

<b>Committee date</b>	Tuesday 5 March 2024
<b>Application reference</b> <b>Site address</b>	23/01083/FULM - 40 Stratford Road, Watford, WD17 4NZ
<b>Proposal</b>	Erection of 3 detached dwellings following demolition of the existing building on site.
<b>Applicant</b>	Mr Manish Malaviya
<b>Agent</b>	UPP Architects and Town Planners
<b>Type of Application</b>	Full Planning Permission
<b>Reason for committee Item</b>	More than 5 objections received
<b>Target decision date</b>	Wednesday 6 March 2024
<b>Statutory publicity</b>	Neighbour Letters
<b>Case officer</b>	Andrew Clarke, andrew.clarke@watford.gov.uk
<b>Ward</b>	Nascot

## 1. Recommendation

- 1.1 That planning permission be granted subject to a planning obligation under s.106 of the Town and Country Planning Act and conditions as set out in section 8 of this report.

## 2. Site and surroundings

- 2.1 The application site is located on the northern side of Stratford Road at the junction with Langley Road. The site contains a large two storey early to mid-twentieth century house. It is enclosed by a low wall to the front of the property on Stratford Road and by a higher close board timber fence on Langley Road. The site has two vehicle access points, one from either road.
- 2.2 The surroundings are residential having originally been developed from the mid-nineteenth century onwards as large houses on generous plots. Subsequently many of these plots were sub-divided and redeveloped. In the early twentieth century the subject site was part of the grounds of the locally listed building at 49 – 51 Langley Road to the north-west.
- 2.3 Lorane Court (originally 45 and 47 Langley Road) on the opposite corner was developed in the 1980's into a three storey flatted development. Today this development would be considered poor architecturally making a negative contribution to the character of the area. Woodgate Mews and Shillington Grove to the north-west are twenty-first century developments of terraced, two and a half storey houses developed from larger plots. Yorke Gate which is immediately to the south-west of the subject site, another former larger plot

was redeveloped into two and two and half storey properties following a grant of planning permission in 1998. A group of trees protected by a Tree Preservation Order exist close to the site boundary within Yorke Gate.

- 2.4 The application site is not located within a conservation area, though the Nascot Conservation Area borders to the north-east and north-west of the application site. There are no statutory listed buildings either on the site or within close proximity, though there are a number of locally listed buildings (non-designated heritage assets) in close proximity. These include, 49 – 51 Langley Road, 76 - 78 Langley Road, 80 Langley Road and 44 Stratford Road.

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

#### **3.1 Proposal**

- 3.2 Proposed demolition of the existing detached house and the erection of three, four bed detached houses. Each house would have a driveway and on-site parking.

#### **3.3 Conclusions**

- 3.4 The proposal would provide three, four bed houses within an established residential area, which would contribute towards the need for family-sized homes in the Borough.
- 3.5 The proposed houses by virtue of their massing, position and design are considered appropriate in the context where similar sites such as Yorke Gate, which is adjacent to the site, have been redeveloped. The development would not harm the setting of the conservation area or locally listed buildings. Conditions requiring detailed drawings and details of the external materials is recommended to ensure that a high quality appearance is achieved.
- 3.6 The proposed houses would not cause a significant loss of light, outlook or privacy to neighbouring properties. Furthermore, a good living environment would be provided for future occupiers of the proposed development.
- 3.7 The proposed development, which includes an additional vehicle crossover to Langley Road is not considered to present a hazard to highway users.
- 3.8 The proposed development is also considered to be acceptable in terms of its impacts on trees, biodiversity and sustainability.

3.9 It is therefore concluded that the proposed development accords with the development plan as a whole and so it is recommended for approval, subject to conditions.

#### **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 An application for the demolition of the existing house and the construction of building comprised of 9 flats was submitted in December 2020 (application reference: 20/01479/FUL). This application was withdrawn following officer advice.

