

Committee Date	Tuesday 18 May 2021
Application Reference	21/00304/FUL
Site Address	Land at Lych Gate Watford WD25 0LS
Proposal	Demolition of existing garage block. Construction of a two-storey block of four flats, with associated parking, cycle and refuse storage and landscaping.
Applicant	Peter Rice Developments Ltd
Agent	Wakelin Associates Ltd
Type of Application	Full Planning Permission
Reason for Committee Item	Number of received objections
Target Decision Date	Friday 21 May 2021 (extended by agreement)
Statutory Publicity	Neighbour letters
Case Officer	Helen Harris; helen.harris@watford.gov.uk
Ward	Woodside

1. Recommendation

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

2. Site and Surroundings

- 2.1 The application site is broadly rectangular in shape, measuring approximately 488sqm in area, and comprises of a row of 11no. single-storey garages orientated in a north-west to south-east alignment and an area of soft landscaping fronting Lych Gate. Vehicular access to this row of garages, as well as a further 27no. garages adjacent to the south of the site, is via a private driveway.
- 2.2 The application site is located on the southern side of Lych Gate, a residential cul-de-sac comprising of approximately 39no. flats (Cedar Court and Glebe Court). The area is residential in character and there is a consistent architectural topology across the cul-de-sac, with buildings exhibiting similar materials and scale of between two and three storeys.
- 2.3 The application site is not located within a conservation area and there are no statutory or locally listed buildings either on the site or within close proximity. 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 probability of flooding.

3. Summary of the Proposal

3.1 Proposal

3.2 Full planning permission is sought for the construction of a two-storey flatted block, comprising of four flats (i.e. 2no. 1-bed flats and 2no. 2-bed flats), together with associated landscaping, refuse/recycling store, cycle store and a total of five car parking spaces to the front of the development. The development requires the demolition of a row of 11no. garages.

3.3 Access is maintained to the rear parking court and a row of 27no. garages adjacent to the south of the site are retained. Soft landscaping is proposed to the front and rear.

3.4 Conclusion

3.5 The site has been included as a housing allocation within the final draft (Regulation 19) Watford Local Plan 2018-2036. The proposed development provides four 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 Development Plan. On-site parking for five cars to serve the development accords with maximum parking standards set out in the Watford District Plan, and is acceptable to the Highway Authority.

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 The application site has no relevant planning history.

5.2 The agent sought pre-application advice from Watford Borough Council in 2008 for residential redevelopment of the site.

5.3 The application site (inclusive of the side access, land and garages to the south of the site) is allocated for residential development in the Final Draft Watford Local Plan 2018-2036 (site reference: HS01).

6. Main Considerations

6.1 The main issues to be considered in the determination of these applications are:

- (a) Principle of Development;
- (b) Scale and Design;
- (c) Quality of Residential Accommodation;
- (d) Impact upon Neighbouring Residential Amenity;
- (e) Highways, Refuse & Recycling Provision; and
- (f) Trees and Landscaping

6.2 (a) Principle of Development

6.3 Section 11 of the NPPF establishes the requirement to make effective use of land. Paragraph 117 establishes that “Planning policies and decisions should promote effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment and ensuring safe and healthy living conditions”. Paragraph 118 (d) states that “Planning policies and decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively”.

6.4 The application site is an allocated housing site within the final draft (Regulation 19) Watford Local Plan 2018-2036, with an indicative yield given of 5no. units (site reference: HS01- Land and Garages at Lych Gate) and the site is located within an established residential area. Given the early stage of the final draft (Regulation 19) Watford Local Plan 2018-2036 which has not yet been subject to examination, the weight that can be afforded to the allocation is limited.

6.5 Sustainable development underpins planning policy from a local to national level, which includes the creation of residential accommodation and it is considered that the proposed development would align with, and support, these policy objectives.

6.6 (b) Scale and Design

6.7 The immediate area surrounding the application site consists predominantly of residential uses, with a consistency in terms of building design and scale. Link-detached dwellinghouses feature along The Glebe to the west of the site, with

flatted blocks of two and three storeys within the cul-de-sac of Lych Gate. The general materiality is uniform, comprising of red and yellow brickwork, uPVC windows and concrete roof tiles.

