

Committee date	6 March 2019
Application reference	18/01626/FUL
Site address	1, Hamilton Street and adjoining garage site
Proposal	Demolition of existing garages and bungalow and erection of 9 dwelling houses, access road and car parking.
Applicant	Mr and Mrs D Turner and S Fox
Agent	Aitchison Rafferty
Type of Application	Full planning application
Reason for committee Item	Number of objections
Target decision date	18 February 2019
Statutory publicity	None required
Case officer	Paul Baxter, paul.baxter@watford.gov.uk
Ward	Central

1. Recommendation

- 1.1 That planning permission be granted subject to conditions as set out in Section 8 of this report.

2. Site and surroundings

- 2.1 The site is located on the southern side of Hamilton Street at the junction with York Road. It has an area of 0.18 hectare and is currently occupied by a detached bungalow (1, Hamilton Street) and a number of garages, several of which are in commercial use. Land within the garage site also appears to be used for car storage purposes.
- 2.2 Hamilton Street is a short road linking York Road and Cannon Road. Although Hamilton Street only comprises a small number of dwellings, these are varied including detached bungalows, a detached house, terraced houses and a block of flats. The surrounding roads are characterised by Victorian terraced housing exhibiting strong building lines behind very small front garden areas. Parking is on-street within a controlled parking zone.

3. Summary of the proposal

3.1 Proposal

To demolish the existing bungalow and all the garages and erect 9 two storey houses with a new junction and internal access road serving 14 car parking spaces. The houses are arranged as 3 semi-detached pairs sited alongside 55,

York Road and a short terrace of 3 houses sited alongside 3, Hamilton Street. Each house will have its own private garden.

- 3.2 This application is a renewal of planning permission ref. 15/01729/FUL which was granted on 14 March 2016 and expires on 14 March 2019.

3.3 **Conclusion**

The proposed residential development of this site is in accordance with the policies of the Core Strategy and Watford District Plan and is acceptable in principle. The development is identical to the extant planning permission ref. 15/01729/FUL. It will be in keeping with the character and appearance of the surrounding area, will provide a significant enhancement of the site, will provide good levels of amenity for future occupiers and will have no significant adverse impacts on surrounding properties. The level of car parking provision accords with the maximum standards and is acceptable. The exclusion of the development from the local controlled parking zone will help to ensure the development does not exacerbate existing on-street parking problems.

4. **Relevant policies**

Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application is determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. **Relevant site history/background information**

- 5.1 It would appear from the limited planning history that some of the garages were built in the 1950s. The existing bungalow at 1, Hamilton Street was built in 1964.

- 5.2 15/01729/FUL - Demolition of existing garages and bungalow and erection of 9 dwelling houses, access road and car parking. Planning permission granted 14 March 2016.

18/01573/DISCON - Details submitted for Condition 4 (Construction Environment Management Plan), Condition 8 (surface water drainage scheme), Condition 9 (materials of external finishes), Condition 10 (external lighting scheme), and Condition 13 (hard landscaping scheme) pursuant to planning permission 15/01729/FUL. Details approved 07 February 2019.

6. Main considerations

6.1 The main issues to be considered in the determination of these applications are:

- (a) Principle of residential development.
- (b) Character and appearance of the area.
- (c) Quality of accommodation.
- (d) Impact on adjoining properties.
- (e) Traffic and car parking.
- (f) Environmental matters.

6.2 (a) Principle of residential development

This is a windfall housing site that is not currently allocated. Policy HS1 of the Core Strategy sets out criteria for the assessment of sites for housing allocation and of windfall sites as they come forward. This site is considered appropriate for residential development as it is consistent with the spatial strategy, is previously developed land, is close to local facilities (the town centre is within walking distance), is close to good public transport (the site is within walking distance of bus stops on Lower High Street, and High Street and Bushey stations), is not at risk of flooding, and has no ecological or cultural value. The site also has an extant planning permission for 9 houses.

