

PART A	
Report of: Head of Development Management	
Date of committee:	26th July 2017
Site address:	77 and 77a, Eastbury Road
Reference Number:	17/00478/FUL
Description of Development:	Erection of two storey extensions to 77 and 77a Eastbury Road and conversion to 2 x 3 bedroom and 2 x 2 bedroom flats. Erection of detached building comprising 2 x 2 bedroom flats. New parking provision of 6 spaces plus associated garden areas and landscaping.
Applicant:	Mr P Leneghan
Date Received:	11th April 2017
13 week date (major):	6th June 2017 (extended by agreement to 28th July 2017)
Ward:	Oxhey

1.0 Site and surroundings

- 1.1 The site is located at the junction of Eastbury Road and Thorpe Crescent. It comprises a pair of semi-detached houses and a vacant plot of land adjoining 3, Thorpe Crescent. The houses are set at an angle to both roads and face towards the junction. They form part of an area of municipal housing built in the 1920s centred around Thorpe Crescent. This part of Eastbury Road is characterised by detached and semi-detached family houses. The adjoining Thorpe Crescent is characterised by semi-detached houses and short terraces of houses.

2.0 Proposed development

- 2.1 To erect 2 storey side and single storey rear extensions to both houses and the conversion of each house into 2 flats comprising a 3 bed flat at ground floor and a 2 bed flat at first floor (a total of 2 x 3 bed and 2 x 2 bed flats). The erection of a detached, 2 storey building on the vacant plot adjoining 3, Thorpe Crescent to provide 2 x 2 bed flats. Six parking spaces will be provided for the 6 flats, with 1 accessed from Eastbury Road (utilising an existing crossover) and 5 accessed from Thorpe Crescent.

3.0 Relevant planning history

3.1 There is no planning history of relevance to the current application.

4.0 Planning policies

Development plan

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

- (a) *Watford Local Plan Core Strategy 2006-31;*
- (b) the continuing “saved” policies of the *Watford District Plan 2000*;
- (c) the *Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026*; and
- (d) the *Hertfordshire Minerals Local Plan Review 2002-2016*.

4.2 The *Watford Local Plan Part 2: Publication Version* was published in July 2016. This has been subject to 3 rounds of public consultation – Nov-Dec 2013, Dec 2014-Feb 2015 and Dec 2015-Feb 2016. It contains development management policies and site allocations. The emerging policies and site allocations in this document can be given limited weight at this time.

4.3 Supplementary Planning Documents

Residential Design Guide
Watford Character of Area Study

4.4 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

4.5 In January 2016 the Council received the South West Hertfordshire Strategic

Housing Market Assessment and associated Economic Study 2016 (SHMA) which set out an Objectively Assessed Need (OAN) for housing in the Borough that exceeds the levels in the Core Strategy. At current the Council's allocations do not provide a five year supply of deliverable housing land based on the OAN contained within the SHMA. The SHMA forms only part of the evidence based for the next iteration of the local plan and further work is being undertaken in relation to capacity assessment and allocations, however it is a material consideration which needs to be taken into account.

- 4.6 Having regard to the SHMA the most recent evidence suggests that policies relating to targets for the delivery of housing within the Watford Local Plan Core Strategy 2006-31 are out of date. Accordingly, applications for housing should be considered against the second test for decision taking in paragraph 14 of the NPPF applications for housing should be granted permission unless any adverse consequences of doing so would demonstrably and significantly outweigh the benefits when assessed against the policies of the Framework.

5.0 Consultations

5.1 Neighbour consultations

Letters were sent to 13 properties in Eastbury Road and Thorpe Crescent. Five letters of objection have been received. The points that have been raised are summarised and considered in the table below.

Representations	Officer's response
Inadequate car parking provision. Thorpe Crescent is already congested.	See paragraphs 6.5-6.5.2.
Overdevelopment of the site. Loss of garden land.	The proposal meets all relevant guidelines in the Residential Design Guide.
Overlooking of property at 2, Thorpe Crescent.	This property is situated on the opposite side of Thorpe Crescent and will face the new building in the same way as all properties in the road face each other.
Loss of light to 4, Thorpe Crescent.	This property is situated on the opposite side of Thorpe Crescent and faces the existing house at 3, Thorpe Crescent. The new building will have no impact on light to this property.
Overlooking at garden area of 73, Eastbury Road.	See paragraph 6.6.1. No.73 is situated the other side of no.75.

Loss of sunlight to garden area of 73, Eastbury Road.	The proposed extensions and the new building will have no impact on sunlight to the garden area of no.73.
Loss of light to 75, Eastbury Road.	See paragraph 6.6.1.
Loss of sunlight to garden area 75, Eastbury Road.	The new building is situated 8-10m from the garden boundary of no.75 and sited to the south-west. Given the scale of the building, it will have no adverse impact on sunlight to the garden area.

5.2 Statutory publicity

No statutory advertisement was required for this application.

5.3 Technical consultations

The following responses have been received from technical consultees:

Hertfordshire County Council (Highway Authority)

Has raised no objection to the proposal.

Arboricultural Officer

The proposal will not have any detrimental effect on the roadside Plane tree. The proposed landscape scheme is considered acceptable.

6.0 Appraisal

6.1 Main issues

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

- (a) Principle of development.
- (b) Character of area and design.
- (c) Quality of proposed accommodation.
- (d) Car and cycle parking.
- (e) Impact on adjoining properties.

6.2 (a) Principle of development

The site is within an established residential area characterised by 2 storey family housing. In this context, there is no objection in principle to the provision of new residential accommodation. Although the proposal will result in the loss of the 2 existing 3 bedroom houses, it will provide 2 family sized, 3 bed units together with 4 x 2 bed units. The proposal will therefore maintain 2 larger family units on the site whilst also providing additional accommodation in the locality. The provision of the detached building on the vacant plot of land is also acceptable in principle.

