



DEVELOPMENT CONTROL COMMITTEE

Thursday, 27th November, 2014

7.30 pm

Town Hall, Watford

Publication date: 19 November 2014

CONTACT

If you require further information or you would like a copy of this agenda in another format, e.g. large print, please contact Rosy Wassell in Democracy and Governance on 01923 278375 or by email to legalanddemocratic@watford.gov.uk .

Welcome to this meeting. We hope you find these notes useful.

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SPEAKING AT DEVELOPMENT CONTROL COMMITTEE

Only one person will be permitted to speak on behalf of objectors and one in support of a proposal. Precedence to speak in support of the proposal will be given to the applicant or their representative.

In order to speak, a person must register before 12 noon on the day of the meeting by contacting the Democratic Services Team. The contact details are available on the front of this agenda.

If a speaker wishes the Development Control Committee to consider any documentation at the meeting, then it must be submitted to the Democratic Services Team by 12 noon on the day of the meeting.

COMMITTEE MEMBERSHIP

Councillor R Martins (Chair)

Councillor G Derbyshire (Vice-Chair)

Councillors S Bashir, N Bell, J Connal, S Johnson, I Sharpe, M Watkin and T Williams

AGENDA

PART A - OPEN TO THE PUBLIC

1. **APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP**
2. **DISCLOSURE OF INTERESTS (IF ANY)**
3. **MINUTES**

The minutes of the meeting held on 6 November 2014 to be submitted and signed.

Copies of the minutes of this meeting are usually available seven working days following the meeting.

(All minutes are available on the Council's [website](#).)

CONDUCT OF THE MEETING

The Committee to take items in the following order:

1. All items where people wish to speak to the Committee and have registered to do so by telephoning the Democratic Services Team.
2. Any remaining items that the Committee agree can be determined without further debate.
3. Those applications where Members wish to discuss matters in detail.

4. **LAND TO REAR OF SOTHERON ROAD** (Pages 1 - 32)

Application for change of use of storage/warehouse building into a residential unit including partial demolition

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PART A

Report of: **DEVELOPMENT MANAGEMENT SECTION HEAD**

Date of Committee	27th November 2014
Site address:	Land to rear of 55 Sotheron Road Watford
Reference Number :	14/00795/FUL
Description of Development:	Change of use of storage/warehouse building into a residential unit including partial demolition
Applicant:	Mr and Mrs Gregory
Date received:	6th October 2014
8 week date (minor):	1st December 2014
Ward:	Central

SUMMARY

Full planning permission is sought for the change of use of a currently vacant storage/warehouse building into a residential unit. The proposed works will involve the demolition of part of the building at the rear to create a small amenity space for the future occupiers of the unit.

The building has no architectural merit and does not contribute positively to the appearance of the site or the wider visual amenity of the area in its current form. It is considered that the redevelopment of the site provides an opportunity for the building to be brought back into use and for its appearance to be enhanced through sympathetic refurbishment works.

The proposed new dwelling will provide a suitable living environment for its future occupiers without compromising the amenities of neighbours and the works will not result in any harm to the character of the Estcourt Conservation Area in which the site is located.

A Unilateral Undertaking has been completed by the owners of the site which secures a financial contribution towards the variation of the relevant Traffic Regulation Order so as to prevent future occupiers of the development from being entitled to parking permits within the surrounding Controlled Parking Zones. Taking into account the completion of this agreement and also given the sustainable location of the site, the proposal itself will not result in any increase in on-street parking.

The Development Management Section Head recommends that planning permission be granted as set out in the report, subject to conditions.

BACKGROUND

Site and surroundings

This application relates to a single storey building situated at the rear of 55 Sotheron Road. The building is attached, at its western end, to a residential property known as 55B Sotheron Road which had once formed part of the main building at 55 Sotheron Road, which, itself, is a two storey building in residential use. The eastern part of the south elevation of the building is also attached to a two storey premises known as 55A Sotheron Road. The adjoining premises at No. 55A is a two storey building comprising a workshop at first floor level with undercroft parking at ground level.

Access to the premises is gained via a covered driveway which runs between Nos. 53 and 55 Sotheron Road. This driveway leads into a hard-surfaced courtyard. The courtyard sits behind the rear gardens of those properties located at 51, 53 and 55 Sotheron Road.

The building to which this application relates has been vacant for a number of years. It is evident from its internal features that it has previously been used for industrial and/or commercial purposes. It benefits from internal access to a basement which extends under 55B Sotheron Road and 55 Sotheron Road. Within the building itself there is a mezzanine

type construction which provides two floor levels. The roof of the building is flat with the exception of a pitched, tiled element which runs along its southern side. Rooflights have been installed on the flat part of the roof. The walls of the building have been constructed from brick. The building benefits from a single entrance on its western elevation which comprises a set of metal doors.



Existing building

The site is located within the Estcourt Conservation Area and lies within the Town Centre Special Policy Area as referred to in the Watford Local Plan Core Strategy 2006-31. There are no statutory or locally listed buildings in the vicinity of the site.

Proposed development

Full planning permission is sought for the change of use of a currently vacant storage/warehouse building into a residential unit. The proposed works will involve the demolition of part of the building at the rear to create a small amenity space for future occupiers of the unit.

The submitted drawings indicate that the existing basement which extends under the main 55B and 55 Sotheron Road will be blocked off as part of the works.

Cycle storage will be provided within the amenity area which is to be created at the rear of the building. Refuse and recycling storage will be created within an enclosure adjacent to the front door.

