

Committee date	Wednesday, 7 October 2020
Application reference Site address	20/00715/FUL 62 High Road Watford WD25 7LJ
Proposal	Demolition of existing single family dwelling and the erection of new two storey dwelling incorporating two self-contained units (Retrospective Application)
Applicant	Mr Suraj Adatia, Spread Co Properties
Agent	Construct 360 Ltd T/A DontMoveExtend.com
Type of Application	Full Planning Permission- Minor
Reason for committee Item	Over 5 objections received
Target decision date	08.10.2020 (Extended by agreement)
Statutory publicity	None
Case officer	Alice Reade, alice.reamde@watford.gov.uk
Ward	; Woodside;

1. Recommendation

Grant planning permission subject to conditions detailed in section 8 of the report.

2. Site and surroundings

- 2.1 The subject site is approximately 0.6 hectares in size and formerly contained a detached bungalow which has been demolished as part of ongoing development works. The site is situated on High Road at the corner of Redheath Close. Access from leads to a driveway at the rear of the site.
- 2.2 The site contains no listed buildings. A grade 2 listed building at 79 /81 High Road exists approximately 100m to the north of the site. The site is not within a conservation area. Watford's MacDonnell Gardens Conservation Area is approximately 150 metres to the south west. The site contains protected trees. The site is not subject to any Article 4 directions. Parking in this area is not controlled.

3. Summary of the proposal

3.1 Proposal

The application seeks planning permission for the demolition of existing single family dwelling and the erection of new two storey dwelling incorporating two self-contained units being 2 x 3 bed units.

3.2 The application is submitted retrospectively following an enforcement investigation. A previous approval for the extension and conversion of the house to two houses was commenced. However, in the course of construction the original bungalow was demolished meaning that the development became a new build rather than an extension to a retained dwelling. The proposed building footprint, height, position and design are unchanged to that of the development previously approved.

3.3 **Conclusion**

By virtue of the degree of demolition as part of construction works already carried out, the development nature is now for the demolition and rebuilding of two dwellings rather than the extension and conversion of the former building to two dwellings. This different nature of development remains acceptable.

3.4 The position, footprint, scale, height, layout and design of the two dwellings is unchanged from that of the previously approved scheme. The development is therefore again acceptable in respect of its design, appearance in the streetscene and in its relationship with neighbouring 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 Planning Applications:

20/00271/FUL

Erection of a single storey side and rear extension, front porch extension, front and rear dormers and internal alterations to facilitate the dwelling into 2 Self-Contained Units.

Conditional Planning Permission Granted on 4th May 2020.

19/00668/FULH

Demolition of existing conservatory, construction of single storey rear extension, two storey rear side extension and roof alterations to provide habitable space, including raising of the ridge and insertion of dormer windows. Front dormers increased in width to that previously approved to match width of new windows at ground floor. Front Entrance porch and new

boundary wall.

Conditional Planning Permission Granted on 6th August 2019

18/01301/FULH

Demolition of existing conservatory, construction of single storey rear extension, two storey rear side extension and roof alterations to provide habitable space, including raising of the ridge and insertion of dormer windows.

Conditional Planning Permission Granted on 8th November 2018.

5.2 Pre Applications

19/01436/PREAPP

Pre Application advice for Single Storey Side and Rear Extension, Front Porch Extension, Front and Rear Dormers and Internal Alterations to Facilitate the Dwelling into 2 Self-Contained Units

Advice issued. Case Closed on 14th February 2020

19/01244/PREAPP

Pre application advice for making changes to existing planning approval

19/00668/FULH

Advice issued. Case Closed on 5th December 2019

18/01096/PREAPP

Pre-application enquiry for a two storey side extension and roof alterations to provide habitable space, including raising of ridge and insertion of dormer windows.

Advice issued. Case Closed on 26th September 2018

17/01389/PREAPP

Pre-application enquiry for demolition of existing house and construction of a new 3 bed dwelling with roofspace accommodation

Advice issued. Case Closed on 7th November 2017

17/01344/PREAPP

Pre-application enquiry for two storey front extension, single storey rear extension, roof alterations to provide habitable accommodation

Advice issued. Case Closed on 7th November 2017

6. Main considerations

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

- (a) Principle of the proposed development
- (b) Design and impact on the character and appearance of the area
- (c) Quality of accommodation
- (d) Impacts to neighbouring amenity
- (e) Highways, Parking and Sustainable Transport
- (f) Impact on heritage assets

6.2 (a) Principle of the proposed development

The building on site was not listed or locally listed and the site is not within a Conservation Area. As such there is no in principle objection to the demolition of that building to allow for residential redevelopment of the site.