6.3 (b) Character and appearance of the area

Although Hamilton Street contains a mix of dwelling types, the adjoining York Road and Cannon Road are characterised by two storey terraced housing. The housing to the east of the site in Muriel Avenue is two-storey, semi-detached. The proposed scheme comprises two storey houses with accommodation in the roof space. Six of the houses are semi-detached and these are sited alongside 55, York Road and continue the existing alignment of houses on the east side of the road. They back onto the houses in Muriel Avenue. The 3 other houses form a short terrace alongside 3, Hamilton Road, continuing the building line, and reflect the terrace of 3 houses on the opposite side of Hamilton Street.

6.4 The adjoining house at 55, York Road has an eaves level 5.2m above pavement level and a ridge line 8.2m above pavement level. The nearest proposed house has an eaves level 5m above pavement level and a ridge line 8.5m above pavement level. In respect of 3, Hamilton Street, the existing chalet style bungalow has a ridge line 7.8m above pavement level with the nearest proposed house having a ridge line at 8.5m. As such, the scale of the proposed houses is consistent with the existing houses.

- 6.5 In terms of appearance, the proposed houses draw upon the typical features seen on the surrounding houses, incorporating small canopies over the main entrance, wider windows at ground floor on the frontage and brick lintel details. Materials are proposed to reflect those found in the immediate area including Yellow London Stock brick, red contrasting brick and grey slate roof tiles.
- 6.6 Having regard to the scale, design, siting and appearance of the proposed houses, the development will complement the character and appearance of the surrounding area and provide a significant enhancement of the application site.
- 6.7 (c) Quality of accommodation
All of the proposed houses will have an acceptable internal layout with a living room to the front and a kitchen/dining room to the rear, overlooking the garden, at ground floor level. At first floor level, each house comprises 2 bedrooms and a bathroom. At second floor level, within the roofspace, is a third bedroom with ensuite bathroom, served by a rooflight on the front roofslope and a small dormer window on the rear roofslope. All of the rooms will have good levels of outlook, natural light and privacy.
- 6.8 Each house will have an internal floor area of 96.3m² which is only slightly below the minimum area of 99m² within the Government's Technical Housing Standards for a 3 bedroom, 5 person house over 3 levels. This small shortfall is considered acceptable as the design respects the amenity of adjoining neighbours and the character of the area. The proposed garden areas vary between 65.7m² and 125.4m² which all exceed the minimum area of 65m² set out in the Residential Design Guide.
- 6.9 (d) Impact on adjoining properties
The adjacent property at 55, York Road has no windows in its flank elevation facing the site. As such, the nearest proposed house (Plot 4) will have no adverse impact on this property. With regard to 3, Hamilton Street, this house has an unusual relationship to the application site with a ground floor side extension on the boundary of the site having a window sited on the boundary directly facing the site. Furthermore, it also has 2 dormer windows in the side facing roofslope which also face the application site. All of these additions appear to have been undertaken as permitted development. It is worth noting at this point that the owner of the property is the mother of the 2 applicants.
- 6.10 The nearest proposed house (Plot 1) is sited 1m from the boundary and will block outlook and natural light from the ground floor window and the 2 dormer windows. However, it is relevant to note that these windows all serve

rooms that also have windows on the front or rear elevations of the property. Indeed, the house as originally built did not include any of these 3 side facing windows. As such, the obstruction of these windows by the proposed house on Plot 1 will not have a significant adverse impact on the amenity enjoyed by the occupier.

- 6.11 In respect of the properties in Muriel Avenue that back onto the site, the proposed houses on Plots 4-9 all achieve a minimum distance of 27.5m to the rear elevations of the houses in Muriel Avenue, with garden depths of 14m. These distances all accord with the Residential Design Guide and are acceptable. As such, the proposed houses will have no significant adverse impact on the properties in Muriel Avenue.

6.12 (e) Traffic and car parking

The existing site is used for car storage and, it would appear, car repairs. Aerial photographs from 2010, 2013 and 2016 show 14, 22 and 33 vehicles respectively parked on the site. The proposed 9 houses will generate very limited traffic flows and these are unlikely to be different from the traffic already generated by the existing use of the site.