The scheme has been amended during the course of the application:

- The siting of the refuse and recycling storage has been revised to ensure that it is provided within land which is under the ownership of the applicants. The storage is now proposed to be housed within an enclosure adjacent to the entrance to the building.
- Alterations to the internal layout have been made to create an open-plan living/kitchen area of a studio type arrangement.
- Alterations have been made to the fenestration including replacing a window originally proposed on the rear elevation with a set of French doors so as to improve levels of light and outlook from the unit.

Relevant planning history

Ref. 89/00104/FUL – Erection of single storey side extension to existing offices and warehouse and alterations to front elevation – Conditional Planning Permission granted in November 1989.

Ref. 97/0597/9 – Change of use of ground floor from office to residential – Conditional Planning Permission granted in April 1998.

Ref. 12/00866/PREAPP – Pre-application enquiry to convert the property into 2 one-bedroom flats – This enquiry was responded to in September 2012. In its response, the Council raised a number of concerns including the failure of the scheme to provide a suitable living environment for its future occupiers by reason of the substandard internal space, the lack of suitable amenity space and poor levels of lighting, outlook and privacy. It had also not been demonstrated that an adequate means of storage for cycles and waste receptacles to meet the demands of the development could be provided without compromising the amenities of the residents or the visual amenity of the site and its surroundings.

Ref. 13/00085/COU – Change of use of storage/warehouse building into 2no. residential studio flats – application withdrawn in March 2013.

Ref. 14/00323/FUL – Change of use of storage/warehouse building into 2no. residential studio flats – application withdrawn in March 2014.

Relevant planning history for 55A Sotheron Road

Ref. 67/04576/S53 – Section 43 Application – Use of the premises for light industrial use – granted in March 1968.

Ref. 07/01350/COU – Change of use from light industrial to a single bed residential unit – Refused Planning Permission in November 2008 for the following reasons:

1. *The proposed development would fail to provide a satisfactory living environment for the occupants by reason of inadequate room sizes and layout of the bedroom and bathroom, an unsatisfactory level of privacy, poor quality of outlook to all windows, poor and potentially unsafe access via the yard and no sense of address, and would therefore be contrary to Policies H8, U2 and U4 of the Watford District Plan 2000 and SPGs 4 and 6.*

2. *The proposed development does not provide adequate private open space for the dwellings and is contrary to Policy H8 of the Watford District Plan 2000 and SPG 5.*
3. *The proposed development involves the loss of a small industrial unit which the Council wishes to reserve for small enterprises and is contrary to Policy E3 of the Watford District Plan 2000.*
4. *The proposed development will increase the level of overlooking and result in further loss of privacy to the surrounding residential property and is contrary to Policies U1, U3 and H8 of the Watford District Plan 2000.*
5. *By virtue of the lack of a unilateral undertaking to exempt the property for the Controlled Parking Zone and the provision of 2 off street parking spaces, the proposed development is likely to result in additional traffic and car parking, thereby exacerbating an existing parking problem in this locality and adversely affecting the free flow of traffic and road safety generally, and would be contrary to Policy T22 of the Watford District Plan 2000.*
6. *The proposed development fails to make sufficient provision for refuse storage and cycle storage contrary to Policies SE7 and T10 of the Watford District Plan 2000.*
7. *The proposed development does not provide adequate access for people with disabilities and is contrary to Policy T4 of the Watford District Plan 2000.*

Ref. 08/00872/COU – Change of use from light industrial to a single bed residential unit – Refused Planning Permission in November 2008 for the following reasons:

1. *The proposed development would fail to provide a satisfactory living environment for the occupants by reason of an unsatisfactory level of privacy, poor quality of outlook to habitable rooms, poor and potentially unsafe access via the yard and no sense of address, and would therefore be contrary to Policies H8, U2 and U4 of the Watford District Plan 2000 and SPGs 4 and 6.*

2. *The proposed development does not provide adequate private open space for the dwellings and is contrary to Policy H8 of the Watford District Plan 2000 and SPG 5.*
3. *The proposed development involves the loss of a small industrial unit which the Council wishes to reserve for small enterprises and is contrary to Policy E3 of the Watford District Plan 2000.*
4. *The proposed development will increase the level of overlooking and result in further loss of privacy to the surrounding residential property and is contrary to Policies U1, U3 and H8 of the Watford District Plan 2000.*

Relevant Policies

National Planning Policy Framework (NPPF)

- Section 4 Promoting sustainable transport
- Section 6 Delivering a wide choice of high quality homes
- Section 7 Requiring good design
- Section 10 Meeting the challenge of climate change, flooding and coastal change
- Section 11 Conserving and enhancing the natural environment
- Section 12 Conserving and enhancing the historic environment

Hertfordshire Waste Core Strategy and Development Management Policies

Document 2011-2026

No relevant policies.

Hertfordshire Minerals Local Plan Review 2002-2016

No relevant policies.

Watford Local Plan Core Strategy 2006-31

- WBC1 Presumption in favour of Sustainable Development
- SS1 Spatial Strategy
- SPA1 Town Centre

SD1	Sustainable Design
SD2	Water and Wastewater
SD3	Climate Change
SD4	Waste
HS1	Housing Supply and Residential Site Selection
HS2	Housing Mix
T2	Location of New Development
T3	Improving Accessibility
T4	Transport Assessments
T5	Providing New Infrastructure
INF1	Infrastructure Delivery and Planning Obligations
UD1	Delivering High Quality Design
UD2	Built Heritage Conservation

Watford District Plan 2000 (saved policies)

Policy SE7	Waste Storage, Recovery and Recycling in New Development
Policy SE22	Noise
Policy SE23	Light Pollution
Policy SE24	Unstable and Contaminated Land
Policy T10	Cycle Parking Standards
Policy T21	Access and Servicing
Policy T22	Car Parking Standards
Policy T24	Residential Development
Policy T26	Car Free Residential Development
Policy H13	Conversions
Policy U18	Design in Conservation Areas
Policy U19	Small Scale Developments in Conservation Areas
Policy U20	Demolition in Conservation Areas

