

|                                                     |                                                                                               |
|-----------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Committee date</b>                               | Tuesday, 5 October 2021                                                                       |
| <b>Application reference</b><br><b>Site address</b> | 21/01033/FUL 2 Briar Road Watford WD25 0HN                                                    |
| <b>Proposal</b>                                     | Erection of single storey side and rear extension to create new ground floor residential unit |
| <b>Applicant</b>                                    | Ms Lisa Dunne                                                                                 |
| <b>Agent</b>                                        | R.York And Son Design Ltd                                                                     |
| <b>Type of Application</b>                          | Full Planning Permission                                                                      |
| <b>Reason for committee Item</b>                    | Number of objections to the application                                                       |
| <b>Target decision date</b>                         | 6 October 2021                                                                                |
| <b>Statutory publicity</b>                          | Letters to neighbouring properties                                                            |
| <b>Case officer</b>                                 | Alice Reade, <a href="mailto:alice.ream@watford.gov.uk">alice.ream@watford.gov.uk</a>         |
| <b>Ward</b>                                         | Stanborough                                                                                   |

## 1. Recommendation

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 on Briar Road comprises a detached two storey property which comprises two maisonettes with one at ground floor and one at first floor. The building has been previously extended with a single storey rear infill extension and a 4.2m wide timber outbuilding adjoined to the side.
- 2.2 The site occupies a roughly triangular plot on the bend of Briar Road. An access road runs along the rear serving properties on the north side of Briar Road and the south side of Kingswood Road.
- 2.3 The area is predominantly residential. This end of Briar Road features a bend from its junction with Kingswood Road along which the building line follows a curve. The area predominantly features semi-detached houses and maisonettes which present as semi-detached houses. Properties feature large front gardens with driveways. Many properties in the area have been extended to the side and/or include side garages.
- 2.4 The site is not in a Conservation Area, there are no Listed Buildings and the site is not within a Controlled Parking Zone.

## 3. Summary of the proposal

### **3.1 Proposal**

- 3.2 Erection of single storey side and rear extension to create a new studio residential unit. The extension would be of a width of 4.6m with a set back of 1m from the front elevation. The extension depth of 10.2m to be level with the rear outrigger of the building and replace the previous infill extension to the ground floor maisonette. The extensions would feature a crown roof with eave height of 2.8m and maximum height of 3.7m.

### **3.3 Conclusion**

- 3.4 The proposed development creates a new dwelling of an appropriate size and layout in a residential area of the town. The single storey nature of the extensions would not create harm to the amenities of neighbouring occupiers. The development would provide appropriate on-site parking for the existing and proposed dwellings and full details of amendments to the existing crossover access are secured prior to commencement to ensure this is to the satisfaction of the Highway Authority.
- 3.5 The width of the extension that creates the new dwelling is over 50% of the width of the main building however with the 1m set back and simple fenestration it would be sufficiently subordinate to the main building and would not be unduly prominent in the streetscene.
- 3.6 This revised proposal also avoids other issues from the 5 previous refused applications as follows:
- Single storey building to avoid overlooking and harm to neighbours
  - Inclusion of on-site parking for the development
  - Creating internal space compliant with minimum space standards
  - Correcting inaccuracies in the drawings
- 3.7 The creation of a new dwelling within the residential area is fully compliant with the housing objectives of Policy HS1 of the Watford Local Plan Core Strategy. The scale, design, layout are acceptable and the development would not create adverse harm to the amenity of local residents or highway safety.

## **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.

- 4.2 Paragraph 11 d) of the NPPF 2021 establishes the ‘presumption in favour of sustainable development’ and the principles of the ‘tilted balance’ that apply where a local planning authority cannot demonstrate a 5 year housing supply or have failed to deliver at least 75% of their housing requirement as part of the Housing Delivery Test. Where the tilted balance applies, decision makers should grant permission unless NPPF policies on protected areas or assets of particular importance provide a clear reason for refusing development or, any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, assessed against NPPF policies taken as a whole. The tilted balance has the effect of shifting the weight in the planning balance away from local policies and towards the NPPF.
- 4.3 The Council has recently not demonstrated a 5 year supply of housing and scored below 75% in the most recent Housing Delivery Test results and therefore the ‘tilted balance’ applies to the determination of this planning application.

