

PART A	
Report of: Head of Development Management	
Date of committee:	16th May 2018
Site address:	23 Green Lane
Reference Number:	18/00295/FUL
Description of Development:	Demolition of existing detached house and erection of a detached building comprising 6 x 2 bedroom apartments and associated amenities.
Applicant:	Mr J Piccolo, Waterside JV
Date Received:	7th March 2018
8 week date (minor):	2nd May 2018 (extended to 18th May by agreement)
Ward:	Oxhey

1.0 SITE AND SURROUNDINGS

1.1 The site is located on the eastern side of Green Lane and comprises a detached house built in 1964. The site is large with a width of 20m, a depth of 83m and an area of approximately 0.17 hectare. The surrounding area is wholly residential and is characterised by large, detached houses within large plots. A significant number of mature trees also exist along Green Lane and within the plot frontages adding to the character of the area. Many of these trees are protected under TPO 32. From the 1980s through to the present day various backland developments and infill developments of detached houses have been constructed within the deep plots.

2.0 PROPOSED DEVELOPMENT

2.1 To demolish the existing house and erect a 2 storey block of six 2 bedroom flats, with 2 flats each at ground, first and second floor levels. The second floor is contained within a mansard style roof. The block will have a rectangular footprint measuring 14.6m wide by 16.3m deep. Six car parking spaces will be provided within the site frontage utilising the existing access points on to Green Lane. A rear garden area of approximately 960m² will be retained.

2.2 The main difference between this application and the previously approved scheme under ref. 17/01553/FUL (see below) is that the roof form has been changed from a pitched roof with crown to a mansard style in order to accommodate 2 flats rather than 1. The siting, footprint and scale of the building in all other respects is unchanged.



Proposed scheme



Approved scheme under 17/01553/FUL

3.0 RELEVANT PLANNING HISTORY

The existing house was constructed in 1964. A garage extension under a cat-slide roof was added in 1972.

17/01553/FUL – Planning permission granted on 21st December 2017 for the demolition of the existing detached house and erection of five 2 bedroom apartments. This application was determined under delegated powers as only 3 objections were received.

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 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.

Residential Design Guide
Watford Character of Area Study

5.0 CONSULTATIONS

5.1 Neighbour consultations

Eight properties in Green Lane and Nancy Downs were notified. Five letters of objection have been received. The comments can be summarised as follows:

Representations	Officer’s response
Loss of privacy to adjoining properties from the 1 st and 2 nd floor balconies and windows.	Details of the privacy screens shown on the drawings can be secured by condition to prevent overlooking from the balconies. Some oblique overlooking of the adjacent garden area will occur but this is a normal relationship within an urban area.
Increased noise from greater occupancy of dwellings and garden.	There is no basis for assuming the proposed development will give rise to unacceptable noise from the future occupants. Furthermore, it is not for the planning system to seek to control the behaviour of future occupants.
Insufficient car parking provision.	One space per flat is an acceptable level of provision and accords with the Council’s parking standards.
Increased traffic and pollution on Green Lane.	Whilst Green Lane does experience heavy traffic flows at certain times of the day, the potential additional traffic arising from the proposal would not be significant.
Not in keeping with the style/design of Green Lane, particularly the	The contemporary design is acceptable within this area where the houses are generally of

mansard style roof.	individual designs and varying styles.
Increased loss of light.	The proposal accords with guidelines set out in the Residential Design Guide for maintaining acceptable light levels to adjoining properties.
Flats are inappropriate for Green Lane.	There is no planning reason why larger family sized flats are not appropriate for Green Lane.

Three Rivers District Council was also notified as part of the rear garden area falls within their borough. They have raised no objection to the proposal.

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)

No objections to the proposal.

Arboricultural Officer

The proposals indicate the removal of one tree T6, this is possibly T378 of TPO 32: however it is described in the Order as Prunus Sargentii and is actually Prunus cerasifera. Notwithstanding this the tree is not visible from the public domain and has been maintained in a much reduced size and as such I have no objection to its removal. Providing the tree protection measures, as set out in the submitted tree report, are adhered to no significant harm will occur to the retained trees. A condition requiring these measures to be carried out should be attached to any permission granted.

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) Impact on character and appearance of the area
- (c) Amenity of future occupiers
- (d) Impact on adjoining properties
- (e) Access and car parking
- (f) Trees and landscaping

6.2 (a) Principle of development

The site is within an established residential area. Although the area is characterised by large detached houses, there is no objection in principle to the existing single house being replaced by family size flats as long as this is not harmful to the character and appearance of the area.

6.3 (b) Impact on character and appearance of the area

6.3.1 The surrounding area is characterised by 2 storey, detached houses set within large plots although more recent backland and infill development has reduced the overall size of many plots. The houses are generally of individual design and exhibit a variety of styles reflecting the 2 main periods of development; the 1920s-1930s and 1980s-2010s. The houses are set well back from the highway (10-20m) with parking to the frontage and many mature trees adding to the character of the area.

6.3.2 The existing house comprises a rectangular footprint with red brick elevations, casement windows with Georgian style bars and large, hipped roof. It is pleasant enough but uninspiring in its appearance. There is no objection to the demolition of this building. The proposed building will also be 2 storeys but of a more contemporary design incorporating brick elevations with parapets, large windows with architectural framing and a central, glazed entrance/stair feature also with strong architectural framing. The architectural framing will be in a fibre cement cladding in grey. The main roof will be a standing seam metal roof also in grey. The windows and doors will also be in grey coloured aluminium. The scale of the building will be very similar to that of the existing house on the site and the design will give the appearance of a large, modern house of a similar scale to the existing houses in the road. It will be sited on the same front building line as the existing house and be set in 2m from the boundary with no.21 and 4m from the boundary with no.25.