5.2 An application for the demolition of the existing house and the construction of building comprised of 8 flats was refused in June 2021 (application reference: 21/00571/FUL). This application was refused for the reasons of harm to the character and appearance on the area, a poor quality of accommodation and inappropriate cycle and refuse arrangements.

5.3 A pre-application request for the demolition of the existing house and the construction of a terrace of three houses fronting Stratford Road was submitted in January 2022 (application reference: 22/00077/PREAP2). A written response was issued in February 2022 which raised concern with the harm to the character and appearance on the area.

5.4 A pre-application request for the demolition of the existing house and the construction of a terrace of four houses fronting Stratford Road was submitted in May 2022 (application reference: 22/00725/PREAP2). A written response was issued in June 2022 which raised concern with the harm to the character and appearance on the area.

5.5 An application for the demolition of the existing house and the construction of a terrace of three houses fronting Stratford Road was refused in December 2022 (application reference: 22/01252/FUL). This application, which was designed by a different architect, was refused for the reasons of harm to the character and appearance on the area and impact to trees.

5.6 This application differs from previous applications as it proposes three detached houses, as opposed to a block of flats or a terrace of three / four houses.

## **6. Main considerations**

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

- (a) Principle of residential development
- (b) Impact on the character and appearance of the area
- (c) Standard of amenity for occupiers
- (d) Impact on the living conditions of neighbouring properties
- (e) Access, parking and highway matters
- (f) Environment and biodiversity

### 6.2 (a) Principle of the proposed development

Strategic Policy HO3.1 of the Local Plan states that proposals for residential development will be supported where they contribute positively towards meeting local housing needs and achieving sustainable development.

Residential developments should make optimal use of land and provide a mix of homes. In this case, the proposal provides three, four bedroom houses on a site which contains a single five / six bedroom house within an established residential area, which would contribute towards the need for family-sized homes in the Borough.

6.3 In respect of density and optimising the use of land, the site is outside the Core Development Area where Policy HO3.2 sets out that new residential developments are expected to achieve at least 45 dwellings per hectare, but the optimal density for individual sites should be established through careful consideration of local character, context and access to amenities and public transport.

6.4 The proposed development would have a density of 32 dwellings per hectare, which is below the target density. Nevertheless, the proposed development would respect the context of the area, which is comprised of larger plots, many of which have been subdivided and redeveloped. As such, having regard to the site specific circumstances, the amount of development is considered to be appropriate and acceptable.

### 6.5 (b) Impact on the character and appearance of the area

Strategic Policy QD6.1 seeks to deliver high quality design across the borough. The borough is divided into 3 distinct areas – Core Development Area, Established Areas and Protected Areas - with a separate approach for each

area. The application site is within an Established Area where a gentle uplift in the density is accepted and development proposals should be led by the existing characteristics of the local area and enhance the character of the local area.

- 6.6 Policy QD6.2 gives more detailed design principles for new development including sustainable design, character and identity, built form and views. In relation to built form it notes that the scale and massing of proposed buildings will need to relate to the local context and the role of the area. Building footprints are to be of an appropriate scale, enhance the relationship between buildings individually, collectively and the spaces between them to create environments that are relatable to people, easy to understand, have good light, minimise wind effects and improve connections with the surrounding area. Policy QD6.4 gives detailed design guidance on building design outlining that the proportions of new buildings need to be appropriate to the existing or emerging character of the area.
- 6.7 The subject site contains an early to mid-twentieth century house. Its features include a large front facing gable end, a double storey bay window, timber detailing, a cat side roof and a recessed arched porch. The property is neither nationally nor locally listed.
- 6.8 The site would be divided into three, broadly rectangular plots and each would contain a three storey house. One house would face Stratford Road, one would face Langley Road and one would be sited towards the corner addressing both roads. All three houses would have dual pitched roofs with the top floor of each house set largely within the roof space. The house to the corner would have a roof pitch with runs diagonally across its footprint which creates an architectural feature facing the corner. The two other houses would have more conventional roof pitches which are in line with the side walls with gables to the front and rear.
- 6.9 The proposal would deliver a gentle uplift in density, which is broadly in line with adjacent and nearby sites which have been redeveloped in recent decades such as Yorke Gate, Woodgate Mews and Shillington Grove.
- 6.10 The development would increase the massing of development on the site, however, the massing would be broken up into three distinct buildings and their footprints are well set back from the pavements on both Stratford Road and Langley Road, behind landscaping which ensures a sense of openness is maintained around this junction. In terms of height, the buildings would be similar to those in Yorke Gate and relate well to the buildings on the other

three corners of the junction. The proportions are therefore considered to be appropriate within the context.

