

Committee date	Monday 14 March 2022
Application reference	21/01869/OUT - 78 High Road, Watford, WD25 7LJ
Site address	
Proposal	Outline application for demolition of existing dwelling and construction new block of 5No. flats.
Applicant	New Agenda
Agent	Towers Associates
Type of Application	Outline Planning Permission
Reason for committee Item	Number of Objections
Target decision date	Tuesday 15 March 2022
Statutory publicity	Watford Observer, Neighbour Letters and Site Notice
Case officer	Andrew Clarke, andrew.clarke@watford.gov.uk
Ward	Woodside

1. Recommendation

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

2. Site and surroundings

- 2.1 The application site is comprised of a relatively large detached two-storey dwelling which has a fairly traditional design, albeit it has been clad in tiles and timber, such that it has a more contemporary appearance than surrounding properties. The building is not listed and the site is not within a conservation area.
- 2.2 The surrounding pattern of development along High Road is residential and low density, fairly consistent in terms of plot sizes and building heights / footprints. There is some variety in terms of the architectural detailing of buildings. To the rear of the site are maisonettes on Redheath Close which date from the 1980's. Manor House (numbers 79 and 81 High Road) which is opposite the site is Grade II listed.

3. Summary of the proposal

3.1 Proposal

- 3.2 This outline planning application proposes details of the appearance, layout and scale for a building containing five residential units. Details relating to access and landscaping do not form part of this outline application and are

'reserved matters' which still require approval prior to commencement of the development.

3.3 Conclusions

3.4 The proposed development is in keeping with the character and appearance of the area, will provide a good quality of accommodation for future residents and will have no significant adverse impact on the adjoining properties. Subject to conditions, the appearance, layout and scale of this outline proposal are considered acceptable in accordance with the development plan.

3.5 Details relating to access and landscaping shall be dealt with as reserved matters.

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 National Planning Policy Framework 2021 (NPPF) 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 scored below 75% in the most recent Housing Delivery Test results for 2021 and therefore the 'tilted balance' applies to the determination of this planning application.

5. Relevant site history/background information

5.1 This is the fourth application to redevelop this site. The three previous applications have been refused.

- 5.2 An application to demolish the existing dwelling and construct a terrace of three properties was refused on 2nd February 2021 (Application ref: 20/01379/FUL). The reason for refusal was poor design. This refusal was appealed to the planning inspectorate. The appeal was dismissed on 23rd June 2021 concluding that the design was harmful to the character and appearance of the surrounding area and would result in “less than substantial harm” to the setting of Manor House, a Grade II listed building.
- 5.3 Another application to demolish the existing dwelling and construct a terrace of three properties was refused on 27th August 2020 (Application ref: 20/0691/FUL). The reasons for refusal were poor design and harm to neighbouring amenity.
- 5.4 An outline application to demolish the existing dwelling and construct a block of 5 residential units was refused on 29th May 2020 (Application ref: 20/00375/OUT). The reasons for refusal were poor design, poor quality of accommodation, harm to neighbouring amenity and impractical cycle / refuse storage.

6. Main considerations

- 6.1 The main issues to be considered in the determination of this application are:
- (a) Principle of a residential development
 - (b) Layout, scale and design
 - (c) Quality of accommodation
 - (d) Impact on amenity of adjoining residential properties
 - (e) Access, parking and transport
 - (h) Trees and biodiversity
- 6.2 (a) Principle of a residential development
The application site is located in a primarily residential area, as shown on the Proposals Map of the Watford District Plan, where residential development is acceptable in principle.
- 6.3 Section 11 of the National Planning Policy Framework 2021 (NPPF) establishes the requirement to make effective use of land. Paragraph 119 states 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”. The redevelopment of this site would constitute development of a brownfield site within an established residential area.