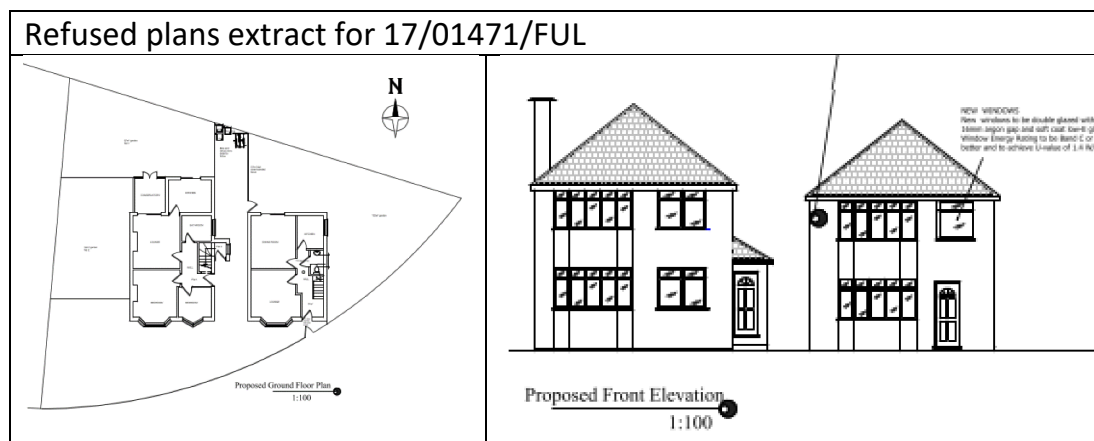
## 5. Relevant site history/background information

**07/00842/FUL** Conversion of existing flats to single dwelling house and erection of an attached 2 storey house. Approved but not implemented and no longer extant.

**17/01471/FUL** Erection of a three bedroom detached dwelling. Planning permission refused.  
Reasons for refusal:

- 1. By virtue of the position, front building line and distance of the proposed house to the front boundary, the development would appear as unduly prominent and dominant in the streetscene. The building would be uncharacteristically close to the boundary with the road resulting in an inappropriate dominance to the streetscene. The position of the building would fail to respect the curve of the road. It would visually narrow this section of the road and reduce the openness of the streetscene. The development would adversely affect the character and appearance of the site, streetscene and surrounding area, contrary to the guidance of the Residential Design Guide 2016 and policies UD1 and SS1 of the Watford Local Plan Part 1: Core Strategy.*

