

<b>Committee date</b>	Wednesday, 3 April 2019
<b>Application reference</b> <b>Site address</b>	19/00220/VAR - Ellwood Court, Ellwood Gardens
<b>Proposal</b>	Variation of Condition 2 (approved drawings) of planning permission ref. 18/01286/FUL for the erection of 2 three-storey infill extensions to provide 9 additional self-contained units and provision of additional car parking spaces to the rear, together with associated cycle storage, refuse and recycling facilities and hard and soft landscaping. Variation for amended design of infill extensions and the addition of Juliet balconies on the rear elevations.
<b>Applicant</b>	Fodbury Properties Limited
<b>Agent</b>	UPP – Urban Planning Practice
<b>Type of Application</b>	s.73 application for minor material amendment
<b>Reason for committee Item</b>	Previously determined by committee
<b>Target decision date</b>	24 <sup>th</sup> April 2019
<b>Statutory publicity</b>	Letters to residents
<b>Case officer</b>	Paul Baxter, paul.baxter@watford.gov.uk
<b>Ward</b>	Stanborough

## 1. Recommendation

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

## 2. Site and surroundings

- 2.1 The application site is situated at the end of the Ellwood Gardens cul-de-sac and comprises a large, rectangular site of 0.65 hectare. It comprises 18 flats arranged as 3 no. 3 storey blocks (each with 6 flats) arranged in a U-shape facing Ellwood Gardens. Vehicular access either side of the central block gives access to rear garages and parking spaces along the rear boundary of the site. The site is not within a conservation area and contains no listed or locally listed buildings. A belt of trees running across the site to the rear of the central block, a group of trees on the northern boundary and various individual trees within the site are protected by Tree Preservation Order No.66.
- 2.2 Ellwood Gardens is characterised by 2 storey, semi-detached houses. The surrounding area is characterised by detached and semi-detached housing.

2.3 Further information, including the site plan and drawings, is available in the appendices to the report and on the Council's [website](#).

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

#### **3.1 Proposal**

A s.73 application for a minor material amendment to planning permission ref. 18/01286/FUL for the variation of Condition 2 (approved drawings). The proposed amendments are to the design of infill extensions where they join the existing buildings and the addition of Juliet balconies on the rear elevations.

3.2 The drawings approved under ref. 18/01286/FUL showed the eaves and ridge levels of the 3 existing buildings to be the same and the proposed infill extensions being a continuation of these at the same heights. However, in preparing more detailed construction drawings, it became evident that the existing buildings had different eaves and ridge levels. The design of the infill extensions has therefore been amended slightly to allow them to adjoin the existing buildings at slightly different levels. They will have the same eaves and ridge levels as the central building but will adjoin the two side buildings at slightly lower levels.

3.3 The proposed Juliet balconies will be on the rear elevations of the infill extensions.

#### **3.4 Conclusion**

The proposed amendments to the infill extensions will maintain the scale and design quality of the approved extensions and will have no harmful impact on the overall development. The quality of accommodation for future residents will also not be affected.

### **4. Relevant policies**

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

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

5.1 The existing blocks of flats and garages were granted planning permission in 1959 (59/21615/FUL).

79/00539/OUT - Erection of 16 flats, garages and additional facilities. (Outline Application). Refused 19.12.1979.

86/00270/OUT - Erection of 18 flats and additional car parking provision. Outline Application. Refused 30.07.1986.

89/00624/FUL - Demolition of existing garages and bin stores and erection of 8 semi-detached houses and 2 bin stores with additional and re-arranged parking. Refused 27.07.1990. Dismissed on appeal 30.07.1991.

90/00574/OUT - Outline application for the erection of 2 No. 3-storey extensions between the existing blocks of flats to provide 10 No. 2-bedroom flats. Refused 04.04.1991. Dismissed on appeal 30.07.1991.

18/01286/FUL - Erection of 2 three-storey infill extensions to provide 9 additional self-contained units. Provision of additional car parking spaces to the rear, together with associated cycle storage, refuse and recycling facilities and hard and soft landscaping. Planning permission granted by committee on 06.12.2018.

## **6. Main considerations**

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

- (a) Scale and design.
- (b) Quality of residential accommodation.

The principle of the development remains acceptable. The proposed changes will have no additional impacts on the existing flats in Ellwood Court, on surrounding properties or on the protected trees on the site. The access, parking and servicing arrangements remain unchanged.