- 6.8 The proposed building would have two storeys with a rectangular built footprint. It would have a width of 23 metres and a depth of between 6.2 and 6.5 metres. The building would have a pitched roof with gabled ends to either side. The ridge height of the roof would be 8 metres and the eaves height would be 5.6 metres.
- 6.9 The scale and design of the building with pitched roofs and gable ends relates well to the surrounding built form of Lych Gate in terms of its character and appearance. The roof pitch and ridge will correspond with surrounding buildings and the siting of the block maintains the building line established by the neighbouring blocks to the east and west of the site. The building would be finished in red stock bricks, with a brown concrete interlocking tiled roof and uPVC windows and timber composite doors. In order to ensure a high quality appearance, external materials and design details will be secured by condition.
- 6.10 The proposed scheme would provide a functional layout and the design and appearance of the proposed block is considered to be acceptable in the context of the site's residential setting. The proposed block would have front access from Lych Gate, with rear access maintained to those private garages to the rear via the existing access road to the west off Lych Gate.
- 6.11 Overall, the proposed development will reflect the scale, design and appearance of the surrounding residential blocks and will appear complementary in the streetscene.
- 6.12 (c) Quality of Residential Accommodation
- 6.13 The Nationally Described Space Standards (March 2015) prescribe the minimum internal space standards for new residential development which provide as follows:
- Bedrooms of 11.5sqm and over are considered to be double (2 person) rooms, whereas bedrooms under 11.5sqm are considered to be single (1 person) rooms; and
 - Dwellings should provide flexibility by providing at least one bedroom capable of being used and furnished as either a double or a twin room.
- 6.14 The Nationally Described Space Standards, March 2015 (DCLG) further prescribe minimum unit sizes. The minimum internal space standards set for 1-bedroom, 2-person units is 50sqm and for 2-bedroom, 3-person units is 61sqm.

- 6.15 Both of the 1-bedroom flats will have an internal floor area of 53sqm and the two 2-bedroom flats show an internal floor area of 65sqm. As such, all of the proposed dwellings would exceed the minimum floor areas set out in the nationally described space standards. Storage space for each unit would also exceed minimum standards.
- 6.16 The two ground floor units would be provided with private amenity space to the rear benefitting from south-facing orientation and which acts as a defensible space between their doors / windows and the land and garages beyond to the south of the site. Units 1 and 2 on the ground floor would have their own private entrances to the front of the building, with Units 3 and 4 to the first floor utilising a shared entrance door.
- 6.17 All of the units are dual aspect and will have acceptable levels of outlook, natural light and privacy. Overall, it is considered that the proposed dwellings will provide good quality accommodation for future occupiers.
- 6.18 (d) Impact upon Neighbouring Residential Amenity
- 6.19 Development is expected to be cognizant of the impacts that it may generate so as to avoid unreasonably reducing the level of amenity available to either the application site itself or its surroundings.
- 6.20 The nearest properties to the application site are 4no. two-storey flatted blocks to the north and west (i.e. No's 2-21 Lych Gate) and to the east of the site lies 2no. three-storey, tripartite winged flatted blocks (known as Glebe Court and Cedar Court).
- 6.21 The siting of the proposed block is such that it would be in a linear arrangement, following the established building line created by the existing flatted blocks to the west along Lych Gate.
- 6.22 The proposed block does not encroach further sideways to the east or west from the existing garage block which is to be demolished. The proposed building is positioned at a distance of 14 metres from the neighbouring block to the west, No's 6-8 Lych Gate and would be separated by the existing vehicular accessway to the garages to the rear of the application site, which is to be retained. One window at each floor is proposed on the eastern and western side elevations to serve as a secondary window to each bedroom. The first floor side windows would be obscure glazed and non-opening other than in parts of the windows which are more than 1.7 metres above the internal floor level, to prevent any overlooking or loss of privacy. To the east, the proposed building is positioned at a distance of 12 metres from the neighbouring block of Cedar Court. The

proposed boundary treatments of 1.8 metre high close-boarded timber fencing and laurel hedging would maintain privacy between dwellings at ground floor level. As such, there would be no resultant direct overlooking, loss of privacy/amenity or loss of light to the living accommodation or external amenity spaces of those neighbouring properties adjacent to the east and west.

6.23 (e) Highways, Refuse & Recycling Provision

6.24 Vehicular access would be retained to the west of the application site, servicing the row of 27no. garages to the rear of the site.

Car Parking (serving the proposed development)

6.25 The proposal would incorporate 5no. on-site car parking spaces (that is, 1 space per one bedroom unit and 1.5 spaces per two bedroom unit). The perpendicular car parking spaces are arranged to the front of the proposed block, via two dropped kerb crossovers. The Watford District Plan states maximum parking standards within Appendix 2.

