

<b>Committee date</b>	Wednesday, 4 November 2020
<b>Application reference</b> <b>Site address</b>	20/00729/FULM - Land To The Rear Of Amwell Close, Watford, WD25 9TD
<b>Proposal</b>	Erection of one block of 8 (2 bed 3 person) dwellings together with associated parking and external works.
<b>Applicant</b>	Watford Community Housing
<b>Agent</b>	Rock Townsend
<b>Type of Application</b>	Full Planning Permission
<b>Reason for committee Item</b>	Number of Objections
<b>Target decision date</b>	Thursday 5 November 2020
<b>Statutory publicity</b>	Neighbour Letters
<b>Case officer</b>	Andrew Clarke, andrew.clarke@watford.gov.uk
<b>Ward</b>	Meriden

## 1. Recommendation

- 1.1 That planning permission be granted subject to conditions, as set out in section 8 of this report.

## 2. Site and surroundings

- 2.1 The site is owned by Watford Community Housing Trust, is 0.133 hectares in size and is of an irregular, broadly triangular shape. The site is undeveloped and is currently covered by grass and trees. The subject site is not designated as green space. It is currently not enclosed, so although it can be accessed by the public, and may be perceived as public space, it is privately owned and could be enclosed.
- 2.2 The site is not within a conservation area, contains no listed buildings and is not close to any listed buildings. The site is not subject to any specific planning designations. The site falls within the Environment Agency's flood zone 1, the zone with the lowest chance of flooding. The surroundings are not subject to parking controls.
- 2.3 Adjacent to the site is a public footpath which leads to the nearby Garston Railway Station on the Abbey Flyer Railway line. Apart from the railway station and line the surroundings are entirely residential. The housing to the south and west on Phillipers was developed by the local authority as a new municipal housing estate in the early second half of the twentieth century comprised of semi-detached and short rows of terraced two storey dwellings. Amwell Close itself to the north west was developed in the 1990's and

comprises a similar form of housing to that found on Phillipers though the architectural detailing has a later typically 1990's style. The site is located approximately 3 miles from Watford Town Centre

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

#### **3.1 Proposal**

Planning permission is sought for the erection of a two storey building comprising eight dwellings with shared amenity space, refuse store, car and cycle parking.

#### **3.2 Conclusion**

The proposed development provides eight good quality residential dwellings, in a building which is considered to respect the character and appearance of the area, without having any unacceptable impact on the living conditions of neighbouring properties in accordance with the policies and guidance specified above.

### **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 Watford Community Housing Trust also consulted residents on this proposal. Details of this can be found on their website:  
<https://www.wcht.org.uk/find-a-home/homes-in-development/amwell-close/>
- 5.2 Pre-application advice was sought prior to submission of this application.
- 5.3 The site has no planning history.

### **6. Main considerations**

- 6.1 The main issues to be considered in the determination of these applications are:
- (a) Principle of the use
  - (b) Scale and design
  - (c) Quality of residential accommodation

- (d) Affordable housing provision
- (e) Impact on amenity of adjoining residential properties
- (f) Transport, parking and servicing
- (g) Environmental considerations

6.2 (a) Principle of the use

The subject site is a triangular piece of land which is bounded by a footpath and a railway station on one side and by housing developments on the other two sides. The site is not an allocated housing site but is within an established residential area and would be considered a windfall site in accordance with the criteria of Policy HS1 of the Core Strategy. Although the space is green, covered by trees and accessible to the public, it is not designated as open space in the Development Plan. The principle of a residential development on the site is considered acceptable in principle.

6.3 (b) Scale, design and layout

The proposed building would have two storeys with a rectangular footprint. It would have a width of 19.4 metres and a depth of 16.4 metres. The building would have two dual pitched roofs with gabled ends to either side of a central flat roof. The ridge height of the roof would be 10.3 metres and the eaves height would be 5.6 metres.

6.4 The scale and design of the building with pitched roofs and gable ends relates well to the surrounding built form of Amwell Close and Phillipers. Externally the building would have a contemporary appearance with vertical banding around the windows and doors. The building would be finished in red brick, with a grey tiled roof and grey UPVC doors and windows. In order to ensure a high quality appearance materials and design details will be secured by condition.

