

Committee Date	Wednesday 2 December 2020
Application Reference Site Address	20/00976/FUL - Land adjacent to 111 Queens Road, Watford
Proposal	Construction of one dwellinghouse
Applicant	Mr Shah and Sham
Agent	Architects Corporation Ltd
Type of Application	Full Planning Application (FUL)
Reason for Committee Item	Number of received objections
Target Decision Date	Tuesday 8 th December 2020 (extended by agreement)
Statutory Publicity	Site Notice and Press Advert (Watford Observer)
Case Officer	Helen Harris; helen.harris@watford.gov.uk
Ward	Central

1. Recommendation

- 1.1 That planning permission be granted, subject to conditions and informatives (as set out in Section 8 of this Committee Report).

2. Site and Surroundings

- 2.1 The application site lies at the junction of Queens Road and Radlett Road, adjacent to No. 111 Queens Road, an extended building which has been subdivided into flats. To the south of the application site, adjacent the gable to No. 111, lies an advertising hoarding, beyond which lie some communication relay boxes. The railway line forms the eastern boundary of the application site. A two-storey end terrace dwellinghouse once occupied the application site and was demolished many years ago.
- 2.2 The application site lies within the Estcourt Conservation Area, but does not contain, nor does it lie within close proximity to any statutory or locally listed buildings. The site is located within a Controlled Parking Zone.

3. Summary of the Proposal

3.1 Proposal

- 3.2 The proposed development involves the construction of a two-storey, three-bedroom dwellinghouse.

3.3 A previous proposal to construct a two-storey, three-bedroom dwellinghouse was allowed on appeal, appeal reference: APP/Y1945/W/17/3187 (following refusal of planning permission by Watford Borough Council of application reference: 16/00119/FUL).

3.4 The current proposals show a dwellinghouse of the same proportions, scale and design as that which was allowed on appeal. The main difference between the extant planning permission and the current proposal is the siting of the house within the application site which is now setback 1.2m from the previously approved position. The reason for this proposed setback is to avoid telecommunications equipment/cable boxes to the front of the site.

3.5 **Conclusion**

3.6 The proposed development by virtue of its amended siting would not harm the character and appearance of the adjacent dwelling No 111 Queens Road, or the wider street scene and the amenities of neighbouring occupiers in accordance with the Development Plan.

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 The application site has the following planning history:

5.2 APP/Y1945/W/17/3187 – Construction of a two-storey, three-bedroom house. Appeal Allowed, dated 11 April 2018.

5.3 16/00119/FUL – Construction of a two-storey, three-bedroom house. Refused Planning Permission.

5.4 82/00376/FUL – Conversion of existing property into four, one-bed flats. Conditional Planning Permission (N.B. Refers to No. 111 Queens Road).

6. **Main Considerations**

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

- (a) Principle of Development;
- (b) Scale and Design; and
- (c) Siting and Impact upon Surrounding Properties

6.2 (a) Principle of Development

6.3 The site is identified as a Predominantly Residential Area on the Proposals Map accompanying the Watford District Plan 2000.

6.4 Policy HS1 of the Watford Local Plan Core Strategy 2006-2031 advises that factors that will support residential allocation in the site allocations document and which will also be considered in determining applications on windfall sites will include, inter alia: consistency with the spatial strategy; previously developed land; close to good public transport, walking and cycle network routes; location within the town centre or at least at other strategically located sites. The policy further advises that factors that will go against residential allocation will include: not previously developed land; land at risk of flooding; existing employment land, open space or other community facilities for which there is still an identified need; land with high biodiversity, landscape or cultural heritage significance; no access to reliable public transport links.

6.5 The proposal complies with the provisions of Policy HS1 in that the site occupies previously developed land which is close to good public transport routes. The site is not located in an area at risk of flooding, does not constitute existing employment land and does not possess high landscape or cultural heritage significance. It is considered that the development would not cause harm to any area which has any significant wildlife value, in accordance with Policy HS1 and Local Plan Core Strategy 2006-2031.

6.6 It is also acknowledged that the principle of residential development has already been established as part of the recent appeal decision and extant planning permission. The principle of a residential dwelling on this site is therefore generally acceptable, subject to compliance with the relevant policies and objectives of the National Planning Policy Framework (2019), as well as adopted local planning policy.

6.7 (b) Scale and Design

6.8 The revised NPPF makes clear that development should “add to the overall quality of the area” and “respond to local character and history and reflect the identity of local surroundings”. The NPPF also requires that developments be visually attractive as a result of good architecture. It also emphasises that “permission should be refused for development of poor design that fails to take

the opportunities available for improving the character and quality of an area and the way it functions”.