6.26 The Watford District Plan specifies the following maximum standards for residential development proposals within Zone 4:

- 1-bed units = 1.25 spaces per dwelling
- 2-bed units = 1.5 spaces per dwelling

6.27 Applying the above requirements, the maximum parking provision for the development should not exceed 6no. spaces (i.e. 5no. allocated spaces and 1no. unallocated space). The quantum of car parking spaces proposed to serve the development would fall within the maximum parking standards and is considered to be a reasonable level of provision.

6.28 Hertfordshire County Council have been consulted and have raised no objection to the scheme. Highways officers consider that the scheme would not result in a significant impact upon the local road network.

Impact upon on-street parking

6.29 The proposal would result in the loss of a circa 15 metre section of on-street car parking along the southern side of Lych Gate, capable of accommodating 3no. vehicles. The proposals would also result in the demolition of 11no. existing garages.

6.30 The applicant has stated that the existing 11no. garages are in private ownership and are small in size, measuring 2.35m x 5m. The applicant has stated that these garages are in use for storage purposes and not the parking of motor vehicles.

A supporting statement has been submitted from the managing surveyors of the garages to verify their use, size and condition.

- 6.31 A parking stress survey has been undertaken and submitted as part of this planning application. The results of the parking stress survey revealed that the demand for on-street car parking did not exceed actual supply, with there being an average of 11no. spare spaces in the study area. As aforementioned, the garages are not generally used for the storage of vehicles due to their size limitations and poor condition. The development proposals have not been found to result in demand exceeding capacity on the local highway network and the 3no. displaced vehicles from the current on-street parking in front of the application site could be accommodated within existing capacity.
- 6.32 Plans depict 4no. cycle stores for the proposed 4no. units, 3no. of which are positioned adjacent to the east of the proposed block in a dedicated gated area and 1no. of which is sited adjacent to the west of the block. Each store would allow up to two cycles to be securely stored. The Council would expect these stores to be lockable and a condition is hereby attached to ensure details of enclosure and materiality are submitted to the Council for approval prior to occupation of the development.
- 6.33 Refuse/recycling stores are shown to be positioned to the eastern side of the proposed development in the front garden area for a 240litre and 140litre bin per dwelling. Refuse collection will be made off Lych Gate, in a similar arrangement to neighbouring properties. Details of these refuse stores will be secured by way of condition.
- 6.34 (f) Trees and Landscaping
- 6.35 Landscaping measures are proposed to the front, sides and rear of the proposed flatted block. Permeable surfacing is proposed to the front for the parking spaces, access and footpaths. Ornamental tree planting is proposed to the front of the building to enhance visual amenity along the streetscene, and tree planting is similarly proposed to the rear. Screening is proposed to the side boundaries in the form of close boarded timber fencing to a height of 1.8 metres, together with beech, laurel and yew hedging. Low level evergreen hedging is proposed to the front of the development to provide a visual buffer between the parking areas.
- 6.36 A Norway Maple tree is identified on land adjacent at 10-26 Cedar Court, which is designated as a Category B tree, with significant visual amenity value. The Council's arboricultural officer has assessed the proposals, finding that the proposed construction of the development would have limited impact to the root protection area (RPA) and canopy extent.

6.37 The Council's arboricultural officer recommends that new hardstanding be constructed to no-dig construction methods to standards compliant with BS5837 to minimise damage to the tree's root system, together with additional details of the specification for the ground protection to the area around the RPA. Council's arboricultural officer recommends that the Arboricultural Method Statement and Tree Protection Plan is revised and re-submitted to the Council for further assessment and that this be dealt with via a pre-commencement condition, as set out in Section 8.

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
Waste and Recycling Team	Confirmation of refuse / recycling requirements.
Environmental Health Team	No objections to the scheme, subject to the imposition of conditions and informatives in relation to requirement for a pre-commencement contaminated land risk assessment and pre-occupation remediation scheme to be submitted to the local planning authority. The recommended conditions are attached.
Arboricultural Officer	No objection to the proposals, subject to the attachment of a pre-commencement condition (in relation to the requirement for a revised Arboricultural Method Statement and Tree Protection Plan).