Supplementary Planning Documents

Residential Design Guide (RDG)

Watford Character of Area Study

Estcourt Conservation Area Character Appraisal

CONSULTATIONS

Neighbour consultations

Letters were sent to a total of 20 addresses that adjoin and surround the site. Five representations have been received citing the following objections:

- Additional bins will be put in front of neighbouring property on collection day, blocking the driveway and making the area look messy.
- Area is already over-burdened and over-populated with existing flats.
- Marked increase in littering and degradation of the area to the rear of 55 since other flats were constructed – this will be exacerbated by the presence of another flat.
- Noise from additional cars and people traffic.
- Illegal parking.
- Flowerbeds being trampled and ruined.
- Proposal is 'out of sync'.
- Increase pressure for on-street parking and traffic demands in the area.
- The construction of another flat on this busy, often congested area on an already over-burdened road will exacerbate this dangerous situation of cars parking haphazardly on the road and pavements, obstructing the free flow of traffic.
- Damage character and appearance of the conservation area.
- Eyesore.
- Cause considerable pollution.
- Damage amenity of residents.
- Effectively be a glorified 'bed in a shed' and such dwellings have been found to be illegal in neighbouring boroughs and councils.
- The continued improvement of the Estcourt area is threatened by this application.

- Privacy of neighbours will be affected.
- Overlooking.
- Unsightly.
- Devalue neighbouring property.
- Whole feeling of area has changed over the years due to more properties being let out or properties split into flats.
- Quality of life of neighbours will be greatly affected.
- Add to parking congestion.
- If permission is given to change the usage of the building at some time an application will again be submitted for the other building at the rear.
- Immediate area is already densely populated with flats due to existing conversions. To allow this conversion would increase this density further, giving us a sense of everyone living on top of each other, not in keeping with a traditional terraced road.
- Accommodation would have a poor outlook and no sense of abode.
- Accommodation is unlikely to attract good quality tenants, which would affect the quality of life for existing homeowners.
- Similar attempt to convert No. 55A into residential accommodation was considered back in 2008 and was rejected by the planning department for 4 reasons, at least 3 of which seem to apply to this conversion. It would be contrary to this existing precedent to allow this proposal.
- The premises could well attract a small local business.
- Attempts to let it out as a storage/warehouse have not been exhausted.

One representation has been received citing the following comments:

- It's difficult to work out from the plans whether the "partial demolition" involves only the internal space or whether the existing wall separating my garden and the proposed conversion will be affected. It also appears that the current roof height of the building will be maintained; any increase in this would have a detrimental effect on the light in my garden. If both these aspects are unchanged then I have no objection to the proposal which seems a reasonable use of derelict space.

Site Notice

Site notice placed.

Press Advertisement

A notice was published in the Watford Observer.

Statutory consultations

Planning Policy – Conservation & Design

The property is located within the Estcourt Conservation Area. The existing building is a relatively modern addition to the Conservation Area and is of neutral value. The proposed works will not harm the character of the building and will have a very limited impact on the amenity of the wider Conservation Area. The front door/window are one of the few elements that will be more visible and the materials for these should be covered by an appropriately worded condition.

The cycle storage should be of a robust and weather proof form.

Hertfordshire County Council (Highway Authority)

Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

COMMENTS

The proposal is to change of existing storage/warehouse building into 1bedroom flat, which is sited in a yard behind the row of Victorian Terrance house at No. 55 Sotheron Road, Watford.

Access

The proposal is located on Sotheron Road, Watford, it is an unclassified road and with a speed limit of 20 mph. In section 6 of the application form Pedestrian and Vehicle Access, Roads and Rights of Way and Design and Access Statement the applicant has implied that there is no new or altered vehicle access proposed development.

Parking

There are no parking spaces for the existing storage building. Vehicle parking the applicant states that the proposed would result in no additional parking spaces being provided in association with the development.

PLANNING OBLIGATIONS

The applicant should be made aware that the planning permission is granted for this development of two studio flats will attract a financial contribution of £375 toward but not limited to sustainable transport measures identified in the Southwest Hertfordshire Transport Plan. This has been derived from the document "Planning Obligations guidance- toolkit for Hertfordshire".

Informative

1) All areas for parking and storage and delivery of materials associated with the construction of this development shall be provided within the site on land which is not public highway and the use of such areas must not interfere with use of the public highway.

Reason: In the interest of highway safety and free and safe flow of traffic.

Conclusion

The proposals are not considered to greatly impact upon the highway safety or capacity. It is considered acceptable to the Highway Authority.

Contaminated Land Officer

The Contaminated Land Officer has been consulted and has not provided any comments. The comments received from the Contaminated Land Officer on the previous application (Ref. 14/00323/FUL) are outlined below:

The former use of the site (storage/warehouse) represents a potentially contaminative use, in addition the site is situated within the near vicinity of potentially contaminative land uses. Consequently there may be land contamination issues associated with this site. However, due to the nature of the proposals (change of use only, no ground works proposed), the need for a condition relating to contamination is unnecessary.

APPRAISAL

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 (adopted January 2013);*
- (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.*

Background information

This application follows two previous applications submitted in January 2013 and February 2014 respectively which proposed the conversion of the building into 2 flats. Both of these applications were withdrawn by the applicants prior to their determination.