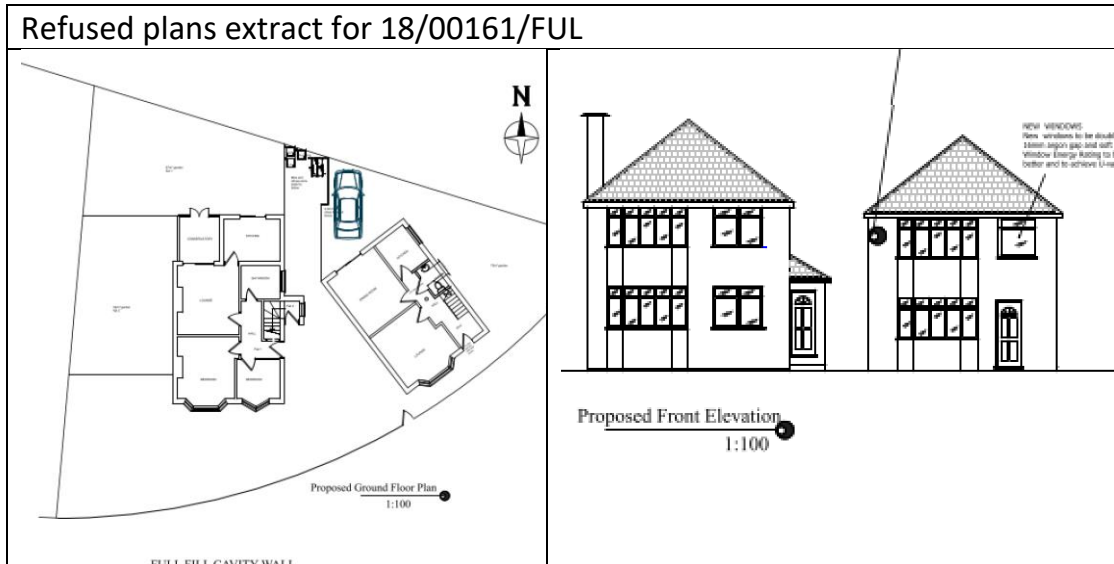
2. The development would result in unacceptable overlooking to Nos1, 3, 5 and 7 Kingswood Road. The back to back distance fails and to meet the minimum RDG requirement and the first floor rear facing window of the development would infringe the privacy arc of these properties. The window would also be below the minimum 11m distance to the boundary of the gardens of No3 and 5 resulting in unreasonable overlooking to these gardens. The development would unacceptably harm the privacy and amenity of the residential neighbours, contrary to sections 7.3.16 to 7.3.20 of the RDG and policies UD1 and SS1 of the Watford Local Plan Part 1: Core Strategy.



**18/00161/FUL RPP** Erection of a three bedroom detached dwelling. Planning permission refused.  
Reasons for refusal:

1. By virtue of the position, front building line and distance of the proposed house to the front boundary, the development would appear as unduly prominent and dominant in the streetscene. The building would be uncharacteristically close to the boundary with the road resulting in an inappropriate dominance to the streetscene. The position of the building would fail to respect the building line setback behind the curve of the road. It would visually narrow this section of the road and reduce the openness of the streetscene. The development would adversely affect the character and appearance of the site, streetscene and surrounding area, contrary to the guidance of the Residential Design Guide 2016 and policies UD1 and SS1 of the Watford Local Plan Part 1: Core Strategy 2006-31.
2. The development would result in unacceptable overlooking to Nos.1 and 3 Kingswood Road. The back to back distance fails to meet the minimum requirement in the Residential Design Guide and the first floor north side facing window of the development would infringe the privacy arc of these properties. The window would also be below the minimum 11m distance to the boundary of the gardens of Nos.1 and 3 resulting in unreasonable

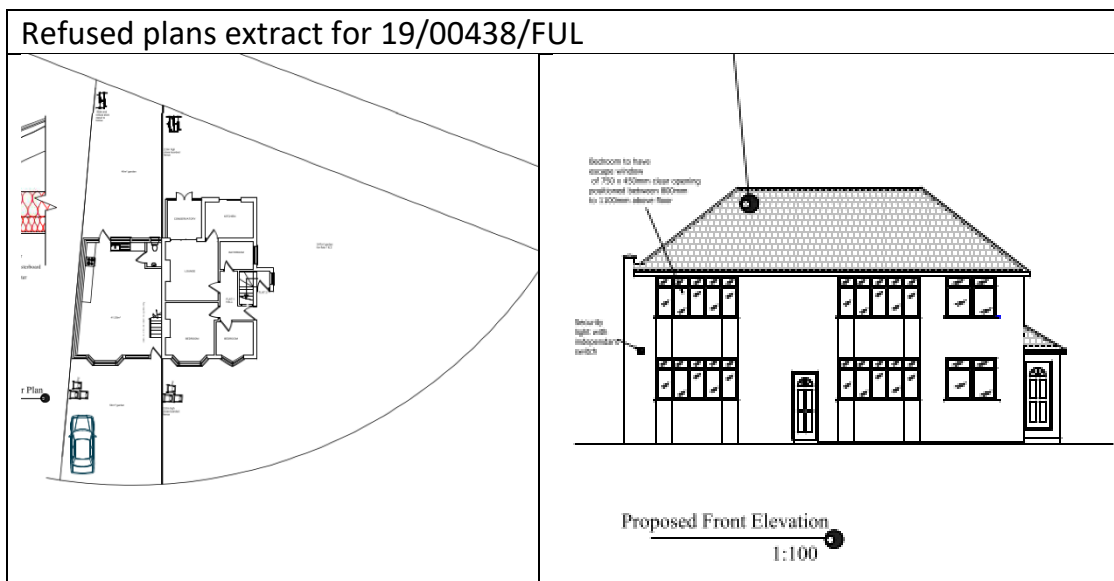
*overlooking to these gardens. The development would unacceptably harm the privacy and amenity of the residential neighbours, contrary to sections 7.3.16 to 7.3.20 of the Residential Design Guide 2016 and policies UD1 and SS1 of the Watford Local Plan Part 1: Core Strategy 2006-31.*