7.3 Interested Parties

Letters were sent to 41no. properties in the surrounding area. Responses have been received from 12no. properties. The main comments are summarised below (the full comments/letters are available to view online):

Comments	Officer's Response
<p>Exacerbation of on-street car parking pressures and highways concerns principally along Lych Gate but also in nearby The Glebe in terms of safety (between intended users and other residents) and capacity to serve the existing flats.</p>	<p>The Highway Authority have not raised concerns or objections in relation to traffic generation or road safety.</p> <p>Maximum parking standards seek to prevent increased traffic generation. The provision of a total of 5no. parking spaces to serve the development is in accordance with policy.</p> <p>The proposal would result in the loss of a circa 15 metre section of on-street car parking along the southern side of Lych Gate, capable of accommodating 3no. vehicles. The proposals would also result in the demolition of 11no. existing garages.</p> <p>The results of the parking stress survey revealed that the demand for on-street car parking did not exceed actual supply, with there being an average of 11no. spare spaces in the study area.</p> <p>See paragraphs 6.23-6.31), above, relating to access, servicing and parking provision.</p>
<p>Overdevelopment</p>	<p>The density of the proposal is considered to be compatible with the general scale and design of neighbouring properties and is not considered to represent overdevelopment of the site.</p>
<p>Loss of privacy / outlook</p>	<p>The proposal has been designed so as not to give rise to any significant or unacceptable loss of amenity, privacy or outlook to the</p>

	<p>surrounding properties.</p> <p>See paragraphs 6.18-6.22 above, relating to impacts on surrounding properties.</p>
Noise and disturbance resulting from construction activity	<p>The Environmental Protection Act, the Control of Pollution Act and the Highways Act control the matters of disruption raised and an informative is attached to this effect.</p> <p>Any disruption during construction works would be temporary and a construction management plan would be secured by way of condition.</p>

8. Recommendation

That planning permission be granted, subject to the conditions listed below:

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:

LGW-21- L02 – Proposed Ground Floor Plan
 LGW-21-L03A – Proposed First Floor Plan
 LGW-21-04A – Proposed Elevations
 LGW-21-05A– Proposed Elevations
 LGW-21- L01 – Proposed Site Plan
 LGW-21- LP01 – Site Location Plan

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

3. No development on site shall commence until a construction management plan setting out details of any demolition works, removal of materials from site, parking for all contractors, subcontractors, visitors and delivery vehicles, storage of materials and to ensure that Lych Gate shall be maintained available for use at all times during the period of site works, has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented at all times during development works.

Reason: To minimise danger, obstruction and inconvenience to users of the highway, and for the free and safe movement of vehicles. This is a pre-commencement condition to ensure that the proposed measures during construction are satisfactory and are agreed with the Local Planning Authority before construction commences.

4. No construction works above ground level (excluding demolition works) 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. No development on site shall commence until details in the form of an updated Arboricultural Method Statement and Tree Protection Plan in respect of tree protection measures (including ground protection) relating to the tree located adjacent to the site have been submitted to and approved in writing by the Local Planning Authority. The tree protection measures approved under this condition shall be implemented prior to the commencement of any works and shall be maintained as such at all times whilst the construction works take place.

Reason: To ensure the existing tree which makes a positive contribution to the visual amenity of the area is retained and not harmed by the development in accordance with saved Policy SE37 of the Watford District Plan 2000. This is a pre-commencement condition to ensure that the proposed tree protection measures are satisfactory and agreed by the Local Planning Authority before construction commences.

6. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

- 1) A preliminary risk assessment which has identified:
 - All previous uses;
 - Potential contaminants associated with those uses;
 - A conceptual model of the site indicating sources, pathways and receptors; and
 - Potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7. No development shall commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures, in accordance with

saved Policy SE24 of the Watford District Plan 2000 and Paragraph 170 of the NPPF, 2019.

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

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.

9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site, in accordance with saved Policy SE24 of the Watford District Plan 2000 and Paragraph 170 of the NPPF, 2019.

10. The two side-elevation windows at first floor level (as annotated on plan ref: LGW-21-L03A) shall be installed and retained with obscure-glazing and shall be non-opening other than in parts of the windows which are more than 1.7 metres above the internal floor level of the rooms in which the windows are installed prior to first occupation and retained for the lifetime of the development.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring premises pursuant to Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and the Residential Design Guide 2016.

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. IN808 – Vehicular Crossover
7. HIGH – Storage of Materials – Highway
8. OBSHIG – Obstruction of the Highway
9. MUD – Mud on highway