Principle of development

Policy HS1 of the Watford Local Plan Core Strategy 2006-31 advises that factors that will support residential allocation in the site allocations document, and which will also be considered in determining applications on windfall sites, will include, inter alia: consistency

with the spatial strategy; previously developed land; close to good public transport, walking and cycle network routes; location within the town centre or at other strategically located sites. The Policy further advises that factors that will go against residential allocation will include: not previously developed land; land at risk of flooding; existing employment land, open space or other community facilities for which there is still an identified need; land with high biodiversity, landscape or cultural heritage significance; no access to reliable integrated public transport links.

The proposal complies with the provisions of Policy HS1 in that the site occupies previously developed land which is close to good public transport routes and is located within the Town Centre (as shown in Figure 6, page 54 of the Watford Local Plan Core Strategy 2006-31). The site is not in an area at risk of flooding, is not existing open space or a community facility and does not have high biodiversity, landscape or cultural heritage significance.

It is understood that the building has provided an employment use in the past; however, it has now been vacant for a number of years. The site does not lie within a designated Employment Area and does not lend itself to being used for industrial or warehouse purposes given the restricted access and the lack of parking and manoeuvring space for commercial vehicles. It must also be taken into account that the site lies within a primarily residential area which is more likely to be susceptible to the noise and activity which is generated by warehouse and storage uses which are themselves generally encouraged to locate in designated employment areas.

The NPPF encourages the conversion of empty commercial buildings into residential use. In paragraph 51, it advises that local planning authorities “should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate”.

Policy HS2 of the Watford Local Plan Core Strategy 2006-31 states that the Council will seek the provision of a mix of housing types, sizes and tenures at local level to meet the requirements of all sectors of the community. This includes the provision of:

- family sized units (especially houses) and;
- smaller housing units;
- provision for those unable to compete financially in the housing market;
- those with special needs as informed by local evidence.

Policy HS2 advises that “Higher density developments mainly including flats will be focused around the town centre and key strategic sites”. The proposed development will not contravene the provision of Policy HS2 in that it will provide a flat within the designated Town Centre area.

Saved Policy H13 of the Watford District Plan 2000 advises that the conversion of non-residential buildings to dwellings will be acceptable in principle provided they do not result in more than 10% of the existing residential frontage in a street block consisting of a mix of conversions, HMO or guest houses. In this case, the site comprises a building which currently has a non-residential usage and which has never provided family-sized dwellings. The proposal will not therefore result in the loss of any family-sized dwellings. Moreover, the conversion rate is not relevant in this particular case as the proposal does not have a frontage to the street.

Design

Policy UD1 of the Watford Local Plan Core Strategy 2006-31 states that “new development should respect and enhance the local character of the area in which it is located”. Policy UD2 of the Watford Local Plan Core Strategy 2006-31 advises that “The council will ensure that the borough’s historic environment is identified, conserved, and, where appropriate, enhanced. This will include conservation areas, listed buildings, locally listed buildings, scheduled ancient monuments, archaeological remains and registered parks and gardens, and their settings”.

At a national level, the NPPF makes clear that development should “add to the overall quality of the area” and “respond to local character and history and reflect the identity of local surroundings” (paragraph 58). Paragraph 58 of the NPPF also requires that developments be visually attractive as a result of good architecture. Paragraph 64 states that “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”. Paragraph 131 of the NPPF also advises that in determining applications, local planning authorities should take account of, inter alia, “the desirability of new development making a positive contribution to local character and distinctiveness”.

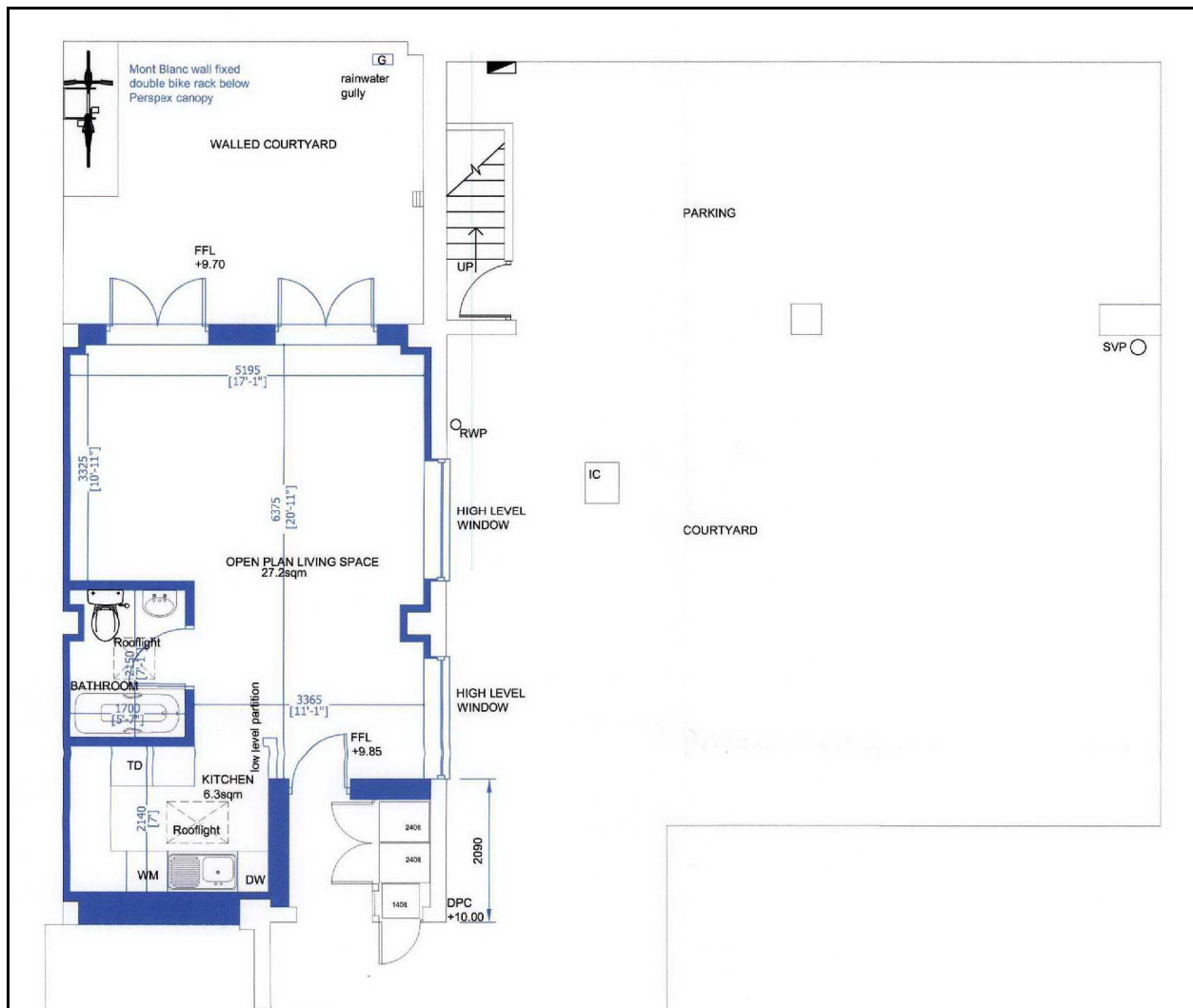
The proposed development will not involve the erection of any extensions or new buildings. Instead, it will rely on alterations to the building through the installation of new window and door openings. Additionally, part of the building will be demolished at its eastern end to allow an amenity area to be created. The building has no significant historical or architectural significance and the partial demolition proposed will not result in any harm to the character or appearance of the Conservation Area.