- 6.13 In respect of car parking, the maximum parking standard for a 3 bedroom house in this location is 1.5 spaces per house. This gives a maximum provision of 13.5 spaces for the proposed 9 houses. The provision of 14 spaces therefore accords with this standard. All of the spaces are of adequate size with adequate manoeuvring space. Although a number of objections have been received regarding the adequacy of this provision, the average car ownership per household within Central Ward, derived from the 2011 Census, is only 0.79 car. This level of provision is therefore acceptable.

- 6.14 The site is within a controlled parking zone (CPZ) and the development will, therefore, need to be excluded from the CPZ in order to prevent and minimise any on-street parking, which would be likely to exacerbate existing on-street parking problems. This can be secured through a s.106 unilateral undertaking which the applicants have agreed to enter into. An identical obligation was entered into for the previous application.

- 6.15 With regard to servicing the site, the proposed access is 4.8m wide and will allow service and delivery vehicles to reverse into the site from York Road. Given the very limited traffic flows on this road, and the fact that any vehicles servicing the existing houses must park on the road, this is considered acceptable. Each house has rear garden access where bins can be stored and collection can take place from the footpaths serving the houses.

6.16 Cycle storage provision can be accommodated within the rear gardens of the houses.

6.17 (f) Environmental matters

It would appear the site has been in low level commercial use for car storage and car repairs for many years. As such, there is some risk of contamination having occurred (from fuel, oils, etc.) that would require investigation and potentially remediation. An appropriate investigation can be secured by condition.

7. Consultation responses received

7.1 Statutory consultees and other organisations

Consultee	Consultee Comments
Hertfordshire County Council (Highways Authority)	No objection subject to suggested conditions.

7.2 Internal Consultees

Consultee	Consultee Comments
Arboricultural Officer	The proposals indicate the loss of a row of conifers and one more tree further along the site boundary. Their loss would not significantly affect the character of the area, and the indicative replacement landscaping will more than compensate these losses.

7.3 Interested parties

Letters were sent to 115 properties in the surrounding area. Responses have been received from 6 properties. The main comments are summarised below, the full letters are available to view online:

Comments	Officer response
Serious parking congestion on surrounding roads already. Controlled parking zone only operates 08.00 to 18.30 hours.	The development will include 14 parking spaces for the proposed houses and will also be excluded from the local controlled parking zone. These measures will minimise any likelihood of additional on-street parking occurring.
Inadequate parking provision for the proposed houses. Most	The Council's maximum car parking standard for 3 bedroom houses in this

households will have 2/3 cars.	location is 1.5 spaces per house. The proposed 14 spaces meet this standard. Average car ownership for Central ward from the 2011 census is 0.79 car per household.
Additional traffic generation.	The predicted traffic generation from 9 houses is very low. Aerial photographs of the site show up to 33 vehicles parked on the site. Traffic generation from the site is therefore likely to reduce.
Development should maintain privacy to properties in Muriel Avenue backing on to the site.	The minimum back-to-back privacy distance of 27.5m and minimum garden depth of 11m within the Residential Design Guide is achieved.

8. Recommendation

That, pursuant to a planning obligation under s.106 of the Town and Country Planning Act 1990 having been completed to secure the following Heads of Terms, planning permission be granted subject to the conditions listed below:

Section 106 Heads of Terms

- i) To secure a financial payment to the Council of £2,000 towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude the site from the controlled parking zone, thereby preventing residents' parking permits being issued to this site.

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:-

Site location plan
Site block plan

2015/302/01A, 2015/302/02

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

3. The development shall only be carried out in accordance with the Environmental Management Plan detailed in the Supporting Statement by Battram Associates dated 28th November 2018 as approved under planning ref. 18/01573/DISCON.

Reason: In order to ensure adequate and appropriate measures are in place for the demolition and construction works to safeguard the amenities and quiet enjoyment of neighbouring properties and prevent obstruction of the adjoining highway during the time that the development is being carried out.

