

<b>Committee date</b>	Wednesday, 5 June 2019
<b>Application reference</b>	19/00374/VAR - 85 Chalk Hill
<b>Site address</b>	
<b>Proposal</b>	Variation of Condition 2 (Approved drawings) of planning permission 17/00862/FULM for amendments to the layout and elevations of the previously approved scheme.
<b>Applicant</b>	Pinnacle UK Investments Ltd
<b>Agent</b>	Seabrook Architects Partnership Limited
<b>Type of Application</b>	Variation of condition (s.73)
<b>Reason for committee Item</b>	Major development
<b>Target decision date</b>	4 <sup>th</sup> July 2019
<b>Statutory publicity</b>	Public advertisement and site notice
<b>Case officer</b>	Chris Osgathorp, chris.osgathorp@watford.gov.uk
<b>Ward</b>	Oxhey

## 1. Recommendation

**Approve** subject to conditions set out in section 8 of this report.

## 2. Site and surroundings

- 2.1 No. 85 Chalk Hill is a vacant bank which is located on the corner of Haydon Road and Chalk Hill.
- 2.2 The adjoining property at No. 83 Chalk Hill consists of a shop at ground floor and a flat on the upper floors. No. 81 consists of a ground floor take-away and flats at the rear of the ground floor and at first floor.
- 2.3 The application site is in a sustainable location because it is approximately 270m from the designated Local Shopping Frontage in Chalk Hill and a walking distance of approximately 450m from Bushey train station. Chalk Hill is categorised as a Class A Main Distributor Road in Hertfordshire County Council's Hierarchy of Roads.
- 2.4 No. 85 Chalk Hill is not listed or located in a designated conservation area. The nearby Bushey and Oxhey Methodist Church is a designated Locally Listed Building.

- 2.5 Conditional planning permission (ref. 17/00862/FULM) was granted on 21<sup>st</sup> March 2019 for demolition of the existing disused bank building and replacement with new residential development which includes 11 new dwellings - 9 x apartments, 1 x duplex apartment, and 1 x 2-storey house, with associated gardens and car parking.

### **3. Summary of the proposal**

#### **3.1 Proposal**

The application proposes the variation of Condition 2 (approved drawings) of planning permission 17/00862/FULM. The application does not alter the proposal for 11 dwellings or the number of car parking spaces. The amendments have arisen due to a scale error on the approved proposed site plan which does not correspond with the existing site survey plan. The result of this is that the proposed building must be moved back in order to respect the building line in Chalk Hill. The following amendments are proposed:

- Re-positioning of the rear wall of the main block further to the rear, which results in a smaller rear communal garden.
- Increased depth of proposed house adjacent to 4 Haydon Road.
- Larger front garden to Unit 1.
- Unit 1 changed from 2-bed (4 person) to 2-bed (3 person).
- Unit 4 changed from 3-bed (6 person) to 3-bed (5 person).
- Minor alterations to elevations of main block
- Increase in size of rear dormer to proposed house and provision of 1no. front rooflight rather than 2no. Alterations to first floor window arrangement.

The variation of condition application originally proposed the re-location of the bin store to the rear of the parking area, however Environmental Services raised concerns that this would be too far from the highway for refuse collectors. As such, an amended plan was submitted on 21<sup>st</sup> May 2019 which moved the refuse store back to the previously approved position. The amended plan also altered the configuration of the parking arrangement, however no alteration to the number of parking spaces is proposed.

#### **3.2 Conclusion**

The proposed amendments would not significantly affect the quality of living accommodation or the appearance of the proposed buildings. Furthermore, the proposal would have no adverse effect on the residential amenities of neighbouring properties. As such, it is recommended that the application should be approved subject to conditions.

#### **4. Relevant Policies**

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

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

The following planning history is of relevance to the current application:

17/00862/FULM - Demolition of existing disused bank building and replacement with new residential development which includes 11 new dwellings - 9 x apartments, 1 x duplex apartment, and 1 x 2-storey house, with associated gardens and car parking. (Amended plans to provide an additional flat at third floor in order to facilitate the provision affordable housing). Conditional planning permission. March 2019.

#### **6. Main considerations**

- 6.1 The proposed amendments would result in a smaller rear communal garden, however bearing in mind that the application site is less than 200m from designated Open Space to the south of Haydon Road and that the scheme makes good use of balconies, private gardens and roof terraces, it is not considered that the proposal would be detrimental to the living conditions of future occupiers.
- 6.2 The proposed flats continue to comply with the minimum internal space standards set out in paragraph 7.3.6 of the Watford Residential Design Guide. The flats would be dual-aspect, which would provide an acceptable standard of amenity for future occupiers.
- 6.3 The amended parking layout is acceptable. No changes are proposed to the number of parking spaces. The size of the parking bays accord with the minimum size standards of 2.4m x 4.8m and there is sufficient manoeuvring space within the site. The amended plan received 21<sup>st</sup> May 2019 shows that the bin store would be in the same position as approved under planning application 17/00862/FULM which is acceptable.
- 6.4 The upper floor flat at No. 83 Chalk Hill has a number of habitable windows in the side elevation of the building which face the application site. These include a circular first floor bedroom window, a dormer window serving a bedroom to the rear and a rooflight serving a bedroom to the front. The re-location of the proposed building would bring it slightly closer to the

neighbouring windows, however it is not considered that it would cause a significant loss of light or outlook. The building has been designed so it steps down in height adjacent to the windows of the neighbouring property to reduce its impact. However, the roof terraces of Unit 5 and Unit 10 would allow views towards the existing side dormer of the upper floor flat at No. 83 and so a condition should be attached to any grant of permission to require details of privacy screens for the roof terraces in order to protect the privacy of the neighbouring property.

