

Committee date	Wednesday, 4 th March 2020
Application reference Site address	19/01375/FUL 2 Green Lane Watford WD19 4NJ
Proposal	Retrospective application for the erection of a building containing 3 x flats
Applicant	Mr Raj Mistry
Agent	Planitel Architectural Design
Type of Application	Full Planning Permission
Reason for committee Item	Over 5 objections have been received
Target decision date	6th March 2020
Statutory publicity	Letters to adjacent neighbours
Case officer	Alice Reade, alice.reamde@watford.gov.uk
Ward	Oxhey

1. Recommendation

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

2. Site and surroundings

- 2.1 The site is located at the northern end of Green Lane, adjacent to Hollybush Close and near to the junction of Green Lane with Oxhey Road. The site experiences a significant ground level change with ground level falling from the front of the site down to the rear.
- 2.2 The site previously contained one detached house. This was demolished and two detached buildings were built of the design and position of two houses approved under permission 12/00402/FUL. This application relates to the north side building which has accommodation over 4 floors.
- 2.3 The site is not within a Conservation Area and there are no listed buildings on or near the site. There are TPO trees in the vicinity of the site although none on the site itself.

3. Summary of the proposal

3.1 Proposal

- 3.2 Retrospective permission sought for the erection of the building to contain 3 flats. The building position, scale and design is identical to that of the building previously approved as a house.

3.3 Conclusion

- 3.4 The building scale, position and design is as already approved and remains acceptable. The use of the building as three flats is acceptable and would create no adverse harm to the area, the amenities of neighbours or the local highway. Appropriate landscaping, parking and bin and bicycle storage is secured by condition to be approved and installed within a specified time period.

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 12/00402/FUL Erection of 2 no. four bedroom detached dwellings Conditional Planning Permission granted on 16th July 2012.

Associated application for the discharge of conditions for planning permission reference 12/00402/FUL

19/00504/COU Change of use from 4 bedroom detached house to three individual flats (one 1 bed flat, one 3 bed flat and one 3 bed duplex flat)

Withdrawn. Officer advice to applicant:

- The building has not been built and occupied as a house and therefore a change of use application is cannot be granted
- Retrospective permission would be needed for the building to contain flats.
- The flats would need to comply with minimum described internal space standards and some rooms of the basement flat may have poor light and outlook.

6. Main considerations

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

- a) Principle of development
- b) Scale and design
- c) Quality of residential accommodation
- d) Impacts on surrounding properties
- e) Trees and landscaping
- f) Car parking and highway impact

- g) Bin and Bicycle storage
- h) S106 Contributions and CIL

6.2 (a) Principle of development

Residential development in this predominantly residential areas remains acceptable in accordance with policy HS1 of the Core Strategy. The local context is predominantly family housing however the introduction of flats is also acceptable in principle, subject to all other planning considerations.

6.3 (b) Scale and design

The building externally remains identical to that approved as a house under planning permission 12/00402/FUL. Subject to the provision of appropriate bin storage for the additional occupiers and appropriate landscaping, the development consisting of flats would create no change to the visual impact of the building.

6.4 (c) Quality of residential accommodation

The proposed dwellings would comply with the minimum Gross Internal Areas (GIAs) set out within the Residential Design Guide and nationally described space standards as set out below:

	GIA	Minimum standard	Compliant?
Flat 1 (1 bed 1 person)	89sqm	37 sqm	Yes
Flat 2 (1 bed 2 person)	50sqm	50 sqm	Yes
Flat 3 (3 bed 5 person)	98sqm	93 sqm	Yes

6.5 The basement flat would have some areas with limited light and outlook however the open plan nature of the dwelling would maintain a suitable living environment for future occupiers.

6.6 The communal garden of 190sqm would be accessible and useable to all occupiers and would exceed the minimum size guidance for amenity space for 3 flats of 80sqm.

6.7 (d) Impacts on surrounding properties

The building position and scale relative to neighbours is unchanged from the previous planning permission and this remains acceptable. The flatted nature of the development would not create any unreasonably adverse impact to neighbours.

