

Committee date	Tuesday, 9 January 2024
Application reference Site address	23/00968/FUL 205, North Approach, Watford, WD25 0ES
Proposal	Retention of single storey side/rear infill extension (Retrospective)
Applicant	Mr Hashim Nawrozzadeh, Imam Hussein Foundation
Agent	Mr Mutaza Poptani The Backyard Co
Type of Application	Full Planning Permission
Reason for committee Item	Over 5 objections have been received
Target decision date	18 th December 2023
Statutory publicity	Neighbour letters
Case officer	Sergei Zotin, sergei.zotin@watford.gov.uk
Ward	Stanborough;

1. Recommendation

- 1.1 The application is recommended for approval subject to the conditions in Section 8 of this report

2. Site and surroundings

- 1.1 The site is not located in a designated Conservation Area or other Article 2(3) land and is not subject to an Article 4 direction.
- 1.2 The application site is the Imam Hussein Foundation Centre (formerly, Kingswood Baptist Church) situated on the south-east side of North Approach in the Stanborough Ward. There is a residential property on-site, 207 North Approach, this dwelling is occupied by the congregation leader. The site has various existing buildings on site of differing sizes and styles. It has a private car park at the front and the frontage is characterised by the former church building and associated house. The site borders both Kingsway Infant and Junior Schools on the southern elevations. The rest of the surrounding area is characterised by two-storey semi-detached dwellings. Opposite the site is a row of mature deciduous trees which block the view from Kingsway North Orbital Road, these trees are not the subject of a Tree Preservation Order.

3. Summary of the proposal

3.1 Proposal

3.2 Retention of single storey side/rear infill extension (Retrospective). The subject extension accommodates a walkway and links the existing infill canopy with the kitchen (the existing rear extension). The subject extension is measured 3.6m in width, is 3.7m in height (similar to the existing infill canopy) and 15.59m in depth being set flush with an external wall of the existing kitchen.

3.3 Conclusion

The proposal would not result in any unacceptable harm to the character and appearance of the surrounding area and is acceptable in terms of design. It will have no harmful impacts on the operation of the highway and no adverse impact upon the amenities of adjoining properties as set out in the policies QD6.1, QD6.2 and QD6.4 of the Watford Local Plan.

4. Relevant policies

4.1 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 The following planning history is relevant to this application:

<u>App Number</u>	<u>Proposal</u>	<u>Status</u>	<u>Decision Date</u>
19/01482/FUL	Erection of a single storey side extension (retrospective)	Conditional Planning Permission Granted	20.02.2020
21/01279/FUL	Retention of an infill canopy with front entrance doors (retrospective)	Refused Planning Permission, allowed on appeal.	10.12.2021
66/04486/FUL	Extension to Church hall	Planning Permission Granted	17.01.1967

5.2 Background information:

In December 2021 the planning application for *Retention of an infill canopy with front entrance doors (retrospective)* (referenced 21/01279/FUL) was refused by the Council on the following grounds:

The proposal is of poor design quality, out of character with its adjoining buildings and causes harm to the character and appearance of the surrounding area. It is therefore incompatible with Policy UD1 of Watford Local Plan Core Strategy 2006-31 and the National Planning Policy Framework, Part 12, paragraph 130 a), b) and c).

In July 2022 the proposed scheme was allowed under the appeal decision (ref. APP/Y1945/W/22/3290039). The main points raised by the inspector were:

- *Although the canopy is relatively large, it is not be prominent in any public view and appears intended to serve a purpose related to the use of the place of worship. With regard to the front elevation, the top of the structure sits well below the height of the parapet wall of the place of worship and below the cill level of the first floor window of No. 207, such that it is subservient to each and not imposing. The gates and timber work appear to have been improved and finished with a dark staining since Watford Borough Council's (the Council) decision, and the appearance is neat and acceptable and not out of character with the adjacent buildings or the character of the surrounding area.*
- *The views of interested parties were raised concerning the canopy and wider matters relating to the site, including alleged further development at the site and the suggestion that the intention is to fully enclose the sides of the canopy to create a function room. However, it is considered to be limited to the specific planning merits of the appeal proposal, as defined in the submitted plans and documents. Other matters, outside and beyond this scope, fall to be considered, as may be appropriate, by the Council.*

6. Main considerations

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

- (a) Scale and design
- (b) Highways impact

(c) Impact on surrounding properties

6.2 (a) Scale and design

Policies QD6.1, QD6.2 and QD6.4 of the Watford Local Plan seek high quality design in all new development.