6.3 The application site is located in a residential area, as shown on the Proposals Map of the Watford District Plan 2000, where residential development is acceptable in principle. The creation of two, three bedroom dwellings which are suitable for family occupation is positive, addressing the need for larger accommodation as per Policy HS2 of Watford Core Strategy. The residential density of this 0.6 hectare site could be increased. The proposal is not considered to constitute overdevelopment.

6.4 (b) Design and Impact on the character and appearance of the area

The approved scheme for the extension and conversion of the bungalow to two dwellings found that that proposed scheme was appropriate in scale, design, height and nature in respect of the context. The report specifically noted that being at the end of a row of bungalows on a corner plot, the increase in ridge height would be appropriate in the streetscene and reflect the taller height of the opposite bungalow as existing.

6.5 The proposed development is externally unchanged and its position, footprint, height and design remain identical to that approved albeit with the replacement rather than retention of some original walls. As such, the proposed development would again be appropriate in design and would have no adverse effect on the character and appearance of the street scene.

6.6 (c) Quality of accommodation

The footprint and layout of the dwellings are unchanged from the previous

scheme. Both dwellings are 3 bed 5 person dwellings with Gross Internal Areas of 118m² each. Both would exceed the minimum space standard of 92m² for the dwelling type. All rooms are appropriately sized and ceilings heights in the loft meet requirements. The layout and internal daylight levels are good.

6.7 The single bedroom to the ground floor of the proposed northern dwelling would look onto a high boundary fence at a distance of 1 metre. This outlook is not ideal, though this issue alone would not significantly harm the overall quality of accommodation.

6.8 Both dwellings would have good sized rear gardens of 81m² and 85m² which exceed the 65m² guidance outlined in the Residential Design Guide.

6.9 (d) Impacts to neighbouring amenity

6.10 *Nos 60 and 64 High Road*

The external height and position of the building is unchanged from the approved scheme. The building would remain in being appropriate in its relative position to both neighbouring properties and would not cause a significant loss of light or outlook to these neighbouring properties.

6.11 The flank elevations of the building would not include first floor windows meaning that overlooking to the side neighbours would not occur.

6.12 *Nos 16 and 18 Redheath Close*

Like the previous scheme, the first floor layout include bathrooms at the rear of the building with bathroom windows at first floor rear level. The ground floor windows of the bungalow to the rear (16 Redheath Close) are 28.5m (taken horizontally) from these first floor rear windows. These dormer windows are also 18 metres from the rear boundary of the subject site. These distances exceed the 27.5 metre back to back separation distance and 11m rear garden depth outlined in section 7.3.16 of Watford's Residential Design Guide. As such the first floor rear facing windows would not create unacceptable overlooking or adverse loss of privacy to the rear properties.

6.13 It is noted that an earlier permission 19/00668/FULH included obscure glazing to the rear facing dormer windows as proposed in the approved drawings and this obscure glazing was consequently secured by condition to the permission. The subsequent application (20/00271/FUL) and this application (20/00715/FUL) do not propose obscure glazing to these windows. As these windows are in excess of minimum distances to the rear neighbours, there is no reasonable planning justification or necessity to impose a condition to secure these windows as obscurely glazed and such a condition would not

accord with the tests for a valid condition as set by Para 55 of the NPPF.

6.14 (e) Highways, Parking and Sustainable Transport

As with the approved scheme, each house would have one allocated on site parking space access via a widened crossover from Redheath Close. The parking provision remains acceptable in accordance with the parking requirements of saved policies T22 and T24 of the Watford District Plan 2003. Suitable cycle storage and bin storage has also been shown to the rear of the site and is secured by condition.

6.15 (f) Impact on heritage assets

Due to the scale and nature of the development and its distance to the Conservation Area and the Listed building at 79/81, the development would not create adverse impact to the setting of these heritage assets.