**19/00438/FUL RPP** Erection of a two bedroom semi-detached house. Planning permission refused.

Summary of reasons for refusal:

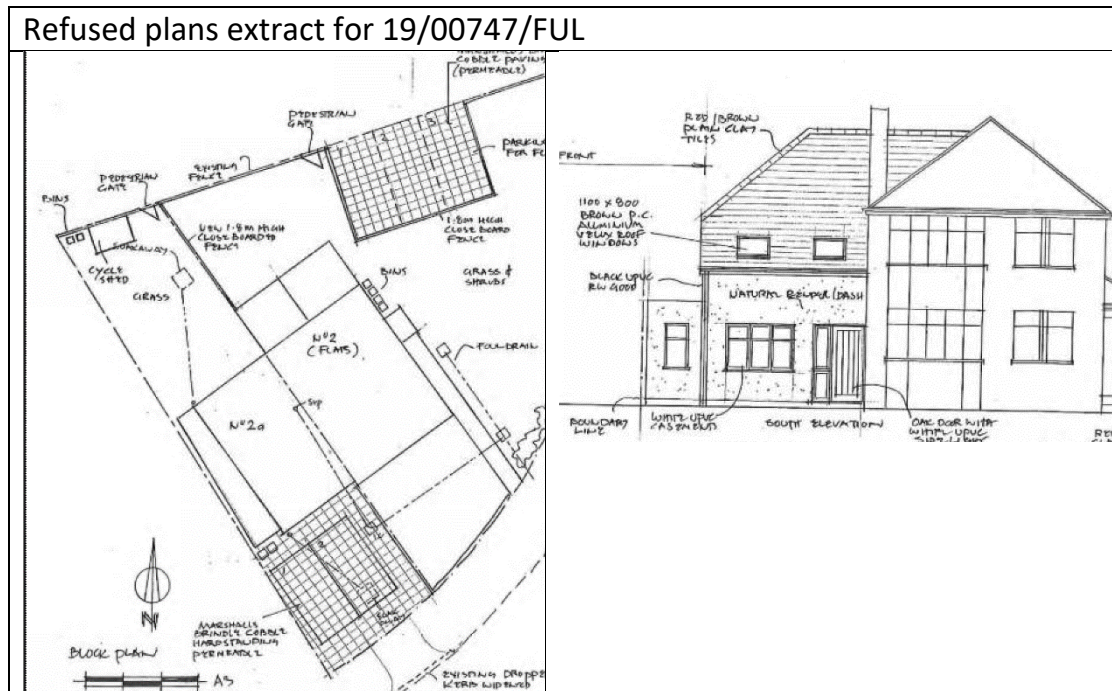
1. Poor design
2. Harm to amenities of neighbours at 4 and 4a
3. Inadequate Gross internal areas
4. Loss of parking



**19/00747/FUL** Erection of a two bedroom semi detached house. Planning permission refused.

Summary of reasons for refusal:

1. Poor design
2. Inadequate Gross internal areas and poor light and outlook
3. Inaccurate Plans (Block plan shows SW boundary and rear garden as 3m greater than on OS and council mapping.)

