

PART A	
Report of: Head of Development Management	
Date of committee:	28th February 2018
Site address:	32 Park Road
Reference Number:	18/00062/FULH
Description of Development:	Demolition of existing freestanding garage and erection of a two storey side and two storey rear extension (amended description).
Applicant:	Mr and Mrs Jones
Date Received:	17th January 2018
8 week date (minor):	14th March 2018
Ward:	Nascot

1.0 Site and surroundings

- 1.1 The site is a two storey single family house which is located in the Nascot Conservation Area. It is a Locally Listed Building (along with 30, to which it is attached). There are several trees on the site which are protected by a Tree Preservation Order (TPO138). An Article 4(1) Direction has been placed on this site (along with many others in the Conservation Area) to restrict its permitted development rights.
- 1.2 The house at no.32 is mostly new, having largely been built between 2012 and 2014. No.30 Park Road (which does not belong to the applicant) is a large and imposing Victorian house, and originally no.32 was a narrow double storey annexe that was attached to the left side of no.30. In 2012 planning permission was granted for the extension of no.32 to make it wider and this was implemented in 2014.
- 1.3 Adjoining the western side boundary of the site is a private road which serves 5 houses (nos. 46, 48, 50, 50a and 52, Park Road) that are sited behind the houses fronting Park Road. A brick boundary wall marks that side boundary.

2.0 Proposed development

- 2.1 To demolish the existing detached garage to the side of the house and erect a two

storey side extension and two storey rear extension. These will provide an extended living/dining/kitchen area with a new utility room and playroom at ground floor. At first floor, 2 existing bedrooms will be enlarged with one additional en-suite bedroom provided. A cellar is also proposed underneath the side extension. The proposed side extension is 3.3m wide and 8.8m deep and is set back 3m behind the front elevation. The rear extension is across the full width of the house (8.9m) and 2.8m deep with a 1.4m deep bay window.

3.0 Relevant planning history

3.1 The following planning history is relevant to this application:

12/00152/FULH – Conditional planning permission was granted on 28th March 2012 - Erection of double storey side extension and alterations.

12/00806/FULH – Conditional planning permission was granted on 24th September 2012 - Erection of two storey side extension and alterations.

16/00796/FULH – Planning permission refused on 8th August 2016 - Erection of a double storey side and part single, part double storey rear extension. The sole reason for refusal stated:

Planning permission for the existing house at 32 Park Road was granted four years ago, and it involved extending a wing of the adjacent house at number 30. That planning application was granted after detailed pre-application discussions had arrived at a design whose scale and proportions were considered appropriately respectful of and subordinate to the Locally Listed Building to which this house is attached at 30 Park Road (the original house at 32 having been ancillary accommodation annexed to the main house at 30 - probably intended for domestic staff). The current application proposes to extend it further with a large double storey wrap-around side and rear extension. Because it would make the building significantly wider, particularly at first floor and at roof level, that would have the effect of distorting the proportions of the building, making it more obtrusive and less subordinate in character to the main original building at 30, which is a Locally Listed Building. It would be less respectful of the proportions of the original building. This would be harmful to the visual amenity of the site, to the character of the Nascot Conservation Area in which it is located, and to the setting of the Locally Listed Building at 30 Park Road. As such the proposal is contrary to policies UD1 (Delivering High Quality Design) and UD2 (Built Heritage Conservation) of the Watford Local Plan Part 1. It would also be contrary to sections 128 and 132 of the National Planning Policy Framework because the application has not included any assessment of the significance of the heritage asset or of the potential impact of the

proposed development on that heritage asset (the site being a 'designated heritage asset' by virtue of its location within the Nascot Conservation Area).

This refusal was the subject of an appeal which was dismissed by letter dated 5th December 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 Supplementary Planning Documents

The following Supplementary Planning Documents are relevant to the determination of this application:

Residential Design Guide 2016

Watford Character of Area Study 2011

Nascot Conservation Area Character Appraisal (adopted June 2010)

5.0 Consultations

5.1 Neighbour consultations

Letters were sent to the following properties:

35, 37, 37A, Park Road

22, 30, 46, 48, 54, 56, 58, Park Road

Seven letters have been received and the comments made can be summarised as follows:

Comments	Officer's Response
Sewer serving 8 houses runs under the proposed side extension where the cellar is proposed.	This is not a planning matter and will be dealt with under Building Regulations in conjunction with Thames Water.
Object to any development that	See Section 6.2 of this report.