- 6.9 The current proposals, in terms of scale and design of the dwellinghouse, replicate those as allowed on appeal (under ref: APP/Y1945/W/17/3187). The Planning Inspector found that the proposed dwelling would reflect its proportions and scale in a similar arrangement of traditional architectural elements and would be broadly similar in terms of details and materials to the house which once stood on the site, as well as other houses in the street. The Inspector concluded that the proposals would not harm the architectural character or streetscape appearance of the Conservation Area.
- 6.10 Given that there is no change to the scale and design of the proposed dwellinghouse from that as approved under appeal and there are no material changes to local policy since the date of the Planning Inspectorate’s decision, this is considered acceptable.
- 6.11 (c) Siting and Impact upon Area and Surrounding Properties
- 6.12 The application proposals seek to setback the dwellinghouse 1.2m away from the previously approved position fronting Queens Road, in order to avoid media cables and telecommunications equipment on the site. The previously approved dwelling was positioned in line with its neighbour at 111 Queens Road.
- 6.13 The application site is at the corner of Queens Road, opposite a mini roundabout, marking the end section of this part of Queens Road. No.111 Queens Road, adjacent, is noted as being 2.5m setback from the principal building line of its neighbour to the north (i.e. No. 113 Queens Road). It is considered that the proposed setback to the siting of the proposed dwelling would reflect the staggered building line which is characteristic of this small section of Queens Road and would not detract from the appearance of the streetscene.
- 6.14 The proposed house would block the first floor windows in the flank wall of No. 111 Queens Road. This was similarly the case with the previous scheme. One of these side windows serves a bathroom and one is a secondary window to the living/kitchen area of one of the flats at No.111. The Inspector found that the principal window would be unaffected by the proposals and relied upon the findings of the independent Lighting Assessment submitted by the applicant which demonstrated there would be a small reduction in the levels of daylight to the neighbouring property and it would not harm the living conditions of the occupiers.

- 6.15 This planning application is accompanied by a supporting Building Research Establishment daylight and sunlight report. Two windows at first and second floor which feature to the eastern elevation (facing towards the rear garden space) have been assessed as these are principal living areas. (The ground floor window has not been assessed given this serves a non-habitable room, i.e. a bathroom, as per guidance). The results from the previous analysis would still apply. The analysis shows that both of these windows would meet the BRE vertical sky component guidelines.
- 6.16 Overall, it is considered that the proposed siting of the proposal would not result in unacceptable detrimental impact to the residential amenity currently enjoyed by occupiers of neighbouring residential properties.

7. Consultation Responses Received

7.1 Statutory Consultees and Other Organisations

Name	Officer's Comment
Hertfordshire County Council Highways Team	No objections to the scheme, subject to the imposition of a number of informatives.

7.2 Internal Consultees

Name	Officer's Comment
Urban Design and Conservation	Recommends that the same conditions be brought forward from the appeal decision and attached to any grant of permission. Also recommends that the materials condition be further supplemented with the requirement to provide details of windows and doors, as well as brickwork detailing.
Waste and Recycling Team	No comments.

7.3 Interested Parties

Letters were sent to 26no. properties in the surrounding area. Responses have been received from 5no. residents objecting to the proposals. 1no. response was

received from a Ward Councillor in support of the proposals. The main comments are summarised below, the full letters are available to view online:

Comments	Officer response
<p>Loss of light to some windows of No. 111 Queens Road.</p>	<p>Officers note that the dwelling would block some of the first floor flank windows to No. 111 Queens Road.</p> <p>One of these serves a non-habitable room (i.e. bathroom), where the loss of access to light is not considered to be materially harmful. The other window serves as a secondary, smaller window to a kitchen/living room. However, the principal west-facing window serving this room would be unaffected by the proposals.</p> <p>It is noted that in determining the Planning Appeal for the construction of a dwellinghouse on this site, the Planning Inspector concluded with the findings of the accompanying Lighting Assessment and found that the degree of reduction would be small and not harm the living conditions of the neighbouring occupiers.</p> <p>The rear projection of the proposed dwellinghouse is not considered to result in adverse loss of light or outlook from the rear windows of No. 111.</p>
<p>Overdevelopment</p>	<p>The site occupies previously developed land which is close to good public transport routes.</p> <p>The principle of development of this site and the scale and design of the proposals have previously been established as acceptable via the recent appeal decision (APP/Y1945/W/17/3187627).</p>

Nuisance relating to construction activities	<p>Any disruption during construction works would be temporary.</p> <p>The Environmental Protection Act, the Control of Pollution Act and the Highway Act control the matters of disruption raised and an informative is attached to this effect.</p>
--	---

8. Recommendation

That planning permission be granted, subject to the below listed conditions and informatives.

Conditions

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

3116-NMA1-B_Rev B.9.11.2020 – Proposed Block Plan, Floorplans and Elevations
Site Location Plan/OS Plan

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

3. No construction works shall commence until details of the materials to be used in the construction of the external surfaces of the building hereby permitted 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. This is a pre-commencement condition as the materials need to be agreed with the Local Planning Authority before construction commences.

4. Before the occupation of the development, details of both hard and soft landscape works, including details of boundary treatments, shall be submitted

to and approved in writing by the Local Planning Authority. The hard landscaping works and boundary treatments shall be carried out in accordance with the approved details before any part of the development is occupied.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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.

Informatives

1. IN907 - Positive and proactive statement - GRANT
2. IN910 - Building Regulations
3. IN912 - Hours of Construction
4. IN909 - Street Name and Numbering
5. IN913 - Community Infrastructure Level Liability
6. HIGH – Storage of Materials – Highway
7. OBSHIG – Obstruction of the Highway
8. MUD – Mud on highway