- 6.11 The gabled design with protruding chimneys would reflect the historic and redeveloped residential houses which form the character of the area. The corner house with its roof shape and corner windows would be a contemporary addition at this junction which has modern buildings dating from the late twentieth century on the eastern and southern corners.
- 6.12 The houses would be finished in render at ground floor levels with red / orange brickwork above and a tiled roof. The window openings would be topped by stone lintels. These materials are characteristic of the area, however, conditions requiring detailed drawings and details of the external materials is recommended to ensure that a high quality appearance is achieved.
- 6.13 The three plots would be bounded by hedgerows which are lower adjacent to the pavements. This means that the boundary would be lower along Stratford Road, which is currently bounded by a high close board timber fence. These boundaries ensure a sense of openness and would soften the appearance of the site from the public realm.
- 6.14 Overall the proposed design is considered to be appropriate, in accordance with Local Plan policies, enhancing the character and appearance of the area which includes the adjacent Nascot Conservation Area and locally listed buildings.
- 6.15 (c) Standard of amenity for occupiers  
Policy HO3.10 of the Local Plan states that all new housing should be meet the nationally described internal space standards. All three houses would exceed the minimum floor space requirements for a three storey, four bedroom, eight occupancy house. All of the houses would also be dual aspect at a minimum which indicates good light and ventilation throughout.
- 6.16 Policy H03.11 of the Local Plan states that all new homes should be provided with private outdoor amenity space. All three houses would provide policy compliant garden space. The corner house does have a small rear garden relative to its front garden and the separation between its rear and the proposed house to the north is compromised, however, this is considered acceptable on balance as positioning the house significantly closer to the pavements would increase the dominance of the development to the detriment of the character and appearance of the area. Overall, the proposal would deliver three houses which provide a good quality of accommodation.

6.17 (d) Impact on the living conditions of neighbouring properties

Yorke Gate which is immediately to the south-west of the subject site, was redeveloped in the late 1990's into 7 houses. The side wall of number 5 Yorke Gate faces the site at a distance of around 2 to 4 metres and has centrally positioned windows at all three levels. These windows are not primary windows serving habitable rooms. The adjacent proposed house facing Stratford Road would be broadly in line with this neighbouring house and of similar proportions, therefore number 5 would suffer no significant loss of light to its main front or rear windows. Some loss of light would result to the side facing windows though this is not considered to result in a harmful impact to neighbouring amenity.

6.18 Number 4 Yorke Gate has a garden which wraps around side and rear of the property. The rear elevation of the house facing Langley Road faces the side boundary of the garden of number 4. The distance between this boundary and the proposed house at the closest point would be 6.2 metres. At this distance loss of light to the rear of this neighbouring house would be negligible. The proposed house does have windows in the rear elevation at first and second floor levels, however, these windows are recessed, angled away from, and positioned forward of the front elevation of number 5. This relationship means that there would be a small degree of overlooking to the garden of number 5 from two proposed bedrooms, however, this would be a small part to the side of the house towards the front of the property. Within residential areas mutual overlooking of gardens is to be expected, and this impact and small loss of privacy to a part of the garden is not considered unacceptable in this context.

6.19 Number 49 Langley Road to the north-west of the site is a large semi-detached property, within large grounds which is positioned to the rear of the proposed development. The proposed house facing Stratford Road would be 4.5 metres from the shared boundary with their front garden at the closest point and has no side facing windows. Given this separation and lack of side facing windows the proposal would not cause any significant loss of light or privacy to this neighbour.