6.2 (a) Scale and design

The infill extensions will remain 3 storey and will be very similar in scale and design to the approved extensions. They will adjoin the central block as approved, with the same eaves and ridge levels. The main difference is how they join the 2 flanking blocks. Due to the difference in levels, the element of the infill extensions that join to the flanking blocks will be slightly reduced in scale with lower eaves and ridge levels. These elements are narrow in width, only 1.25m, and will not detract from the overall appearance of the development. Due to this change, the end of the roof will now be a gabled form, rather than hipped as originally approved, which will match the roof

form of the existing blocks. As before, contrasting buff bricks are proposed for the infill extensions with matching roof tiles.

6.3 The proposal also includes full height opening windows with Juliet balconies on the rear elevations of the infill extensions. Whilst these are not seen on the existing blocks, there is no objection to their inclusion on the rear elevations which face the private amenity areas. They will not be visible from the public realm or Ellwood Gardens. They will have no harmful impact on the overall development.

6.4 (b) Quality of residential accommodation  
The 5 corner flats will have their internal floorarea reduced by 0.5m<sup>2</sup> as a result of the external changes but otherwise remain as approved. This very slight reduction in floorarea will have no impact on the quality of accommodation for future residents.

## 7. Consultation responses received

### 7.1 Statutory consultees and other organisations

None required.

### 7.2 Internal Consultees

None required.

### 7.3 Interested parties

Letters were sent to 86 properties in the surrounding area. A response has been received from 1 property. The main comments are summarised below, the full letter is available to view online:

Comments	Officer response
New corner flats will give rise to increased overlooking of rear garden and windows of 115 Sheepcot Lane.	The windows in the infill extension will be 26m from the rear garden boundary and 50m from the windows in the rear elevation of this property. These distances remain unchanged from the approved scheme and significantly exceed the guidelines in the Residential Design Guide.

## 8. Recommendation

That planning permission be granted subject to the following conditions:

### Conditions

1. The development to which this permission relates shall be begun before 6<sup>th</sup> December 2021.

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 and to accord with planning permission ref. 18/01286/FUL.

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

U-PP-LP001, LP002, LP003, BP001, BP002  
U-PP-PP001 Rev.2, PP002 Rev.2, PP003 Rev.2, PP004 Rev.2,  
PP005 Rev.2  
U-PP-PE001 Rev.2, PE002 Rev.2, PE003 Rev.2, PE004 Rev.2  
U-PP-PS001 Rev.2

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

3. No construction works shall commence until details and samples of the materials to be used for all the external finishes of the building, including walls, roofs, doors and windows 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. This is a pre-commencement condition as the materials need to be approved by the Local Planning Authority before the development is constructed.

4. No development on site shall commence until the tree protection measures (including ground protection) relating to the protected trees located within the site, as detailed in the Arboricultural Impact Assessment and Method Statement by Trevor Heaps, Arboricultural Consultancy dated 18th October 2018 (Ref. TH 1669 B) have been implemented in full. The approved measures shall be maintained as

such at all times whilst the construction works take place. The construction works shall only be carried out in accordance with the recommendations of this report.

Reason: To ensure the existing trees which make a positive contribution to the visual amenity of the area are retained and not harmed by the development in accordance with saved Policy SE37 of the Watford District Plan 2000. This is a pre-commencement condition as the tree protection measures must be in place before the development is constructed.

5. No dwelling hereby approved shall be occupied until the refuse, recycling and cycle storage facilities have been provided in full, in accordance with the approved drawings. These facilities shall be retained at all times thereafter and shall be used for no other purpose.

Reason: In the interests of the visual appearance of the site and to ensure adequate facilities are provided for the occupiers of the site.

6. No dwelling hereby approved shall be occupied until a minimum of 27 and a maximum of 36 car parking spaces have been provided in full, in accordance with the approved drawings. These parking spaces shall be retained at all times thereafter and shall only be used for the parking of cars of occupiers and visitors to the site.

Reason: In the interests of the visual appearance of the site and to ensure adequate parking facilities are provided for the occupiers of the site and their visitors.

7. No external lighting shall be installed within the parking areas until a detailed lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be designed to minimise light pollution and glare to the existing and proposed flats. The scheme shall only be installed in accordance with the approved details.

Reason: To prevent light pollution within the site and to existing and proposed occupiers of the flats.

#### Informatives

1. IN907 Consideration of the proposal in a positive and proactive manner.
2. IN910 Building Regulations.

3. IN911 Party Wall Act.
4. IN912 Hours of construction.
5. IN913 CIL Liability.
6. IN909 Street naming and numbering.