall not be occupied until full details of a hard landscaping scheme, including details of all site boundary treatments and all fencing within the site, have been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details.

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

6. The new dwellings hereby approved shall not be occupied until a sustainable drainage scheme for the drainage of the car parking spaces has been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been implemented in full.

Reason: To prevent surface water flowing on to the public highway.

Drawing numbers

3040/L/01B, 02B

3040/P/01, 02

3040/P/71B, 72C, 73B, 74B, 75B, 76B, 77B

Case Officer: Paul Baxter

Email: paul.baxter@watford.gov.uk

Tel: 01923 278284