6.20 The development is not considered to cause any detriment to the amenity of any other dwellings not referenced above given their distance from the site. For the above reasons, the proposed development would have no significant adverse effect on the living conditions of the occupiers of neighbouring properties in accordance with section 7.3 of Watford's Residential Design Guide and Policy CC8.5 of the Local Plan.

6.21 (e) Access, parking and highway matters

The houses facing Stratford Road and Langley Road would use the existing vehicle crossovers. A new vehicle crossover would be created onto Langley Road for the corner house. This vehicle crossover is at a sufficient distance from the road junction as to not present a hazard and there is sufficient hardstanding to allow vehicles to both enter and leave the highway in forward gear, as requested by the highway authority. The highway authority has no objection to the additional vehicle crossover, though did request drawings which demonstrate visibility splays and a swept path which were subsequently provided.

6.22 Each house has on-site parking for one vehicle in accordance with the maximum parking standards outlined in Local Plan Policy ST11.5. The site is in a sustainable location, however, it is within controlled parking zone D which experiences high parking demand, particularly in the evenings. Therefore, in accordance with Local Plan Policy ST11.5, a Unilateral Undertaking to remove permit entitlement for future occupants of the proposed houses has been completed.

6.23 Cycle parking provision has not been depicted on the plans, however, all of the houses have large gardens where cycles could be stored.

6.24 Sufficient space for refuse storage is shown close to the access point for each house. Refuse bins would have to be presented at the on the highway for collection as is typical in this area.

6.25 (f) Environment and biodiversity

Policy CC8.1 states that the Council will support proposals that help combat climate change and new development will need to demonstrate how it contributes positively towards this. Policy CC8.3 seeks to minimise the impact of new housing on the environment through energy and water efficiency measures. The proposed houses are designed to be energy efficient including air source heat pump systems to deliver the heating and hot water demands, as well as 4 panel PV arrays to the roof of each house.

6.26 Policy CC8.3 requires developments to achieve a 19% improvement for carbon emissions over the target emission rate (TER) as set out in National Building Regulations Part L (2013) and to meet the technical standard for water efficiency of 110 litres per person, per day. The Energy and Sustainability Statement confirms compliance with both of these measures. The also avoids overheating by using passive ventilation as requested by this policy.



6.27 In order to facilitate the development, three trees would be removed within the site, though the majority of trees would remain. These trees to be removed are all category C, the lowest value trees. No trees surrounding the site, including the protected trees close to the site boundary within Yorke Gate, would be impacted. A landscaping plan has been submitted with the application which demonstrates significant planting within each site including hedges around each of the three proposed plots. Although the application does not quantify a biodiversity net gain, the proposal does demonstrate a positive impact on the natural environment as required by Policy NE9.1 of the Local Plan.

## 7 Consultation responses received

### 7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment
Hertfordshire County Council (Highways Authority)	Objected due to the plans not demonstrating visibility splays or that vehicles can park on the proposed new hardstand parking area for unit 2, manoeuvre and able to enter/leave the highway in forward gear. Visibility splays and a swept path drawing demonstrating this was received and the Highways Authority were re consulted.

### 7.2 Internal Consultees

Name of Internal Consultee	Comment
Waste and Recycling	No comment.
Arboricultural Officer	Noted that there are no are arboricultural constraints on site and is satisfied with the landscaping plan.

### 7.3 Interested Parties

Letters were sent to 34 properties in the surrounding area. 15 responses were received with objections from 13 addresses. 1 neutral response was also received. The main comments are summarised below, the full letters are available to view online:

Comments	Officer response
Impact on the character and	See section (b) which addresses the impact

appearance of the area.	on the character and appearance of the area.
Loss of light, outlook and privacy	See section (d) which addresses the impact on the living conditions of neighbouring properties.
Access, parking pressure and highway impacts	See section (e) which addresses the access, parking and highway matters.
Impact of the proposal on trees and biodiversity.	See section (f) which addresses environment and biodiversity matters.