- 6.5 The increase in depth of the proposed house adjacent to No. 4 Haydon Road would be modest and therefore would not cause a significant loss of light or outlook to the neighbouring property.
- 6.6 The proposed amendments to the main block and the proposed house are minor and would have no adverse effect on the character and appearance of the development.

## **7. Consultation responses received**

### **7.1 Statutory consultees and other organisations**

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
Hertfordshire Constabulary Crime Prevention Design Service	No comments.	Noted.
Hertfordshire County Council Lead Local Flood Authority	No comments.	Noted.
Hertfordshire County Council Highway Authority	No objection.	Noted.

### **7.2 Statutory consultees and other organisations**

#### **Internal Consultees**

<b>Name of Internal Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
Environmental Health	No comments.	Noted.
Environmental Services	Position of bin store needs to be moved closer to road.	An amended plan was received on 21 <sup>st</sup> May 2019 to move the bin store back

		to the approved position shown for planning application 17/00862/FULM.
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### **7.3 Representations received from interested parties**

Letters were sent to 119 properties in the surrounding area. No responses were received.

### **8. Recommendation**

That planning permission be granted subject to the completion of a deed of variation to secure the planning obligations contained in the s.106 agreement dated 21 March 2019 and the conditions listed below.

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:-

MRPP2; 5407/A100 Rev S; 5407/A101 Rev N; 5407/A108 Rev G; TS16-148R\1; TS16-148R\2; TS16-148R\3; TS16-148R\4; TS16-148R\5.

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

3. No construction works above damp proof course level shall commence until details of the materials to be used for all the external finishes of the buildings, including walls, roofs, doors, windows, fascias and balustrades, 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 site and the character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

4. No construction works above damp proof course level shall commence until detailed drawings of the window and door reveals, brick detailing and capping to the external walls, 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 details.

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. No part of the development 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 wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

6. No part of the development shall be occupied until full details of a hard landscaping scheme, including: details of the surfacing of the vehicular access, car park, pathways and amenity areas; details of all site boundary treatments, and all fencing or enclosures 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, unless otherwise agreed in writing by the Local Planning Authority.

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

7. No part of the development shall be occupied until details of the siting, size and design of refuse and recycling storage facilities have been submitted to and approved in writing by the Local Planning Authority and the storage facilities have been installed in accordance with the

approved details. The storage facilities shall be retained at all times thereafter.

Reason: In the interests of the visual appearance of the site and to ensure satisfactory provision for on-site storage facilities.

8. No part of the development shall be occupied until an updated Noise Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall include specification details of the building envelope and the mechanical ventilation system(s) for each of the dwellings to achieve the internal noise levels contained in BS 8233:2014, along with specification details of the building services plant. Together, the ventilation systems and building services plant shall not exceed 39dB(A) during the day-time and 27dB(A) during the night-time, one metre from the nearest residential façades when assessed in accordance with BS 4142:201. The building services plant shall be mounted on appropriate anti-vibration mountings. The development shall be implemented in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure that an acceptable internal noise level is provided for future occupants of the development.

9. No part of the development shall be occupied until details of privacy screens for the roof terraces at Flats numbered Unit 5 and Unit 10 on drawing No. 5407/A101 Rev N have been submitted to and approved in writing by the Local Planning Authority. Dwellings numbered Unit 5 and Unit 10 shall not be occupied until the roof terrace privacy screens have been installed in accordance with the approved details. The privacy screens shall be retained at all times thereafter.

Reason: To prevent overlooking from the development into the existing side dormer at No. 83 Chalk Hill which serves an upper floor residential flat.10. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, D, E and F of the Order shall be carried out to the dwellinghouse adjacent to the boundary with No. 4 Haydon Road without the prior written permission of the Local Planning Authority.

Reason: To enable the Local Planning Authority to ensure that any such developments are carried out in a manner which will not be harmful to

the character and appearance of the proposed development and will not prove detrimental to the amenities of adjoining occupiers.

11. No above ground construction may commence until a detailed surface water drainage scheme for the site, based on the Flood Risk Assessment and SUDS Strategy prepared by XCO2, dated January 2018, has been submitted to and approved in writing by the local planning authority. The scheme shall include:
  1. Final, detailed drainage plan including the location and size of all SUDS features, pipe runs and discharge points with all invert and outlet levels.
  2. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including and connecting pipe runs.
  3. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall subsequently be implemented in accordance with the approved details prior to occupation of the development.

#### Informatives

IN907 Positive and Proactive Statement – Grant.

IN909 Street Naming and Numbering.

IN910 Building Regulations

IN911 Party Wall Act

IN912 Hours of Construction

IN913 Community Infrastructure Levy

IN914 Section 106 Agreement

IN915 Highway Works – HCC agreement required