

<b>Committee date</b>	Wednesday, 1 April 2020
<b>Application reference</b> <b>Site address</b>	19/01432/VAR - Land at 136, Langley Road
<b>Proposal</b>	Variation of condition 11 of planning permission 17/01291/FUL for the demolition of existing single storey brick garage and erection of one new dwelling. Minor amendments to approved scheme.
<b>Applicant</b>	Mr J Marincowitz
<b>Agent</b>	Hollins Architects And Surveyors
<b>Type of Application</b>	Section 73
<b>Reason for committee Item</b>	Number of objections
<b>Target decision date</b>	17 <sup>th</sup> February 2020
<b>Statutory publicity</b>	None
<b>Case officer</b>	Paul Baxter, paul.baxter@watford.gov.uk
<b>Ward</b>	Nascot

## 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 located off Langley Road and currently comprises a vacant piece of land, accessed via a narrow private drive from Langley Road, which serves the main house at no.136 to the north-east and forms part of the wider irregular shaped plot. The application site adjoins the Fairlawns development to the south-west, the rear gardens of properties at 6 and 7, Birchmead to the north-west, and faces the rear gardens of properties at 126 and 128, Langley Road to the south-east.

## 3. Summary of the proposal

### 3.1 Proposal

Various minor amendments to the fenestration of the approved dwelling. These formed part of the wider range of amendments proposed under application ref. 19/01079/NONMAT which was refused as the scale and nature of the proposed changes were not considered to be non-material. Some of the proposed amendments from that application have been removed in order for the amended scheme to accord as closely as possible to the approved scheme. Some amendments are very minor. The most significant are as follows:

- Siting of the dwelling adjusted slightly to be 1.5m from the south-western boundary to Fairlawns and 0.9m from the north-western boundary to Birchmead.
- Levelling and slight reduction of the ground level of the site and amendment to the shape of the ground level amenity area, now incorporating low retaining walls.
- On the south-east elevation (front) the ground floor bi-fold doors, serving the kitchen will change to patio doors; increase in the size of the corner window to the ground floor study/bedroom; increase in the depth of the entrance hall.
- On the north-west (rear) the green wall has been extended to end of the building.
- On the south-west (side) elevation to Fairlawns, the first floor balcony to the master bedroom is slightly deeper; the window and doors to the master bedroom and bedroom 2 have been altered from door to a patio door and a slim full height window.
- On the north-east (side) elevation facing No.136, the door serving the first floor bedroom 3 will be a door and slim full height window rather than a bi-fold door; at ground level, a glass canopy is proposed over the bi-fold doors serving the living room and will extend the full width of this space;
- The main roof will change from a shallow dual pitched roof to a hipped and pitched roof with the same shallow pitch; the roof is extended over the two first floor balconies to the master bedroom and bedroom 3.

The overall height on the roof is shown to match that of the approved dwelling.

### 3.3 **Conclusion**

The proposed amendments are minor in nature and will not alter the overall character and appearance of the approved dwelling. The proposed amendments will have no additional impacts on adjoining properties.

## 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 17/01291/FUL - Demolition of existing single storey brick garage and erection of one new dwelling. Planning permission granted 28<sup>th</sup> March 2018.

18/01549/DISCON - Details submitted for Condition 2 (Materials), Condition 3 (Cycle and refuse storage), Condition 4 (Fencing and means of enclosure), Condition 7 (Landscaping), Condition 8 (Below ground services) and Condition 9 (Ground protection measures) pursuant to planning permission 17/01291/FUL. Approved 31<sup>st</sup> October 2019.

19/00685/NONMAT - Non-material amendment to planning permission 17/01291/FUL for amendments to landscaping and retaining wall. Application refused 12<sup>th</sup> August 2019. Amendments not considered to be non-material.

19/01079/NONMAT - Non-material amendment to planning permission 17/01291/FUL for minor amendments to fenestration/elevation details, amendments to the eaves details and falls on the flat roof. Application refused 23<sup>rd</sup> October 2019. Amendments not considered to be non-material.

## **6. Main considerations**

- 6.1 The proposed amendments are all minor in nature. The siting of the proposed dwelling has been adjusted only slightly to provide adequate spacing from the boundaries and the scale and overall height are unchanged. Changes to the fenestration do not introduce any new windows and only change the approved windows to a minor degree. The roof form has changed to introduce shallow hipped ends and to extend the roof over the first floor balconies on the side elevations, but the overall height of the roof is unchanged. Changes to the amenity area will not be visible from outside the site. Overall, the proposed amendments will have no additional impacts on the surrounding properties compared to the approved scheme.

## **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 13 properties in the surrounding area. Responses have been received from 5 properties. The main comments are summarised below, the full letters are available to view online:

<b>Comments</b>	<b>Officer response</b>
First floor balcony to bedroom 3 and first floor window to master bedroom will overlook gardens in Langley Road.	These form part of the approved scheme and are unchanged. No additional impacts.
Roof over first floor balconies will encourage greater use and result in greater overlooking of gardens in Langley Road.	The addition of a roof over the balconies will not increase overlooking of these gardens.
Privacy distances in the Residential Design Guide not applied correctly.	The application of the guidelines in the RDG were considered in approving the original application. These remain unchanged.
Overlooking of properties in Fairlawns.	The relationship of the proposed dwelling to properties in Fairlawns remains unchanged.
Change to roof pitch increases height and volume.	Previously proposed changes to the roof have been removed and the roof as now proposed has no greater height or volume than the approved scheme. The only change is the addition of small roofs over the first floor balconies.
Work will be required on adjoining land in relation to the proposed changes to the sewer and inclusion of a new manhole.	These works do not form part of the planning application, and the applicant need to ensure that all other permissions and agreements are in place for any works required. The applicant considers these works can be carried out satisfactorily.
Height to not exceed 4.2m above the garden level of 7, Birchmead.	The height shown is 4.25m to the eaves and 4.6m to the ridge of the roof.
Change in appearance of dwelling from modernist to industrial.	It is not considered that the proposed amendments change the character and appearance of the dwelling.

## **8. Recommendation**

Grant planning permission subject to the following conditions:

Conditions

1. The development to which this permission relates shall be begun before 28<sup>th</sup> March 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.

2. 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:

16-144-200-D, 209-A, 298-J, 299-E, 300-H, 301-H, 303-G, 305-E, 310-F, 311-F, 316-E  
Planting Specification and Schedule

All works shall be completed prior to the first occupation of the dwelling and shall be retained as approved at all times. Any alterations to the approved layout during construction, that falls within 6m of any retained tree shall be notified to and approved by the Local Planning Authority in writing before any excavation is made.

The soft landscaping shall be carried out not later than the first available planting and seeding season after completion of the development. 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: For the avoidance of doubt as to what has been permitted and in the interests of proper planning and to accord with the details approved under ref. 18/01549/DISCON.

3. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, F and G of the Order shall be carried out to the dwelling(s) 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 proposed development and will not prove detrimental to the amenities of adjoining occupiers.

4. The proposed first floor high level window serving the en-suite and facing no. 7 Birchmead shall be fixed shut and fitted with obscured

glazing.

Reason: In order to protect the privacy of the occupiers of the neighbouring property.

5. The development shall not be occupied until the passing layby shown on the approved drawings hereby approved (or any subsequent amendment agreed in writing by the Local Planning Authority) has been laid out and made available for use and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

#### Informatives

IN907 Positive and proactive statement – Grant

IN910 Building Regulations

IN911 Party Wall Act

IN912 Hours of Construction

IN909 Street Naming and Numbering

IN913 Community Infrastructure Levy