The proposed new windows and doors will be in proportion to the scale of the building. Further details of the type and finish of the new windows and doors can be secured by condition should permission be granted to ensure that a high quality finish is achieved.

Domed roof lights will be located on the flat roof of the building and will have no significant visual impact. They will not be visible from the courtyard as they will be hidden from view by the pitched roof element which runs along the southern side of the building.

Impact on street scene

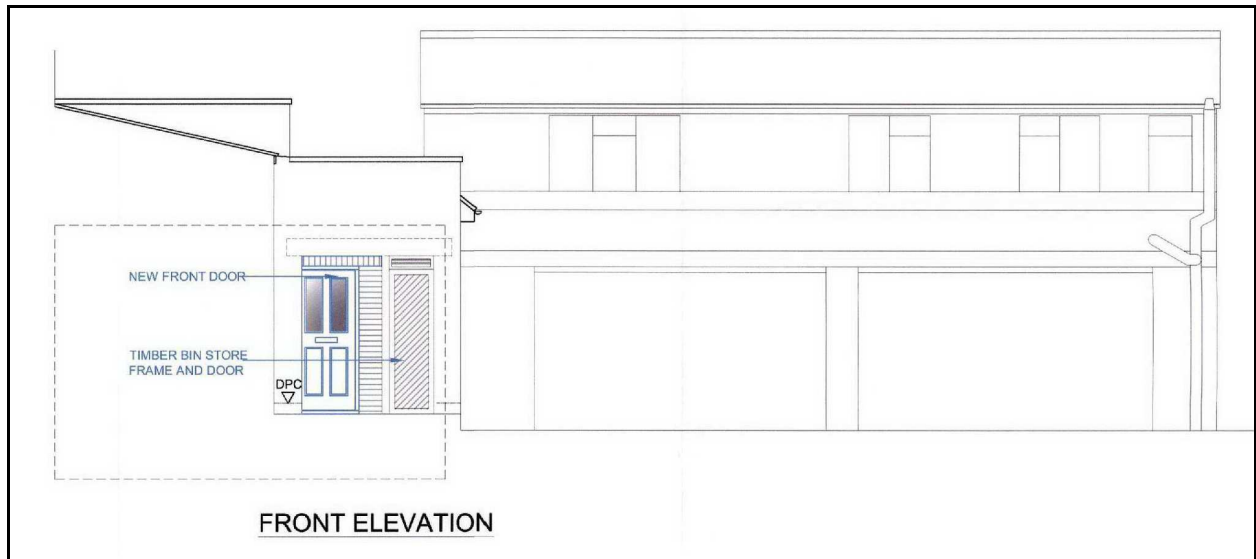
The proposed development will have no impact on the street scene given that the building is set back 16m from the road and is located behind the main building frontage. Whilst glimpses of the building can be seen from Sotheron Road through the covered entrance, these are restricted by the buildings fronting the street. In any case, the works that are proposed will not result in the building being enlarged or appearing prominent from the surrounding area.