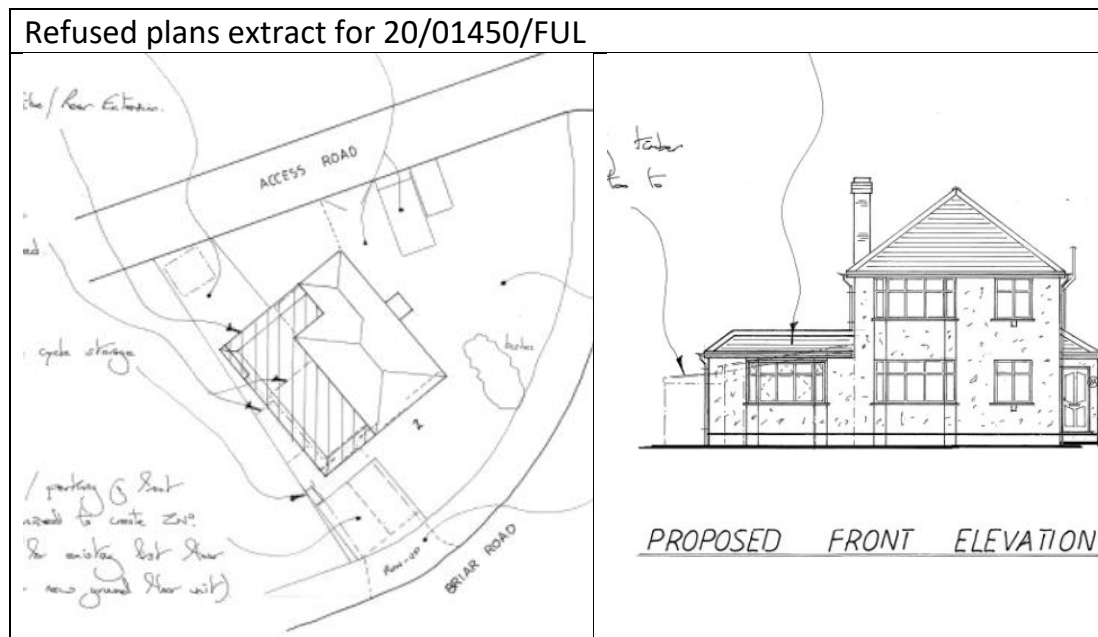


**20/01450/FUL** Erection of single storey side and rear extension to create new ground floor residential unit. Planning permission refused.

Reasons for refusal:

1. *The development would be of unacceptably poor design. The new dwelling would appear as an overly large single storey side extension to the existing building. The width of the side extension would be significantly over half that of the main building and with the lack of a set back and the large front bay window, the development would appear as an overly dominant and obtrusive extension and would not respect the host building. For these reasons, the development would result in harm to the appearance of the building, the streetscene and the character of the area, contrary to the National Planning Policy Framework, the provisions of the Residential Design Guide 2016 and policies UD1 and SS1 of the Watford Local Plan Core Strategy 2006-31.*
2. *The Gross Internal Area (GIA) of the proposed dwelling at 43m<sup>2</sup> would be below the minimum standard of the DCLG 'Technical housing standards-*

*nationally described space standards' (March 2015) and Residential Design Guide 2016, set as 50m<sup>2</sup> for the 1 bed 2 person dwelling type proposed. The development would therefore fail to provide satisfactory residential accommodation for future occupiers of the development and does not constitute a high quality or sustainable development, contrary to Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and Residential Design Guide 2016.*



## 6. Main considerations

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

- (a) Principle of residential development
- (b) Scale and design
- (c) Impact on surrounding properties
- (d) Residential amenity
- (e) Access, parking and highway impact
- (f) Waste, recycling and bicycle storage

### 6.2 (a) Principle of residential development

The site is within a primarily residential area. A proposal to create an infill housing development to meet housing need and make better efficient use of the site, is fully in accordance with Policy HS1 of the Watford Local Plan Core Strategy and is acceptable in principle.