6.5 The existing cul-de-sac at the end of Amwell Close would be extended, opening up into a designated parking area for the development. The land to the east and south of the building would become a large communal garden for shared use by occupants of the eight dwellings. Appropriate hard and soft landscaping and tree planting will be secured by condition.

6.6 Suitable placement for the Cycle and Refuse stores has been identified on the plans. Details of these stores will be secured by condition.

6.7 (c) Quality of residential accommodation

Each of the eight flats would occupy one corner of one of the floors. All the dwellings would suit occupancy by three persons with each having one double

and one single bedroom. All dwellings would meet minimum space standards and would be dual aspect.

- 6.8 All of the four ground floor units would have some private amenity space, which acts as a defensible space between their doors / windows and the communal / public space beyond. Dwellings numbers 1 and 2 would have their own private entrances to the front of the building. Dwellings 3 to 8 would use the communal entrance to access their front doors. Dwellings 3 and 4 would have direct access to the communal garden via their private gardens. The four dwellings on the upper floors (numbers 5 to 8) would have access to the communal garden via a side gate.
- 6.9 Watford's Residential Design Guide states that communal open space provided for the exclusive use of occupants of the development may be acceptable as long as its location, size and shape enable it to be enjoyed by the occupants. The location of the garden is suitable. Although awkwardly shaped the size requirement far exceeds the minimum communal garden space requirements at 650 square metres.
- 6.10 (d) Affordable housing provision  
Watford Borough Council's Housing Service fully supports this application. Watford Community Housing have indicated all 8 units will be for social rent, the Housing Service's preferred tenure type. The site is part of a programme jointly funded by Watford Community Housing, Watford Borough Council and Homes England to produce 55 two and three bedroom units to be let at Social Rented tenure.
- 6.11 Given that this proposal is not a 'major development' affordable housing provision is not a planning policy requirement. For housing proposals, major development is where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. Neither of these criteria apply. As such, although the applicant's stated intention is to offer these homes for social rent this would not be secured through any planning permission and members should consider the application on this basis.
- 6.12 (e) Impact on amenity of adjoining residential properties  
The surroundings are residential. The nearest dwellings are two storey residential dwellinghouses at 11 Amwell Close, 16 Phillipers and 18 Phillipers.
- 6.13 11 Amwell Close.  
The proposed development is positioned diagonally to this dwelling at a distance of 11.1 metres building to building. This property has a garden which is triangular in shape with a rear facing first floor window which is 6.5 metres

from the diagonal rear garden boundary, measured perpendicularly from the centre of the window. The proposed habitable room windows are at an angle which is greater than 90 degrees to this existing dwelling, therefore perpendicular lines taken from the windows in the proposed development would not cross the footprint of this neighbouring dwellinghouse or in this case its garden. The position of the proposed development relative to this house is considered acceptable.

6.14 16 and 18 Phillipers

These two dwellings are perpendicular to each other forming the corner of a cul-de-sac which is off the main road which forms Phillipers. The proposed development would be positioned diagonally to the rear of these dwellings at this corner of the cul-de-sac. These two properties both have generous gardens which extend to the side of the properties with garden boundaries which are diagonal to the dwellinghouses abutting the proposed development site. The gardens of these two houses are large in comparison to those nearby due to their corner position. The proposed development would be 18.3 metres from the house at number 16 and 12.8 metres from the house at number 18. The proposed habitable room windows are at an angle which is 90 degrees to both of these existing dwellings, therefore perpendicular lines taken from the centre of the windows in the proposed development would not cross the footprint of these neighbouring dwellinghouses, though they would cross their gardens. The position of the proposed development relative to these houses is considered acceptable.

6.15 The proposed dwelling numbered 8 is the closest first floor dwelling to both 16 and 18 Phillipers. The habitable room windows of this dwelling would be face the diagonal garden boundaries of number 16 Phillipers at a distance of 9.8 metres and number 18 Phillipers at a distance of 11 metres.