6.3 (b) Character of area and design

The proposed extensions comprise 2 storey side extensions and single storey rear extensions to each house. These extensions fully comply with the guidelines in the Residential Design Guide, are subservient to the existing houses and allow the appearance of the existing semi-detached pair of houses to be retained within the streetscene. Hipped roofs are incorporated that tie back into the main roof of each house. As such, the scale and design of the extensions is acceptable and maintains the character and appearance of the locality.

- 6.3.1 The design of the new detached building, incorporating a hipped roof, complements the scale and design of the existing houses in the locality and is acceptable. The siting of the building continues both the front and rear building lines of the existing properties in Thorpe Crescent. The proposed building will replace the unsightly and overgrown plot of land and will enhance the character and appearance of the area.

6.4 (c) Quality of proposed accommodation

All of the proposed 6 flats will exceed the nationally described space standards, will have good internal layouts, and will have good levels of outlook, natural light and privacy. Each flat will have a private garden area that meets or exceeds the minimum garden sizes in the Residential Design Guide, with the exception of 1 of the 2 bed flats which will have a garden area of only 33m² (minimum 50m² required). Overall, the proposal will provide good quality accommodation for future occupiers.

6.5 (d) Car and cycle parking

Six car parking spaces are proposed for the 6 flats. One parking space already exists with access via a crossover on Eastbury Road. This will be retained and is acceptable. Five new parking spaces will be created off Thorpe Crescent. At present, a double crossover exists on Thorpe Crescent serving no.77a. This will be closed up and 2 new crossovers created. The Highway Authority has no objection to the formation of these crossovers. They will be sited further away from the road junction with Eastbury Road and will therefore be an improvement in terms of road safety.

- 6.5.1 The new crossovers will result in the loss of 2 on-street parking spaces. Parking on Thorpe Crescent is currently unrestricted. Most properties were not built with on-site parking but many have had their front gardens converted into parking space. Nevertheless, demand for on-street parking appears to be high. The loss of 2 on-street spaces will exacerbate this pressure. However, the benefits of the proposal – the provision of additional residential accommodation and the development of the

vacant plot of land – are considered to outweigh the disbenefits in this case.

6.5.2 One secure cycle store is provided for each flat, which is acceptable.

6.6 (e) Impact on adjoining properties

The proposed detached building will be sited alongside the flank elevation of 3, Thorpe Crescent and will align with the front and rear building lines of this property and the short terrace (nos. 3-9, odds) of which it forms the end dwelling. At first floor level in the new building is 1 window to a kitchen, which will have oblique views over the adjoining garden area of no.3. However, this is a normal relationship in urban areas and is the same relationship with the attached property at no.5.

6.6.1 The adjoining property on Eastbury Road is no.75. The proposed extensions to the existing houses will not breach a 45° line of obstruction taken from any of the windows in this property. As such, the proposal will have no adverse impact on the outlook or natural light to this property. The only other potential impact is on the garden area of no.75 which could experience additional overlooking from first floor windows. In the case of the new building, the only window overlooking the garden area is the first floor kitchen window. This is a non-habitable room and will overlook the far end of the garden area which is 23m deep. Within the extended existing houses, the only windows at first floor will be the existing bedroom windows which will remain unchanged. All the new windows at first floor level are sited on the side elevation of the 2 storey extensions and will result in no overlooking.

7.0 Community Infrastructure Levy and Planning Obligations

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 development is £120 m².

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 The proposal will provide 6 units of accommodation, including 2 x 3 bed family units, within this established residential area. The extensions to the existing houses fully accord with the Residential Design Guide and will remain subservient to the existing houses. The proposed new building will bring into use a vacant plot of land and will sit comfortably alongside 3, Thorpe Crescent. Overall, the proposal will enhance the character and appearance of the area.
- 8.2 The proposed units will provide good quality accommodation for future occupiers with an acceptable level of on-site parking provision. The proposal will have no adverse impacts on adjoining properties.
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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:

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:-

900/16/03, 04, 05, 06

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

3. No development shall commence until details of the materials to be used for the external walls and the roof 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, 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 dwelling hereby approved shall be occupied until the following works have been carried out in full:
 - i) The construction of the 6 car parking spaces and associated crossovers as shown on drawing no. 900/16/05;
 - ii) The construction of the 3 cycle/bin stores as shown on drawing nos. 900/16/05 and 900/16/10;
 - iii) The formation of the private garden areas, including all fencing and paved areas, as shown on the approved Landscape Scheme drawing dated 28th March 2017.

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

5. The soft landscaping scheme, as shown on the approved Landscape Scheme drawing dated 28th March 2017, shall be carried out in the first available planting season following the 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, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

Informatives

1. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health & 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.

2. 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 (semeta.bloomfield@watford.gov.uk).

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 and commencing work without notifying the Council could forfeit any rights you have to appeal or pay in instalments and may also incur fines/surcharges.

3. All new units granted planning permission and to be constructed require naming or numbering under the Public Health Act 1925. You must contact Watford Borough Council Street Naming and Numbering department as early

as possible prior to commencement on streetnamenumbers@watford.gov.uk or 01923 278458. A numbering notification will be issued by the council, following which Royal Mail will assign a postcode which will make up the official address. It is also the responsibility of the developer to inform Street Naming and Numbering when properties are ready for occupancy.

4. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended. The Council also gave advice and sought amendments during the application process.

Drawing numbers

900/16/01, 02, 03, 04, 05, 06, 10

Landscape scheme

Case Officer: Paul Baxter

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