would be detrimental to the conservation area.	
Possible damage to adjacent wall within 1m of proposed cellar.	This wall is identified in the conservation area appraisal as of significance. Although the proposal does not include any works to this wall, a condition is recommended to retain the wall.
Possible damage to preserved trees from proposed cellar.	See comments of Arboricultural Officer in Section 5.3 of this report.
Privacy to 52 Park Road compromised by rear bay windows.	The rear bay windows will be 30m from the nearest part of no.52 which is sited on the other side of the private road and behind no.54.
Side extension will have negative impact on the view from the street and have an overbearing impact on the private road.	The extension will be sited 25m from the highway in Park Road and will not appear as prominent within the streetscene. Views will also be partially screened by existing trees. It will be set in 1m from the side boundary, the same as 54, Park Road, and has a depth of 8.5m compared to the 78m length of the private road.
Materials should match the existing house. The western flank elevation should be in matching stock bricks.	A condition is recommended to secure details of the proposed materials.
Overdevelopment of the property not in keeping with the conservation area.	See Section 6.2 of this report.
Loss of secondary light from windows on flank elevation of 54, Park Road.	These are secondary windows with the main habitable room windows on the front and rear elevations.
Loss of privacy to 54, Park Road from first floor windows.	A condition is recommended that these should be non-opening and obscure glazed.
The proposed extension would represent adverse cumulative development.	Whilst it is accepted that the extended house will no longer appear as an extension to no.30 but a house in its own right, this has been the case since the 2012 planning permission was implemented. It is not considered that the extension now proposed, amended following the appeal decision, will cause harm to no.30 or the wider conservation

	area.
The rear window is also at odds with the proportions of the existing window.	The proposed bay window is the same as the existing bay window implemented under the 2012 permission.
The basement, playroom and bedroom formerly part of no.32 have now been transferred to no.30.	See Section 6.3 of this report.
Loss of glimpsed view through to the rear.	Views through to the rear will still be possible along the private road between the application site and 54, Park Road.

5.2 Statutory publicity

A site notice was posted outside the site on 26th January 2018 and a public notice published in the Watford Observer also on 26th January 2018.

5.3 Technical consultations

The following responses have been received from technical consultees:

Conservation Officer

See my previous comments on 17/00280/FULH where I raised no objection. The previous appeal decision (Nov. 2016) and older applications are also relevant. I would raise no objection to this current proposal.

This proposal has now been further amended. The proposed roof design has been simplified. The Planning Inspector was concerned about the building line and this proposal has been further set back.

I am concerned about the materials and consider that a mix of render and brickwork is not appropriate. Simple brickwork across the entire extension would be more appropriate in this historic setting where brickwork is more prevalent.

The windows and doors should be shown at 1:20 scale and all other materials should be conditioned.

There should be no additional buildings (new garage) on this site as this would harm the setting of the heritage asset.

Arboricultural Officer

The proposed extension and alterations should not affect and trees either those protected by TPO 138 or the Conservation Area. There is a short section of hedge on the boundary which may be affected. Details of tree protection for the retained trees particularly T31 of TPO 138 (the one closest to the proposed extension)

should be submitted and approved.

6.0 Appraisal

6.1 Main issues

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

- (a) Scale and design and impact on heritage assets.
- (b) Impact on surrounding properties.

6.2 (a) Scale and design and impact on heritage assets

In the previous scheme that was dismissed on appeal, the side extension was set back only 600mm behind the front elevation of the house at first floor level with a small front extension at ground floor. In dismissing the appeal, the Inspector stated:

6. *The proposed side extension would elongate the front elevation of the existing dwelling to approximately the same width as the main front façade of no. 30. Although set back slightly from the existing front elevation to no. 32 at first floor level, the extension would be built to the same ridge and eaves height as the roof of the existing dwelling and, as a result, would appear as a continuation of the existing frontage. It would also introduce an additional lean to roof at ground floor level to one side of the new front elevation, which is uncharacteristic of the design of nos. 30 and 32. At the side and rear, the proposed extensions, whilst largely reflecting the fenestration and hipped roof design of the existing dwelling, would considerably increase the size and scale of the building, altering its overall proportions in relation to no. 30. This would be particularly evident at the side, where the length and height of the side wall would overwhelm the existing dwelling.*
7. *The effect of the proposed extensions would be to unbalance and overwhelm the symmetrical design and proportions of the appeal property, in particular its roof and front elevation. As a result, the extended dwelling would no longer appear as a subordinate addition to the building at no. 30. This would cause harm to the setting of no. 30 as a non-designated heritage asset and harm its contribution to the character and appearance of the Conservation Area as a whole.*

- 6.2.1 In respect of the front set-back of the side extension, this has now been increased from 600mm to 3m at ground and first floor and no longer reads as a continuation of the front elevation of no.32. The small front extension has also been removed. The roof form has also been significantly amended from an extension of the existing

main roof over the side extension to 2 small hipped roofs. As such, the proposed side extension now reads as a subservient extension to the main house and does not detract from the relationship of no.32 to no.30. The proposed rear extension will increase the size of the house but this will not be visible within the streetscene and will not impact on the visual relationship between nos. 30 and 32 when viewed from the front. Overall, no.30, as proposed to be extended, will have a similar scale and bulk to no.30, the original house. Although no.32 was originally designed as an extension to no.30 it will now take on the appearance of a large house in its own right. Given the context of the site and the character of this part of the conservation area, which is of large detached houses in large plots, this is not considered to be harmful to the conservation area.