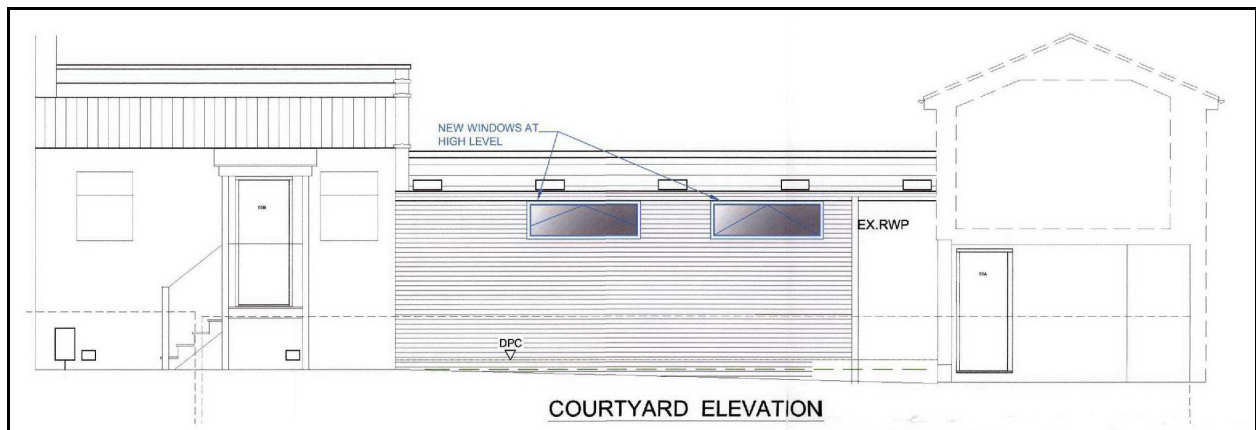
Layout plan

Layout

The RDG outlines the minimum space standards for residential units. It advises that a minimum gross internal floorspace of 37m² should be provided for a studio flat. The proposed development, at 43 m², will comply with the minimum space standards set out by the guidance. The main living and sleeping area will benefit from suitable levels of natural lighting and outlook, in accordance with the provisions of the RDG. The installation of roof lights, in addition to those which already exist, will allow natural light to penetrate all parts of the building.



Alterations to front elevation



Alterations to courtyard elevation

Section 7.3.22 of the RDG advises that the minimum area for private amenity space for a 1 bedroom dwelling is 50 square metres. The proposed amenity area to be provided for the new unit will cover an area of 21.7 square metres which is below the minimum standard. However, given the built up nature of the area it is considered that this would not justify a reason for refusal of the application, taking into account that many of the existing residential properties within this built up location do not benefit from any private amenity space, including some of the immediately neighbouring flats. Furthermore, whilst the courtyard garden will be small, it will provide an attractive and usable amenity space for future occupiers to enjoy.

Refuse and recycling storage will be created within a purpose-built enclosure. The proposed enclosure will allow adequate refuse and recycling storage to meet the demands of the development without compromising the visual amenity of the site or its surroundings, in accordance with Policy SE7 of the Watford District Plan 2000 and Policy SD4 of the Watford Local Plan Core Strategy 2006-31.

Impact on neighbouring properties

The proposed development will not give rise to any significant harm to the amenities of neighbours in accordance with the provisions of the RDG and Policy SS1 of the Watford Local Plan Core Strategy 2006-31.

The proposed use of the building for residential purposes will remain compatible with surrounding uses given that the site lies within a primarily residential area. A residential use in this location is unlikely to result in any significant harm to neighbours in terms of noise or disturbance. Arguably, a residential use here would have less of an impact on amenity than an industrial or commercial use.

The proposed development will not result in any loss of privacy to neighbours. No windows are proposed in the north-facing elevation of the building and those windows proposed on the other elevations will not allow any views to be afforded into neighbouring properties given their position and, on the courtyard elevation, their location at high level.

The submitted plans show that the ground level of the amenity area at the rear of the unit will be significantly below the height of the wall which will be retained along the boundary shared with 57 Sotheron Road. This will ensure that direct overlooking into the garden of 57 Sotheron Road will not occur as a result of the development.

As no extensions or new buildings are proposed, the development will not give rise to any reduction in levels of natural light or outlook currently enjoyed by surrounding neighbours.

Transportation, access and parking

No on-site parking provision is proposed. However, the site is located within close proximity of Watford Junction and bus stops. The Town Centre primary shopping area is also easily accessible from the site. In a sustainable location such as this there is no requirement for any on-site parking to be provided in accordance with Policy T26 of the Watford District Plan 2000. As the site is in a sustainable location it is therefore suitable for a car free development.

The site is located within a controlled parking zone (CPZ) and the owners of the site have entered into a legal agreement with the Council to ensure that the future occupiers of the property will not be entitled to parking permits within the controlled parking zones in the vicinity of the site. The completion of this agreement will ensure that the development does not give rise directly to any additional on-street parking, in accordance with Policy T24 of the Watford District Plan 2000.

The proposal does not seek to create or alter a vehicular access. The Highway Authority has been consulted and has confirmed that there are no objections to the proposal on highways grounds.

A minimum of 1 cycle parking space is required per dwelling, in accordance with Policy T10 of the Watford District Plan 2000. The submitted drawings indicate that cycle storage will be provided at the rear of the property. Cycle storage in this location is appropriate and will not cause harm to visual amenity. Further details of the exact siting, size, type and finish of this storage can be secured by condition should permission be granted, to ensure that the cycle storage is both secure and weatherproof.

Consideration of objections received

Six representations were received and these are summarised in the “Consultations” section of the report above. Many of the issues raised have been discussed in the “Appraisal” section of the report. However, those issues that have not already been referred to, or which require further discussion, are outlined in the table below.

Objections	Officer's response
<p>Noise disturbance and pollution.</p>	<p>The driveway providing access to the building runs between 53 and 55 Sotheron Road. This is already used as a means of access to the application premises, 55A and 55B Sotheron Road and the parking provided within the courtyard, and is therefore subject to an existing level of activity. Vehicles entering and leaving the courtyard and using the access drive undoubtedly cause some noise and emit exhaust fumes. However, there is no on-site parking provision proposed for this development and it will not, therefore, result in any material increase in traffic movements, noise or pollution.</p> <p>The times during which the demolition and the works involved in carrying out the development may be carried out can be restricted by a condition attached to the permission so as to reduce noise disturbance to neighbours.</p> <p>The proposed works involve the conversion of an existing building without relying on the construction of new buildings. As such, it is not anticipated that the works will create high levels of pollution.</p>