### 6.3 (b) Scale and design

Policy UD1 of the Watford Local Plan sets out points to consider in achieving

high quality design for new development. Development should create high quality new places and should respect and enhance the character of its area.

- 6.4 The proposed development would take the form of a single storey side extension to the side of the existing building which itself presents visually as a detached two storey house. The RDG seeks for side extensions to not exceed half the width of the main building. The extension here at 4.6m, would represent 72% of the width of the existing building which is 6.4m and so would be in excess of half the width. This width is the same as the previously proposed scheme which was refused for reasons including that:

*The width of the side extension would be significantly over half that of the main building and with the lack of a set back and the large front bay window, the development would appear as an overly dominant and obtrusive extension and would not respect the host building.*

- 6.5 This revised application has the same width of the side extension however it now includes a set back from the front elevation and a flush front window that does not compete with the main dwelling. This revised position therefore now ensures that despite its width, the side extension would be viewed as sufficiently subordinate to the building in this instance and it would not create harm in its scale and position.
- 6.6 It is further noted that the proposed extension would have a minimal comparative difference in its visual impact when compared to the existing structure it is to replace. The existing timber outbuilding/extension is 4.2m wide and has a set back of 30cm from the front of the building. The proposed extension would add a further 40cm in width but it would have a notably increased set back of 1m from the existing 30cm for the timber building. Its prominence in relation to the host building would therefore be similar whilst the extension would also be of a more appropriate material finish and quality. This again indicates that despite the width exceeded RDG guidance, the extension would not create harm in this instance.
- 6.7 The set back position of the extension also now ensures that the extension sits behind the building line of the road and would be subordinate within the streetscene. Furthermore it is noted that there are large single storey structures seen to other properties in the streetscene including large side extensions and double garage structures between other properties. The form of the building would therefore not be incongruous in its form within the streetscene.
- 6.8 Therefore, despite the width of the extension exceeding RDG guidance, the set back and single storey nature of the structure would ensure it does not



appear unduly dominant and would be appropriate in scale and design for the building.

6.9 (c) Impact on surrounding properties

The single storey extension does not include first floor windows that could create overlooking to neighbouring properties. The ground floor windows are set in within the site which has 1.8m high fence to all boundaries. These ground floor windows would not therefore create overlooking to neighbours.

6.10 The height, position and distance of the building to surrounding properties would not create any notable loss of light or outlook to neighbours.

6.11 (d) Residential amenity

The dwelling proposed is shown as an open plan studio dwelling for which the 1 bed, 1 person standard of the nationally described space standards and the RDG would apply. These state that a 1 bed, 1 person dwelling of 1 storey, with shower room, should have a minimum GIA of 37m<sup>2</sup>. The GIA of the proposed dwelling at 38m<sup>2</sup> would exceed the space requirements. The dwelling would have good light, outlook and privacy. The enlarged existing ground floor dwelling would similarly have good amenity.

6.12 The proposed dwelling would have a private garden area of 43m<sup>2</sup> and the development would leave the existing ground floor 2 bed flat with a private garden of 31m<sup>2</sup>. These are below the garden area guidance stated in the RDG as 50m<sup>2</sup>. It is however noted that the area of communal garden of 250m<sup>2</sup> to serve all 3 dwellings would be well above the guidance meaning that the proposed and existing dwellings would have access to appropriate garden areas for different uses.

6.13 (e) Access, parking and highway impact

The development proposes the use of the existing vehicular accesses to the site via the existing dropped kerb from Briar Road and the vehicle access from the rear service road.

6.14 The development proposes 4 on-site parking spaces for the total of 3 dwellings. These include the 2 existing spaces accessed from Briar Road and 1 space and 1 garage accessed from the rear service road. The parking standards of the Watford District Plan 2000 state that the 3 dwellings of this type in this location should not exceed a provision of 4.25 car spaces. The development is therefore compliant with the maximum standards and the spaces would be considered as sufficient for the likely occupants of the development. As such it is unlikely that the development will result in additional parking demand on surrounding roads and is compliant with 'saved'

policies T22 and T24 of the Watford District Plan 2000.