6.3.3 The existing access points to Green Lane will be retained as will the parking area to the front, which will be modified to accommodate 5 parking spaces. The existing small group of trees on the frontage will also be retained. Overall, the proposal will maintain the character and appearance of the area and provide a more contemporary building which will add further interest to the road.

6.4 (c) Amenity of future occupiers

6.4.1 The proposed flats are all 2 bedroom, 4 person units with internal floorareas of 79-87m². All of these exceed the nationally described space standard of 70m². All of the flats will have good levels of outlook, natural light and privacy and small private balconies. A communal garden area of over 900m² will also be provided. Overall, the flats will have a good level of amenity.

6.4.2 In addition to the 6 parking spaces, a covered cycle store and an enclosed bin store will also be provided to serve the flats.

6.5 (d) Impact on adjoining properties

6.5.1 *i) 21, Green Lane*

This property comprises a detached house adjoining the northern boundary of the site. The house is set back from the site boundary by 5.8m with a projecting single storey side extension at the rear, sited 2.2m from the boundary. The flank elevation of the main house

incorporates a set of narrow, glazed doors which serve a playroom, which is a non-habitable room. The side extension has a window and glazed door in the front elevation which serve the main living room, although this is the rear elevation of the living room. The main elevation of the living room faces the rear garden and incorporates 2 large windows. The proposed house will have a similar scale as the existing house and a similar siting. As such, it will not have any significantly greater impact on these windows/doors than the existing.

6.5.2 The siting of the proposed building in relation to no.21 remains unchanged from the previous approved scheme. The proposed building will incorporate balconies at first floor level one of which will have the potential to directly overlook the garden area of this property. A privacy screen is shown to the side of the balcony facing no.21 on the submitted drawings. This is considered necessary to prevent unacceptable overlooking and loss of privacy to this property. Details of this privacy screen can be secured by condition.

6.5.3 *ii) 25, Green Lane*

This property adjoins the southern boundary of the site and comprises a recently constructed detached house. The front half of the proposed building sits alongside the flank elevation of no.25, sited 4.2m from the boundary and 5.7m from the flank elevation. The rear element (6.5m deep) is sited alongside the garden area of no.25 and 5.3m from the boundary. This boundary also contains retained trees. The proposed building does breach a 45° line taken from the nearest habitable room windows of no.25 and so will have no adverse impact on outlook or natural light. The rear part of the proposed building will largely be screened from view by the existing trees. However, even without these trees, it is not considered that the flank elevation would appear unduly dominant or overbearing.

6.5.4 As with no.21, a privacy screen to the first floor balcony can be secured by condition to prevent any overlooking and loss of privacy to this property.

6.6 (e) Access and car parking

The property has two existing crossovers and access points on to Green Lane. These are to be retained. Hertfordshire County Council as the Highway Authority has no objection to this arrangement. At present, 4 parking spaces are provided on the site frontage. The existing parking area will be modified slightly to accommodate 6 spaces which is an acceptable provision for the proposed 6 flats. The proposed flats will be serviced either from the parking area (small vehicles) or the highway (large vehicles) as existing.

6.7 (f) Trees and landscaping

Only 1 small tree to the rear of the existing house is to be removed. This is considered acceptable. The existing groups of trees and individual trees on the site frontage are all to be retained. Tree protection measures proposed to protect these trees and protected trees on the adjoining properties are considered acceptable and can be secured by condition.

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 development is £120m² (before indexation). The net additional floorspace created is 254m². The CIL charge will therefore be £37,411.66 including indexation.

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. No planning obligations are required for this development.

8.0 **CONCLUSION**

- 8.1 There is no objection in principle to the loss of the existing house and the provision of a new building on this site providing flatted accommodation. The proposed building is of a scale, design and appearance that will complement the existing houses in the road and will be in keeping with the character and appearance of the area. The proposal will provide a good quality of amenity for future occupiers and will have no harmful impacts on adjoining properties.

9.0 **HUMAN RIGHTS IMPLICATIONS**

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

10.0 **RECOMMENDATION**

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:-

1706-B-01B, 1706-B-02A, 1706-B-03A

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

3. No demolition or construction works shall commence until the tree protection fencing has been installed in full, in accordance with the Tree Protection Plan and Arboricultural Report by Andrew Day Arboricultural Consultancy dated 2nd November 2017. The demolition and construction works shall only be carried out in accordance with the recommendations in Appendix 3 of the Arboricultural Report, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the retained trees from damage during the works.

4. No development shall commence until details of side privacy screens for the balconies at first floor level have been submitted to and approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved details and the approved privacy screens shall be retained at all times.

Reason: To prevent overlooking and a loss of privacy to the adjoining properties at 21 and 25, Green Lane.

5. All the external surfaces of the approved building shall be finished in the following materials, as detailed in the submitted Design and Access Statement:

Ibstock Borrowdale Blend facing bricks
Marley Equitone [pictura] fibre cement cladding
Colourcoat Urban metal standing seam roof in Anthracite colour (RAL 7016)
Velfac 200 aluminium windows and doors colour coated in RAL 7016

Details of any alternative materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the development shall only be carried out in accordance with any alternative details approved by this condition.

Reason: In the interests of the visual appearance of the site, pursuant to Policy UD1 of the Watford Local Plan: Core Strategy 2006 - 31.

6. The hard and soft landscaping of the site shall be carried out in accordance with approved

drawing no. 1706-B-01B unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the site and the amenity of future occupiers.

7. No flat shall be occupied until full details of the bin store and cycle store have been provided submitted to and approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved details and the approved bin store and cycle store shall be retained at all times.

Reason: To ensure adequate facilities exist for the future occupiers of the development, in accordance with saved Policies SE7 and T10 of the Watford District Plan 2000.

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.

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