<p>Increased littering and degradation.</p>	<p>The building has no architectural merit and does not contribute positively to the appearance of the site or the wider visual amenity of the area in its current form. The redevelopment of the site provides an opportunity for the building to be brought back into use and for its appearance to be enhanced through sympathetic refurbishment works. The works will improve the site rather than degrade it. The building is likely to fall into a state of disrepair should it be left vacant.</p> <p>There is no reason to assume that the development will result in increased littering. The proposal will introduce a residential property which is likely to provide a greater level of natural surveillance when compared to the existing vacant use of the site. Anti-social behaviour such as littering is likely to be discouraged in front of private residential properties.</p>
<p>Impacts on highway safety.</p>	<p>The existing access will be utilised and no new vehicular access will be formed. The net increase of one additional dwelling is unlikely to result in any significant increase in traffic. The Highway Authority has been consulted and has raised no objection on highway safety grounds.</p>

<p>Flower beds being trampled and ruined.</p>	<p>The building will be accessed via the existing driveway and will not require its occupants or visitors to walk over neighbours' properties.</p>
<p>Additional bins will be put in front of neighbouring property on collection day, blocking the driveway and making the area look messy.</p>	<p>A grant of planning permission does not authorise future occupiers to trespass onto land which is not within their ownership.</p>
<p>Effectively be a glorified 'bed in a shed' and such dwellings have been found to be illegal in neighbouring boroughs and councils.</p>	<p>The objector has referred to examples in the London Boroughs of Brent and Hillingdon where the Local Planning Authorities have taken enforcement action against so-called 'beds in sheds'. In this case, the applicant has applied for full planning permission and therefore the Council is tasked with assessing the application on its own merits and against the relevant policies. In this case, having reviewed the planning merits of the case, it is considered that the development proposes a suitable form of residential accommodation. The proposal will comply with the aims of Paragraph 51 of the NPPF which encourages the conversion of vacant commercial buildings into residential use where there are no strong economic reasons why such development would be inappropriate.</p>

<p>Devalue neighbouring property.</p>	<p>The impact of a development on the value of a property is not a material planning consideration.</p>
<p>If permission is given to change the usage of the building at some time an application will again be submitted for the other building at the rear.</p>	<p>The Council cannot prevent applications from being submitted. Should a further application for the conversion of the building known as 55A Sotheron Road be submitted then this would have to be considered on its own individual merits.</p>
<p>Accommodation is unlikely to attract good quality tenants, which would affect the quality of life for existing homeowners.</p>	<p>There are no planning grounds to refuse the application based on an assumption that the building may accommodate undesirable tenants.</p>
<p>Similar attempt to convert No. 55A into residential accommodation was considered back in 2008 and was rejected by the planning department for 4 reasons, at least 3 of which seem to apply to this conversion. It would be contrary to this existing precedent to allow this proposal.</p>	<p>The reasons for refusal of the previous applications relating to 55A Sotheron Road are outlined in the 'Planning History' section of the report above. There are physical differences between the current site and the building at 55A Sotheron Road which mean that the reasons for refusal cannot simply applied to this case. The current proposal has been considered on its own merits.</p>

<p>Attempts to let it out as a storage/warehouse have not been exhausted.</p>	<p>A letter has been submitted with the application from a local estate agent which claims that they have tried to let the warehouse on several occasions over the last 10 years but this has proved to be difficult. The Council has not been provided with the specific details of the marketing exercises that have been carried out. Notwithstanding this, however, it is apparent that the building has now been vacant for a number of years. The site is located within a primarily residential area and is served by a narrow, restricted access which limits the potential interest in using the premises for storage or other commercial purposes. The site does not lie within a designated Employment Area and does not lend itself to being used for industrial or warehouse purposes given the restricted access and the lack of parking. In addition the surrounding residential properties are more likely to be affected by the noise and activity generated by a warehouse or other industrial uses, which are themselves generally encouraged to locate in designated employment areas.</p>
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Conclusion

The proposal will result in a residential unit that will provide a suitable standard of living for its future occupiers and will not compromise the amenities of the occupiers of the neighbouring properties. The development will have no detrimental impact on the street scene or the character or appearance of the Estcourt Conservation Area.

The owners of the site have entered into a legal agreement to secure a financial contribution towards the amendment of the relevant Traffic Regulation Order, which will prevent future occupiers of the development from entitlement to parking permits within the surrounding controlled parking zones. Taking into account the completion of this agreement and also given the sustainable location of the site, the proposal will not of itself result in any increase in on-street parking.

Human rights implications

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.

RECOMMENDATION

That, in consequence of a unilateral undertaking under s.106 of the Town and Country Planning Act 1990 (as amended) having been entered into to secure the provision set out in this report, 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. Demolition of part of the existing building and construction of the development hereby permitted shall not take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturdays and not at all on Sundays and Public Holidays.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties during the time that the development is being constructed, pursuant to Policy SE22 of the Watford District Plan 2000.

3. Notwithstanding the information already submitted, no works of construction shall commence until details of the materials, type and finish of all new windows and doors have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.

Reason: To ensure that the development is constructed using high quality materials and finishing that respond to the site's context and make a positive contribution to the character and appearance of the area, in accordance with Policies UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31.

4. No part of the development shall be occupied until the refuse and recycling storage has been laid out and constructed in accordance with the approved drawings and made available for use, and these facilities shall thereafter be kept clear of any obstruction and shall not be used for any other purposes.

Reason: To ensure that suitable refuse and recycling storage facilities are provided for the occupiers of the development and in the interests of visual amenity, in accordance with Policy SE7 of the Watford District Plan 2000 and Policies UD1, UD2 and SD4 of the Watford Local Plan Core Strategy 2006-31.

5. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any modifications or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, C, D, E and G of the Order shall be carried out to the dwelling hereby approved 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 site and its surroundings and will not prove detrimental to the amenities of adjoining occupiers in accordance with Policies SS1, UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31.