7 Consultation responses received

7.1 Technical consultees

Consultee	Comment Summary	Officer Response
Hertfordshire County Council Highways	No objection	Noted
Watford BC Waste and recycling	Bin requirements are: 2 x 140ltr refuse 2 x 240ltr recycling 2 x 240ltr garden waste 2 x 23ltr food bins	Noted

7.2 Interested parties

Letters were sent to 4 properties in the surrounding area. Responses have been received from 17 properties. The main comments are summarised below, the full letters are available to view online:

Comments	Officer response
The Council previously found dormers to be unacceptable in this area.	Dormers have been previously granted planning permission for this dwelling and it is noted that rear dormers can be built on most houses and bungalows under permitted development rights.
The windows on the dormer were conditioned to be obscurely glazed in permission	As permission 19/00688/FULH shown obscure windows, this was relevant to secure by condition. The subsequent applications

<p>19/00688/FULH but this condition was not applied to permission 20/00271/FUL. Clear windows will create a loss of privacy</p>	<p>have not proposed obscure windows meaning that the necessity of obscure glazing has to be assessed. As detailed in section 6.12 of this report, as the windows would exceed the required minimum distances to properties at the rear, the windows would not be considered as creating unreasonable overlooking and it is not necessary or reasonable to require these to be obscurely glazed.</p>
<p>The approved plans have been breached and the developer should have stopped when they didn't have permission</p>	<p>The application is retrospective, however, the planning matters must be assessed in the same way.</p>
<p>The design is not in keeping with the area</p>	<p>This is not agreed. The area includes a mix of dwelling types including bungalows and dwellings with dormers meaning that the design is considered to be appropriate.</p>
<p>Ridge height has been made taller from approved plans and the ridge height is not marked on the plans</p>	<p>The plans are all to scale so dimensions can be taken. The approved scheme allowed the increase of the ridge height from 4.7m to 5.9m. The proposed elevations are identical and again show the increase in the ridge height from 4.7m to 5.9m.</p>
<p>There is insufficient parking</p>	<p>One space per dwelling is appropriate for the scale of the dwelling and its location.</p>
<p>Vehicles exceed the 20mph limit which is not enforced</p>	<p>This is a police matter and not relevant to the planning application.</p>
<p>The development will increase traffic and highway incidents</p>	<p>The highway authority have no objection to the development in respect of its parking provision, parking arrangement or highway impact.</p>
<p>There is no information on foul water sewage</p>	<p>This is not required as part of the planning application. All developments must comply with the Building Regulations.</p>
<p>The development cannot match existing materials</p>	<p>A condition is recommended to allow for assessment of the materials proposed.</p>
<p>Not all properties in the area received consultation letters</p>	<p>All properties adjacent to and adjoining the site were sent consultation letters. Wider consultation for a development of this nature and modest scale was not appropriate. Nonetheless, all comments received from all residents have been considered.</p>

8. Recommendation

Grant Conditional Planning Permission

Conditions

1. Approved Drawings

The development hereby permitted shall be carried out in accordance with the following approved drawings: HR62-03-1001, HR62-03-1004 and HR62-03-1005.

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

2. Materials

Within 12 weeks of this decision, details and samples of the materials to be used for all the external finishes of the development hereby approved, including all external walls, all roofs, doors, windows, fascias, rainwater and foul drainage goods, shall be submitted in writing to the Local Planning Authority. No part of the development shall be occupied until details have been approved in writing by the Local Planning Authority and the development has been carried out in accordance with the approved details and samples.

Reason: To ensure that the development applies high quality materials that respond to the buildings context and makes a positive contribution to the character and appearance of the area.

3. First floor side windows

Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning General Permitted Development Order 2015 (and any order revoking and re-enacting that order) no additional first floor windows or doors shall be inserted in the north-eastern side elevation of the development hereby permitted.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring premises.

4. Permitted Development

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1,

Classes A, B, C, D or E of the Order shall be carried out to the new dwellings 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 amenity of the dwellings and the character and appearance of the area.

5. Residential facilities

No dwelling shall be occupied until the cycle stores, bin stores, 2 parking spaces and widened vehicular crossover to Redheath Close have been completed in full in accordance with the approved drawings.

Reason: To ensure adequate and acceptable facilities are provided for the future occupiers of the dwellings.

Informatives

IN907 Positive-proactive statement
IN909 Street Naming and numbering
IN910 Building regulations
IN911 Party Wall Act
IN912 Hours of Construction
IN913 Community Infrastructure Levy Liability
IN915 Highways Works