## 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) The sum of £350 (three hundred and fifty pounds) towards the Council's administrative and monitoring costs; and
- (ii) The sum of £2,000 (two thousand pounds) towards the variation of the Borough of Watford (Controlled Parking Zones) (Consolidated) Order 2023 to exclude future residents of the Development from entitlement to resident and visitor parking permits for the controlled parking zone in Zone D as defined by that order in accordance with paragraph 11.58 of the Watford Local Plan 2021-2038.

### Conditions

#### 1. Time Limit

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. Approved Drawings and Documents

The development hereby permitted shall be carried out in accordance with the following approved drawings:

040ST-A-01-001  
040ST-A-01-002  
040ST-A-02-001  
040ST-A-02-002  
040ST-A-03-001  
040ST-A-03-002  
040ST-A-03-003  
040ST-A-03-004  
040ST-A-05-001  
040ST-A-05-002  
040ST-A-06-001  
040ST-A-06-002  
040ST-A-06-003  
040ST-A-06-004  
040ST-A-01-001 Rev: 3  
040ST-A-01-002 Rev: 3  
040ST-A-02-101 Rev: 3  
040ST-A-02-102 Rev: 3  
040ST-A-02-103 Rev: 3  
040ST-A-02-104 Rev: 3  
040ST-A-03-101 Rev: 3  
040ST-A-03-102 Rev: 3  
040ST-A-03-103 Rev: 3  
040ST-A-03-106 Rev: 3  
040ST-A-05-101 Rev: 3  
040ST-A-05-102 Rev: 3  
040ST-A-06-101 Rev: 3  
040ST-A-06-102 Rev: 3  
040ST-A-06-103 Rev: 3  
040ST-A-06-104 Rev: 3  
001  
TRK01 (1)  
L-200

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

### 3. Materials

No development above ground level shall be carried out until full details of the materials to be used for all the external finishes of the development hereby approved, including all external walls, all roofs, doors, windows,

fascias, rainwater and foul drainage goods, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed development applies high quality materials that make a positive contribution to the character and appearance of the area, in accordance with Policies QD6.2 and QD6.4 of the Watford Local Plan 2021-2038.

#### 4. Detailed drawings

No development above ground level shall be carried out until detailed section drawings of the external elevations of the proposed dwellings, including walls/brick detailing, door and window reveals, cills, gable edges, parapets/eaves design and rainwater and foul drainage goods have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed development achieves high quality design that makes a positive contribution to the character and appearance of the area, in accordance with Policies QD6.2 and QD6.4 of the Watford Local Plan 2021-2038.

#### 5. Accessible Dwellings

The development hereby approved shall be constructed to The Building Regulations (2010) Access to and Use of Buildings, Approved Document M (2015 as amended), Volume 1: Dwellings, M4(2): Accessible and adaptable dwellings.

Reason: To meet the needs of older people and those with mobility issues, in accordance with Policy HO3.10 of the Watford Local Plan 2021-2038.

#### 6. Water efficiency

The development hereby approved shall be constructed to meet the water efficiency optional requirement of 110 litres of water per person per day, as set out in The Building Regulations (2010) Approved Document G Requirement G2 and Regulation 36.

Reason: To minimise the environmental impact of the proposed development, in accordance with Policy CC8.3 of the Watford Local Plan 2021-2038.

## 7. Permitted development rights removed

Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any modification or re-enactment thereof), no enlargements of a dwellinghouse permitted under Classes A or B or the provision of hard surfaces permitted under Class F shall be carried out or constructed without the prior written permission of the Local Planning Authority.

Reason: The removal of permitted development rights for enlargements to the dwellinghouse is necessary to ensure that any developments are carried out in a manner which will not be harmful to the character and appearance of the area. The removal of permitted development rights for the laying out of additional hard surfaces is necessary in the interests of the visual appearance of the site and to restrict additional on-site parking that could undermine the Council's sustainable transport objectives.