6.2.2 The Council's Conservation Officer has raised no objection to the proposed extensions.

6.3 (b) Impact on surrounding properties

At the time of submission of the application, the adjoining house at no.30 had an unusual relationship with no.32 in that the basement, ground floor and first floor rear rooms in the north-western corner of the house, adjoining no.32 were incorporated into no.32 and no longer formed part of no.30. Therefore, when viewing the rear elevation of no.30 from the garden area, the windows closest to no.32 were actually part of no.32. The garden boundary between the 2 houses reflected this. Due to the design of no.30, which incorporates a rear porch 2.2m deep at ground floor, the nearest ground floor window to no.32 was a bay window on the other side of the porch sited 7m from the proposed extension. The proposed extension will project 4.7m beyond the porch.

6.3.1 Following submission of the application, a representation has been received from the owners of no.30 stating that the basement, ground floor room and first floor room were transferred to them (and incorporated back into no.30) on 1st February 2018. They have not, however, objected to the proposal but have requested that this fact be taken into account. In terms of the main habitable rooms in no.30 existing at the time of the application, the proposed rear extension will have no significant adverse impact on the ground floor rear bay window of no.30.

6.3.2 In respect of the rooms that have now been incorporated back into no.30 from no.32, the ground floor room has an area of approximately 16m² and is, therefore, capable of being used as a habitable room. The outlook and light to this room is currently significantly impacted by the flank wall of the existing house at no.32. The proposed rear extension will make this relationship even worse. However, as this room has not been part of the property for many years, any additional impact on this room would not adversely affect the overall level of amenity enjoyed by the

occupiers of no.30.

- 6.3.3 With regard to the first floor bedroom, the impact on this window of the existing property is much less as it is at first floor level and is also sited above the eaves level of no.30. The rear extension will, therefore, have only a limited additional impact on this bedroom. Once again, as this bedroom has not been part of the property for many years, any additional impact on this room would not adversely affect the overall level of amenity enjoyed by the occupiers of no.30.
- 6.3.4 The house at 54, Park Road is separated from the application site by the private road that serves the 5 houses to the rear of the site. The distance between the flank elevation of this house and the proposed side extension to no.32 will be 7m. No.54 has 3 small ground floor windows in the flank elevation. These are secondary windows to the main habitable rooms. Whilst some loss of light may occur to these windows, the main windows on the front and rear elevations will be unaffected. The proposed side extension will incorporate 1 window at ground floor (to a playroom) and 2 windows at first floor (to a bedroom and en-suite) in the flank elevation. The bedroom window has the potential to give rise to overlooking and a loss of privacy to no.54 and should therefore be obscure glazed to mitigate this impact.
- 6.3.5 The house at the rear of the application site, 46, Park Road, will be sited 43m from the nearest part of the rear extension and will not be impacted by the proposal.

7.0 Conclusion

- 7.1 The proposed extensions have been significantly amended from the previously refused scheme. Having regard to the previous reason for refusal and the Inspectors comments, it is considered the reason for refusal has now been overcome and the proposal will not cause harm to 30, Park Road, a locally listed building, or to the character and appearance of the Nascot Conservation Area.

8.0 Human Rights implications

- 8.1 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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9.0 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 drawing:-

A 100 000 P1, 001 P1, 002 P0, 003 P0
A 110 001 P1, 002 P1, 003 P1, 004 P0
A 000 005 P1

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

3. Notwithstanding the details given on the application form, no development shall commence until full details of all external materials to be used for the approved extensions have been submitted to and approved in writing by the Local Planning Authority. These should match as closely as possible to the materials of the existing house at the application site. The approved extensions shall only be constructed in the approved materials.

Reason: In the interests of the visual appearance of the site and the character and appearance of the Nascot Conservation Area, pursuant to Policies UD1 and UD2 of the Watford Local Plan: Core Strategy 2006 - 31.

4. No development shall commence until details of tree protection measures to protect preserved tree T31 of Tree Preservation Order 138 have been submitted to and approved in writing by the Local Planning Authority and these measures have been installed in full. The approved measures shall be retained at all times during the construction period.

Reason: To protect the long term health of this tree and the visual contribution it makes to the Nascot Conservation Area.

5. The existing boundary wall along the western boundary of the site, adjoining the private road, shall be retained at all times. No works shall be carried out to this wall without the prior written approval of the Local Planning Authority.

Reason: This wall is identified as a wall with notable historic character in the Nascot Conservation Area Character Appraisal.

6. The 2 windows at first floor level on the western side elevation (to the bedroom and en-suite) and the additional window at first floor level on the eastern elevation (to the bedroom) shall be non-opening and fitted with obscured glass at all times.

Reason: To prevent overlooking and a loss of privacy to the adjacent properties at 54, Park Road and 30, Park Road respectively.

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. 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.

Drawing numbers

A 100 000 P1, 001 P1, 002 P0, 003 P0

A 110 001 P1, 002 P1, 003 P1, 004 P0

A 000 005 P1

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