6.16 The 9.8 metre separation distance between one of the three living room windows of dwelling 8 to the private garden of the existing dwellinghouse at 16 Phillipers would not meet the 11 metre separation guidance recommended between proposed upper level habitable rooms and property boundaries set out in Watford's Residential Design Guide. Given the irregular triangular shape of the site and its diagonal relationship with neighbouring properties, this minor incursion by one window onto the large side garden of 16 Phillipers is considered acceptable on balance. In all other respect the proposed development would accord with all parts of Watford's Residential Design Guide.

- 6.17 Two tall mature trees within the subject site which are to be retained would further mitigate any potential overlooking to the existing housing on Amwell Close and Phillipers.
- 6.18 (f) Transport, parking and servicing  
The site is close to Garston Railway Station and approximately 3 miles from Watford Town Centre. Buses operate nearby on Garston Lane, with more bus services available on St Albans Road which is a 5 minute walk from the site.
- 6.19 6 car parking spaces are proposed to serve the 8 proposed dwellings. This would equal a ratio of 0.75 spaces per dwelling. Policy T22 of the Watford District Plan 2000 sets maximum parking requirements for new developments. The maximum provision for this development would be 12 spaces. The proposed figure is considered acceptable, particularly given parking provision in the draft local plan which seeks to further reduce reliance on cars.
- 6.20 The plans depict space for the storage of 16 bicycles. This is considered acceptable. Details of the cycle store will be secured by condition.
- 6.21 The plans also depict space for a refuse store. This is considered acceptable. Details of the refuse store will also be secured by condition.
- 6.22 (g) Environmental considerations  
The site has significant tree cover. This is a result of it not having previously been developed. No trees on or adjacent to the site are subject to Tree Preservation Orders. The proposal would include the felling of a hornbeam and a Norway maple tree which enclose the northern entrance to the site and three groups of trees to the centre and south of the site. Although a large number of trees would have to be felled to facilitate this development, a mature oak tree and a mature sycamore tree on the site which are of particular significance would be retained, and these would act as a buffer to neighbouring residential dwellings.
- 6.23 The proposed development would not be within the root protection zone of either of the retained trees and the Arboricultural Method Statement outlines how these two trees would be protected during construction. The line of trees adjacent to the railway line would also not be affected by this proposal.
- 6.24 Watford Borough Council's Arboricultural Officer and Hertfordshire County Council Ecology are satisfied with the proposal, subject to conditions which ensure compliance with the Arboricultural Impact Assessment, the Arboricultural Method Statement and Preliminary Ecological Appraisal.

Appropriate soft landscaping, including replacement tree planting would add further planting within the site and will be secured by condition.

- 6.25 Due to the location of the site in close proximity to a railway line, Network Rail have requested a Risk Assessment and Method Statement (RAMS) and a Basic Asset Protection Agreement (BAPA) to be with them prior to commencement. This would ensure no detriment is caused to the Abbey Flyer Railway line. This requirement will be included as an informative on the decision.

## 7 Consultation responses received

### 7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment
Hertfordshire County Council (Ecology)	No objection subject to compliance with submitted documentation conditions.
Hertfordshire County Council (Highways Authority)	No objection subject to conditions and informatives.
Network Rail	No objection subject to informatives.

### 7.2 Internal Consultees

Name of Internal Consultee	Comment
Arboricultural Officer	No objection subject to soft landscaping and compliance with submitted documentation conditions.
Environmental Health	No response received.
Housing Service	Fully supports this application.
Waste and Recycling	Refuse requirements noted.

### 7.3 Interested Parties

Letters were sent to 36 properties in the surrounding area. 23 Objections were received in response. The main comments are summarised below, the full letters are available to view online:

Comments	Officer response
Loss of Open Space / Overdevelopment	The subject site is considered to be a windfall site which is suitable for development. It is not designated as open space within the Development Plan. The density of the proposal is not considered to