- 6.15 The Highways authority have however raised concerns in respect of the design of the access to the two spaces on Briar Road noting that the existing crossover access is not sufficient in width to serve the two spaces and that vehicle movements to the spaces could cause damage to the pavement and highway. It is also noted that there is utility/highway furniture in the pavement that would require relocation, at the cost of the applicant, to widen this access. Condition 4 is therefore recommended to secure full details of the front driveway position and crossover arrangements prior to commencement of development to ensure that an access and driveway are achieved to the satisfaction of the highway authority.

- 6.16 In respect of traffic impact and highway safety, the Highway Authority have raised no objection to these matters and have made the following comments:

*Trip Generation: The Highway Authority expect that the vehicle trip generation of the proposed residential unit will have a negligible impact to the operation and performance of junctions on the local highway network.*

*Highway Safety: The Highway Authority have undertaken a review of personal injury collisions that have occurred on the local highway network over the most recently available five-year period of data (June 2016 - June 2021). The review found a total of one collision had occurred in June 2019, approximately located on the section of Briar Road opposite property numbers 20 / 49. This collision was of serious severity and included a vehicle reversing and colliding with a parked car. Whilst all collisions are a concern to the Highway Authority, the collision record does not suggest there are any underlying highway deficiencies.*

- 6.17 The comments from neighbours in respect of the current inadequate driving and poor parking choices on Briar Road are noted, as is the recorded incident as detailed in the highways comments. This incident was however over 100m from the application site and there is no justification for concerns that the proposed development would result in highway safety issues.

- 6.18 (f) Waste, recycling and bicycle storage

The development shows the existing and proposed dwellings would have access to appropriate bin and bicycle storage in the rear gardens and is acceptable.

## **7. Consultation responses received**

## 7.1 Technical consultees

| Consultee                           | Comment Summary                                                                                                                                                                                                                       | Officer Response                                                                                                                                                                                                                                                                  |
|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Highways Authority, Herts CC</b> | Initial objection in respect of the scheme design on the basis that the crossover from Briar Road is not sufficient in width to serve the two spaces.<br><br>In respect to traffic impact, the highways authority raise no objection. | Noted that the access and driveway from Briar Road are an existing arrangement however to address the concern, full details of an amended arrangement are secured by condition to the permission.<br><br>The comments from the highway authority in respect of traffic impact are |
| <b>Waste and recycling</b>          | No comment                                                                                                                                                                                                                            | Case officer notes that there is sufficient space within the site for bin storage and these areas include access to the highway for presentation of bins.                                                                                                                         |

## 7.3 Interested parties

Letters were sent to 25 properties in the surrounding area. Responses have been received from 9 properties. The main comments are summarised below, the full letters are available to view online:

| Comments                                                                                                         | Officer response                                                                                                                                                                                                                                                        |
|------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The proposed studio dwelling is too small and cramped and would poorly impact mental health of future occupants. | The proposed studio dwelling would exceed minimum space standards and would have good access, light, outlook, privacy and general amenity for future occupiers.                                                                                                         |
| The development will worsen existing on road parking problems.                                                   | The scheme includes on site parking for 4 cars via the existing site access arrangements. The provision of 4 spaces for 3 dwellings is compliant with parking standards. As such this is acceptable and is unlikely to result in additional demand for on road parking. |
| The site is on a blind corner which is made dangerous by on road parking to both sides and cars                  | As detailed in sections 6.13 to 6.17 of the report, the Highway Authority have investigated the potential for trip generation                                                                                                                                           |