- 6.8 As per the previous planning permission, the side windows are again conditioned to be obscurely glazed and fixed closed below 1.7m to prevent overlooking to neighbouring properties.
- 6.9 (e) Trees and Landscaping
The landscaping scheme of the approved application has not been implemented in accordance with the approved plans. Instead the frontage of the site has been laid fully to hard standing. This is visually unattractive and creates a visually dominant parking area. This is recommended that detail of a revised landscaping area are secured by a condition to this permission to ensure this can be implemented and enforced under this new permission.
- 6.10 (f) Car parking and highway impact
The planning permission for the building as a house included a front access and driveway for parking shown for 3 cars although could contain more. This front access is unchanged and there is no objection from the highway authority.
- 6.11 The application form states that the proposed development again includes parking for 3 cars however the driveway built as larger than approved, would allow for significantly more cars than 3.
- 6.12 In accordance with Appendix 2 of the Watford District Plan 2000, the development in this location should provide a maximum of 5 car parking spaces. The oversupply of parking would facilitate additional` traffic and congestion contrary to saved policy T22 of the Watford District Plan 2000. This is therefore, again, to be addressed by way of condition to return this to a similar size and layout of that previously approved and to prevent an oversupply of parking.
- 6.13 (g) Bin and bicycle storage
The proposed plans show bin and bicycle storage to the side of the house however no detail of secure enclosure facilities are provided. This location is also unsuitable as it would require bins and bicycles to be taken up and down steps. Details of appropriate bin and bicycle storage would therefore be required by condition.
- 6.14 (h) S106 Contributions and CIL
The development provides less than 10 dwellings meaning that no affordable housing is required.
- 6.15 The development is liable for Community Infrastructure Levy under the

Council's adopted charging schedule.

7. Consultation responses received

7.1 Statutory and internal consultees

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
HCC Highways Authority	No objection.	Noted.
Arboricultural officer	No objection.	Noted.

7.3 Interested parties

Letters were sent to 6 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 response
The building has not been built as a house as was approved and the flats are already built and occupied.	It is noted that this application is retrospective. The development is however assessed on its own merits and the retrospective nature does not prevent the grant of planning permission for a development that is acceptable in planning terms.
The flats overlook neighbours to the rear.	The building, its height and its windows remain in the same position as the approved house. The flats would see more dwellings at the premises however the use remains residential and any overlooking is not unreasonable or harmful.
The area is being overdeveloped to flats.	The area remains characterised by large family homes. The external nature of the building would remain in keeping with this character. The creation of flats in this areas is not harmful and would add to the mix of homes available in the area.
Increased traffic generation	The highways authority have no objection to the development.
Overdevelopment of the site	The building remains of the size and design already approved. The flats all meet the minimum size requirements and would have

	appropriate parking and amenity space. The development is not considered to be overdevelopment.
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8. Recommendation

Planning permission be granted subject to the following conditions:

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

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

2. Within 3 months of this decision, details for all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a smaller front driveway area for the parking of no more than 3 cars and soft landscaping to the front and rear of the site. The approved hard landscaping shall be carried out within 3 months of the approval of the details and shall be retained at all times. The soft landscaping shall be carried out not later than the first available planting and seeding season following approval of the details. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

Reason: To prevent an oversupply of parking at the site pursuant to saved policy T22 and T24 of the Watford District Plan 2000 and in the interests of the visual appearance of the site in accordance with Policies SD1, GI3 and UD1 of the Core Strategy.

3. Within 3 months of the date of this decision details of the size, type, siting and finish of refuse and recycling storage enclosures for the flats shall be submitted to and approved in writing by the Local Planning Authority. The stores approved under this condition shall be installed and made available for use within 3 months of the approval of the details and shall be retained at all times for refuse/recycling only and shall not be used for any other purpose.

Reason: In the interests of the visual appearance of the site, to ensure that adequate waste storage facilities are provided and to ensure that a

suitable living environment is provided, in accordance with 'saved' policies H13 and SE7 of the Watford District Plan 2000 and Policies UD1 and SD4 of the Watford Local Plan Core Strategy 2006-31.

4. Within 3 months of the date of this decision details of the size, type, siting and finish of a cycle storage enclosure for the proposed flats shall be submitted to and approved in writing by the Local Planning Authority. The storage approved under this condition shall be installed and made available for use within 3 months of the approval of the details and shall be retained at all times for cycle storage only and shall not be used for any other purpose.

Reason: To ensure that secure and weatherproof cycle storage facilities are provided for future residents in accordance with Policy T10 of the Watford District Plan 2000 and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

5. Notwithstanding the drawing hereby approved the proposed windows on the side elevations facing south shall be obscured and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the finished floor level.

Reason: To prevent overlooking and a loss of privacy to the adjoining properties at 4 Green Lane, in accordance with Policy U2 of the Watford District Plan 2000.