4. No demolition of the existing buildings below ground level or construction of the development shall commence until a detailed scheme to deal with the risks associated with the potential contamination of the site has been submitted to and approved in writing by the Local Planning Authority. That scheme shall include all of the following elements:
 - i) a preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site;
 - ii) a site investigation scheme, based on (i) above, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
 - iii) the results of the site investigation and risk assessment referred to in (ii) above and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
 - iv) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any

requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

No changes to these components shall be undertaken without the written approval of the Local Planning Authority. All works shall be carried out in accordance with the approved details.

Reason: In the interests of the health of the future occupiers of the site and to prevent pollution of controlled waters, in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

5. No construction works shall commence until a verification report demonstrating completion of the works set out in the approved remediation strategy (see Condition 4 above) and the effectiveness of the remediation has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To verify that all contamination has been successfully removed from site following all remediation works in the interests of the health of the future occupiers of the site and to prevent pollution of controlled waters, in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

6. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to, and obtained written approval from, the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination is to be dealt with. All works shall be carried out in accordance with the approved details.

Reason: In the interests of the health of the future occupiers of the site and to prevent pollution of controlled waters, in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

7. No part of the development shall be occupied until the sustainable surface water drainage scheme detailed in the Supporting Statement by Battram Associates dated 28th November 2018 and on Site Plan drawing no. 7147-10A, with the use of Marshalls Argent Piora permeable block paving, as approved under ref. 18/01573/DISCON, has been implemented in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure the surface water drainage is designed to minimise the likelihood of flooding downstream, to reduce the risk of flooding by ensuring the satisfactory storage of and disposal of surface water from the site, and to reduce the impact of flooding on the proposed development in accordance with Policy SD2 of the Watford Local Plan Core Strategy 2006-31.

8. The development shall be carried out only in accordance with the following approved materials, unless otherwise agreed in writing by the Local Planning Authority:

Facing brick - Ibstock Ashdown

Detail brick - mellow red brick

Roof tiles - Marley Modern tile in grey

Windows - White uPVC double glazed incorporating Georgian bar fenestration

Doors - Composite colour coated uPVC

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

9. The external lighting scheme comprising 3 no. low level lighting bollards, as shown on Site Plan drawing no. 7147-10A, and external lights to each front door, as approved under application ref. 18/01573/DISCON, shall be installed as approved before the first occupation of any part of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition in order to ensure the needs for safety and security for users of the site are designed into the development, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

10. No dwelling shall be occupied until the new access junction to Hamilton Street, as shown in principle on approved drawing no. 2015/302/01A, has been constructed in full. This shall include measures to ensure surface water run-off does not enter the highway from the application site.

Reason: To ensure the development does not prejudice the safety of highway users on Hamilton Street and York Road, in accordance with saved Policy T21 of the Watford District Plan 2000.

11. No dwelling shall be occupied until full details of a soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping 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.

12. The development shall be carried out only in accordance with the following approved hard landscaping materials, as approved under application ref. 18/01573/DISCON, unless otherwise agreed in writing by the Local Planning Authority:

Central access - Marshalls Argent Piora permeable block paving in Grey
Parking area - Marshalls Argent Piora permeable block paving in Dark
Burnt Red for the parking spaces with demarcation of spaces in Grey
paviours

Boundary fencing to plots - 1.8m high dark stained close boarded
fencing

Pathways and patios - sandstone paving slabs

Site Plan drawing no. 7147-10A

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.

13. No dwelling shall be occupied until the 14 car parking spaces, as shown on approved drawing no. 2015/302/01A, have been constructed in full. These spaces shall be retained for the parking of cars at all times.

Reason: To ensure adequate parking facilities are provided on the site and to minimise any additional on-street car parking, in accordance with saved Policies T22 and T24 of the Watford District Plan 2000.

Informatives

1. IN907 – Positive and proactive statement
2. IN909 – Street naming and numbering
3. IN910 – Building Regulations
4. IN911 – Party Wall Act
5. IN912 – Hours of Construction
6. IN913 – Community Infrastructure Levy Liability
7. IN914 – Section 106 Agreement/Undertaking
8. IN915 – Highway Works – HCC agreement required