6. No development shall commence within the site until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of contractor's parking, the delivery and storage of materials, measures to mitigate noise and dust and a contact procedure for complaints. The Plan as approved shall be implemented throughout the construction period.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties and to minimise any obstruction of the adjoining highway during the time that the development is being constructed, pursuant to Policies T4 and SE22 of the Watford District Plan 2000.

7. Notwithstanding the information already submitted, the dwelling hereby approved shall not be occupied until details of the size, type, siting and finish of the proposed cycle storage have been submitted to and approved in writing by the Local Planning Authority. The storage approved under this condition shall be provided prior to the first occupation of the dwelling and shall be retained at all times for cycle storage only and shall not be used for any other purpose.

Reason: In the interests of the visual appearance of the site and the character of the surrounding area and to ensure that adequate cycle storage is provided for the benefit of the occupiers of the building in accordance with Policy T10 of the Watford District Plan 2000 and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

Informatives

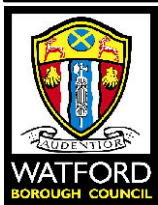
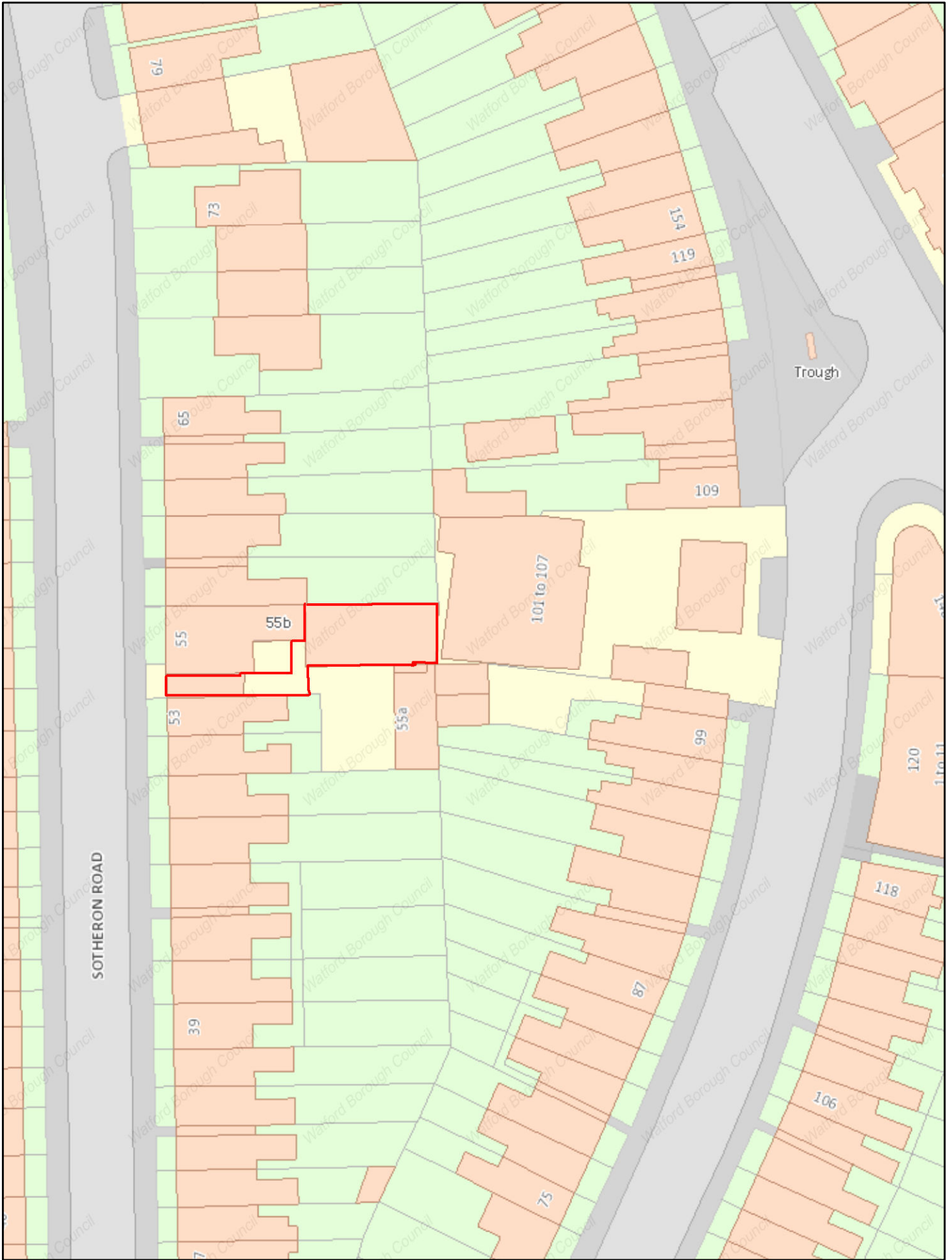
1. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended.
2. This planning permission is accompanied by a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure a financial payment towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude future residents of the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the site, in accordance with Policy T24 of the Watford District Plan 2000.

3. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the Hertfordshire County Council website at <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Drawing Numbers

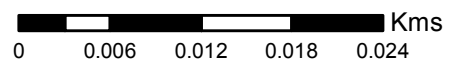
A1/3778/SUR/1.00/A – amended plan received 14.11.14; A1/3778/SCH/2.00/C – amended plan received 14.11.14

Case Officer: **Simon Hoskin**
Email: **simon.hoskin@watford.gov.uk**
Tel: **01923 278598**



Rear of 55 Sotheron Road

Date: 18/11/2014



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