	be overdevelopment.
Design	The scale and design of the building relates well to the surrounding built form of Amwell Close and Phillipers as noted in section (b) of the appraisal.
Loss of Light, Privacy and Outlook	The proposed development would cause no undue harm to neighbouring amenity as noted in section (e) of the appraisal.
Additional Parking Pressure	The provision of six parking spaces for the eight dwellings is in accordance with policy. See section on (f) Access, servicing and parking provision above.
Traffic Generation	The provision of an additional 8 dwellings would not put any significant pressure on the highway network. This has been noted in the response from Hertfordshire County Council Highways.
Lack of education and health facilities	The development is CIL (Community Infrastructure Levy) liable. This levy is used to help the local authority to deliver the infrastructure needed to support development in their area.
Disruption from Construction	The Environmental Protection Act, the Control of Pollution Act and the Highway Act control the matters relating to construction.
Loss of Trees	Trees would be felled to facilitate this development. The loss of trees has been limited as much as possible and trees retained where possible. New tree planting would also mitigate this loss. This is explained in section (g) of the appraisal.
Impact to Wildlife	The ecological appraisal submitted with this application finds no significant wildlife. Other legislation exists outside of planning to protect wildlife. Herts County Council Ecology are satisfied with the proposal.
Harm to adjacent railway	Network Rail have been consulted and are satisfied subject to an informative

## 8 Recommendation

### Conditions

#### 1. Three Years

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 and documents:

- Drawing Number: RT20052-RTA-XX-00-DR-A-0001. Revision: PL03
- Drawing Number: RT20052-RTA-XX-00-DR-A-0004. Revision: PL06
- Drawing Number: RT20052-RTA-XX-00-DR-A-0005. Revision: PL04
- Drawing Number: RT20052-RTA-XX-00-DR-A-0006. Revision: PL04
- Drawing Number: RT20052-RTA-XX-XX-DR-A-0007. Revision: PL04
- Drawing Number: RT20052-RTA-XX-XX-DR-A-0008. Revision: PL04
- Drawing Number: RT20052-RTA-XX-01-DR-A-0021. Revision: P03
- Arboricultural Impact Assessment. Document Reference: 5519/20-02 Rev -. Dated: 7<sup>th</sup> April 2020. By: PJC Consultancy
- Arboricultural Method Statement (Preliminary). Document Reference: 5519/20-03 Rev -. Dated: 6<sup>th</sup> April 2020. By: PJC Consultancy
- Preliminary Ecological Appraisal. Document Reference: 4179E/19. Dated: 20<sup>th</sup> September 2019. By: PJC Consultancy
- Design and Access Statement. Revision: PL01. Dated: July 20. By: Rock Townsend
- Transport Statement. Report Number: 133818-R01(1). Dated: May 2020. By: Jarvis
- Travel Plan Statement. Report Number: 133818-R02(1). Dated: May 2020. By: Jarvis

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

#### 3. Detailed Drawings

No construction works above foundation level shall commence until detailed design drawings of the proposed building including the external door and window reveals, brick coursing detailing, eaves details and rainwater goods 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 details.

Reason: In the interests of the character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

#### 4. Materials

No construction works above foundation level shall commence until details of the materials to be used for all the external finishes of the building, including walls, roof, 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 character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

#### 5. Hard Landscaping

No part of the development shall be occupied until a detailed hard landscaping scheme for the site including site boundary treatments, drainage of the parking spaces and external lighting has been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details. The detailed scheme shall be based upon drawing number: RT20052-RTA-XX-00-DR-A-0004 revision: PL04.

Reason: In the interests of the visual appearance of the site and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

#### 6. Soft Landscaping

No part of the development shall be occupied until a detailed soft landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be

based upon drawing number: RT20052-RTA-XX-00-DR-A-0004 revision: PL04. The approved soft landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of 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: In the interests of the visual appearance of the site and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

#### 7. Cycle and Refuse Store Details

No dwelling shall be occupied until details of the cycle and refuse stores have been submitted to and approved in writing by the Local Planning Authority and have been constructed in accordance with the approved drawings. The bin stores shall be retained as approved at all times.

Reason: To ensure adequate facilities are provided for the future occupiers, in accordance with saved Policies SE7 and T10 of the Watford District Plan 2000 and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

#### Informatives

1. IN907 – Positive and proactive statement
2. IN909 – Street naming and numbering
3. IN910 – Building Regulations
4. IN911 – Party Wall Act
5. IN912 – Hours of Construction
6. IN913 – Community Infrastructure Levy Liability
7. IN915 – Highway Works – HCC agreement required
8. Network Rail Agreement