6.3 The structure for which retrospective permission is sought is considered to be of a suitable scale and design for the host building and site. The extension is not visible from North Approach due to its rear location and therefore would not appear dominant to the main site building. Furthermore, the subject rear side/rear extension has a sufficient separation distance from the site boundaries (namely 11.7m from the side and 10.27m from the rear respectively).

6.4 It is therefore considered that the development would not undermine the established character of the site and the surroundings, and is, therefore, considered acceptable in respect of its design, in accordance with the policies QD6.1, QD6.2 and QD6.4 of the Watford Local Plan.

6.5 (b) Highways impact

Policy ST11.5 of the Watford Local Plan states that:

Development proposals should only provide car parking where it complies with the car parking standards. Where these standards and requirements are met, the parking element of the proposal will be supported.'

6.6 Policy 5 of the Hertfordshire's Local Transport Plan 2018 – 2031 states that 'The county council will to work with development promoters and the district and borough councils to:

- *ensure access arrangements are safe, suitable for all people, built to an adequate standard and adhere to the county council's Highway Design Standards,*
- *secure developer mitigation measures to limit the impacts of development on the transport network, and resist development where the residual cumulative impact of development is considered to be severe'.*

6.7 As confirmed on the submitted drawings the subject extension accommodates the covered walkway and does not enlarge the main areas for congregations. As such, it is not considered that the extension would generate additional trips to the premises and, as such, is unlikely to cause any detrimental impact upon the highways operation, as confirmed by the Highway Authority. Hence, the proposed development would not result in any material effect upon the highways operation and would not undermine highway safety, in accordance with the Policy ST11.5 of the Watford Local Plan and the Policy 5 of the Hertfordshire's Local Transport Plan 2018 – 2031.

6.8 (c) Impact on surrounding properties

Visual Impact

- 6.9 Having regard to the outlined separation distances between the subject extension and the site boundaries, the proposed development would not lead to any adverse impact upon the adjoining school. The nearest residential properties are located to the north-east, beyond the existing buildings on the site, and will be unaffected by the proposal.

6.10 *Noise Disturbance*

Policy CC8.5 of the Watford Local Plan states '*Where development is noise sensitive, noise-generating, or the surrounding area is sensitive to noise and vibration, applicants must undertake a noise assessment to identify potential issues and the required attenuation measures to achieve acceptable noise levels...*'.

- 6.11 As stated by the environmental health officer, the use of a public address system within the premises should be restricted, and the windows should be shut during the hours of operation given the amount of received complaints. However, this relates to the use of the existing building which is not part of the current application. The applicant has stated that the subject structure would result in a sufficient decrease of the noise levels as the premises would be more enclosed. As the existing extension contains only the walkway, and doesn't provide additional meeting space, no additional impact in terms of the noise pollution would be generated. Hence, the retrospective development is in accordance with Policy CC8.5 of the Watford Local Plan.

7. Consultation responses received

7.1 Statutory consultees and other organisations

None required.

7.2 Internal Consultees

Highway Authority – raised no objection to the application.

7.2 Interested parties

Letters were sent to 20 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's Response
Inadequate parking provision	This concern is outlined in the above assessment. As stated in the paragraph 6.3.3 the subject extension accommodates the covered walkway. As such, it is not considered that the retrospective development would generate additional vehicular trips to and from the site.
Fire safety concern	This is not a material planning consideration for this type and nature of development. Nonetheless, fire safety would be a Building Regulations matter.
Overcrowding	This concern is outlined in the above assessment. As stated in paragraph 6.3.3, the subject extension accommodates a covered walkway and does not enlarge the main congregation areas. As such, it is not considered that the retrospective development would result in an increase in meeting space at the site premises.
Anti-social behavior	This matter is outside of the planning remits.
Noise and disturbance	This concern is outlined in the above assessment. As stated in paragraph 6.4.4 the subject extension accommodates the covered walkway. As such, no additional amount of noise pollution would be produced. The residents are advised to contact Environmental Health department should they experience excessive noise from the site premises.
Unsafe structure	This matter is outside of the planning remits. To be addressed to the Building Control department

8 Recommendation

That planning permission be granted subject to the following conditions:

Conditions

1. The development shall be carried out in accordance with the following drawings, unless otherwise approved in writing by the Local Planning Authority:

Drawing nos 205NA/SP, 205NA/01, 205NA/02, 205NA/03, 205NA/04, 205NA/05, 205NA/06, 205NA/07

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