|                                                                                                               |                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| going too fast. The development will increase potential danger.                                               | and highway impact from this development and have raised no objection on this basis. The access to Briar Road is as existing however the widening of this to prevent damage to the pavement is secured by condition to overcome this concern raised by the Highway Authority.                                   |
| Overdevelopment of the site which already contains 2 flats. The area is too built up and overpopulated.       | The site is within a residential suburban area. Provided all space requirements are met, the development of one dwelling to create 3 on this site would be in keeping with the nature and density of the area.                                                                                                  |
| Reduced privacy, light, outlook and view for neighbours at Kingswood Road to the rear.                        | As set out in the relevant section of the report, the single storey building has no upper floor windows that could overlook neighbours. The mutual distances of the development to neighbours is generous and would not create loss of light or outlook to the Kingswood Road or other neighbouring properties. |
| Construction and construction vehicles will cause noise and dust for neighbours and disruption to the highway | This is not a material planning consideration in the determination of the application.                                                                                                                                                                                                                          |

## 8. Recommendation

That planning permission be granted subject to the following conditions:

### 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 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:

Site Location Plan  
Sheet No2  
Sheet No3 (Sept 2021)  
Sheet No4 (Sept 2021)

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

3. All the external surfaces of the development shall be finished in materials to match the colour, texture and style of the existing building. In the event of matching materials not being available, details of any alternative materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the development shall only be carried out in accordance with any alternative details approved by this Condition.

Reason: In the interests of the visual appearance of the site, pursuant to Policy UD1 of the Watford Local Plan Core Strategy 2006 - 31.

4. No development shall commence until full details for the width, location, design and material of the access, crossover and parking area from Briar Road have been submitted to and approved in writing by the Local Planning Authority. The details shall include details of any other associated works to highway and utility furniture required to secure the access. The access, crossover and parking area approved under this condition shall be installed and made available for use prior to the occupation of the development and shall be retained at all times

Reason: To ensure the development includes appropriate access and parking that would not create damage to the highway and pursuant to 'saved' policies T22 and T24 of the Watford District Plan 2000.

5. No part of the development shall be occupied until details of the size, type, siting and finish of refuse and recycling storage enclosures for the new and existing dwellings has been submitted to and approved in writing by the Local Planning Authority. The stores approved under this condition shall be installed and made available for use prior to the occupation of any part of the development and shall be retained at all times for refuse/recycling only and shall not be used for any other purpose.

Reason: In the interests of the visual appearance of the site, to ensure that adequate waste storage facilities are provided and to ensure that a suitable living environment is provided, in accordance with 'saved' policies

H13 and SE7 of the Watford District Plan 2000 and Policies UD1 and SD4 of the Watford Local Plan Core Strategy 2006-31.

6. No part of the development shall be occupied until details of the size, type, siting and finish of a cycle storage enclosure for the proposed dwelling has been submitted to and approved in writing by the Local Planning Authority. The storage approved under this condition shall be installed and made available for use prior to the occupation of any part of the development and shall be retained at all times for cycle storage only and shall not be used for any other purpose.

Reason: To ensure that secure and weatherproof cycle storage facilities are provided for future residents in accordance with 'saved' Policy T10 of the Watford District Plan 2000 and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

7. No part of the development shall be occupied until full details of both hard and soft landscaping works, including details of all existing trees to be retained, trees and soft landscaping to be planted, any other arboricultural works to be carried out, details of any changes to ground levels around the building, all pathways, all hard surfacing, amenity areas/paving and boundary treatments, have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme, with the exception of the planting, shall be completed prior to any occupation of the development. Any proposed planting shall be completed not later than the first available planting and seeding season after completion of the development. Any new trees or plants 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, to safeguard trees, to ensure the provision of suitable car parking, to ensure suitable amenity for future occupiers, to ensure suitable screening is maintained or provided between the site and neighbouring occupiers in accordance with 'saved' policies T21 and SE37 of the Watford District Plan 2000.

8. Prior to occupation of the development, appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: In the interests of highway safety and amenity.

## Informatives

1. Positive and proactive statement
2. Building regulations
3. Party Wall Act
4. Hours of construction
5. Community Infrastructure Levy
6. Street naming and numbering