- 6.4 The demolition and redevelopment of this site for residential purposes is therefore considered acceptable in principle, in accordance with local and national planning policy objectives.
- 6.5 (b) Layout, scale and design
The layout of the site would be comprised of a single building which sits in line with the neighbouring properties on High Road. It would be set in 1.9 metres from the boundary with both neighbouring properties.
- 6.6 The building would have a rectangular footprint and a symmetrical design. It would appear as a two storey building with gable ends. The main roof of the building would be pitched with three dormers to both the front and rear facing roof slopes. The units would all be accessed by a centrally positioned front door which has a projecting canopy porch above.
- 6.7 Internally there would be two residential units to the ground floor, two to the first floor and one in the roofspace. Externally the building would be finished in brick with a tiled roof and UPVC doors and windows. The exact details of materials would be secured by condition.
- 6.8 Indicatively, the front garden would be hardstanding for parking surrounded by soft landscaping. The introduction of soft landscaping to the front is an improvement on the existing frontage which is currently all hardstanding. To the rear are private and communal garden spaces where new soft landscaping including new native hedges and trees are introduced. The application does not seek detailed approval of the landscaping at this stage and this will be secured as a 'reserved matter'.
- 6.9 Overall the layout of the site and the scale and design of the building are considered appropriate in these surroundings, causing no harm to the setting of the listed building on the opposite side of the road.
- 6.10 (c) Quality of accommodation
The building would create five residential units comprised of 3 two bedroom units and 2 one bedroom units.
- 6.11 At ground floor level are two, mirrored two bedroom units both of which have a gross internal area of 83 square metres. This figure far exceeds the minimum floor space requirement of 70 square metres for a two bedroom, four person dwelling.
- 6.12 The smaller bedroom in these units has a footprint of 9.7 square metres and has its only window onto the communal side alleyway. This is not ideal, and

the floor space of these smaller bedrooms is below that recommended by the nationally described space standards for a double bedroom, and can therefore only be considered as a single bedroom. However these ground floor units have generous proportions, private garden areas, including an additional study and are triple aspect. Overall these units are considered to be of an acceptable quality.

- 6.13 At first floor level are two, mirrored one bedroom units both of which have a gross internal area of 59.4 square metres. This figure again far exceeds the minimum floor space requirement of 50 square metres for a two bedroom, two person dwelling. Occupants of these units would have access to the large communal rear garden which can be accessed from both sides of the building.
- 6.14 The second floor unit in the roofspace is also large though due to its position in the roofspace means all rooms have areas of low headroom. Overall 76.6 square metres of floor space has a headroom over 1.5 square metres and 57 square metres has a headroom over 2.3 metres. The headroom and gross internal area would be sufficient for a two bedroom, four person dwelling in accordance with the nationally described space standards. Occupants of this unit would also have access to the communal rear garden.
- 6.15 (d) Impact on amenity of adjoining residential properties
The proposed development includes two side facing bathroom windows at first floor level. To ensure no significant overlooking and loss of privacy to neighbouring properties a condition requiring appropriate obscure glazing has been included as a condition.
- 6.16 Number 78A High Road to the northeast is an infill property. It was granted planning permission on 25th April 1978 on land which was to the side of number 80 High Road. The proposed building would be 0.5 metres deeper at first floor level and 4.3 metres deeper at ground floor level at a separation distance of 4.4 metres. It would not breach the 45 degree line taken on plan view from neighbouring rear facing first floor windows. This neighbour also has a first floor side facing bathroom window which would suffer no detriment as the separation distance to the neighbouring property is increased by 0.9 metres. This property also benefits from a lawful development certificate which permits a 4 metre deep single storey rear extension (Application ref: 21/00523/LDC. Granted on: 25th May 2021).
- 6.17 Number 76 High Road to the southwest is an early twentieth century property. The proposed building would be 2.1 metres deeper at first floor level and 5.9 metres deeper at ground floor level at a separation distance of 3.4 metres. It would not breach the 45 degree line taken on plan view from

neighbouring rear facing first floor windows. This neighbour has a first floor side facing landing window which would suffer no detriment as the separation distance to the neighbouring property is increased by 1.9 metres. This property also benefits from planning permission for a 3.8 metre deep double storey rear extension (Application ref: 21/01469/FULH. Dated: 1st December 2021). This application removes the side first floor facing landing window and introduces a secondary bedroom window. A condition on this application requires this window to be appropriately obscured.

- 6.18 The rear garden is 30 metres deep and the maisonettes on Redheath Close are 44 meters distant. This distance is sufficient to ensure no loss of amenity to the rear in accordance with section 7.3 of Watford's Residential Design Guide.
- 6.19 Subject to a the condition requiring suitably obscured windows, the proposal would cause no significant detriment to the amenity of adjoining properties in terms of outlook, light or privacy.
- 6.20 (e) Access, parking and transport
Indicatively, the vehicular access to the property would be modified. The existing two crossovers to either side of the frontage would be replaced by one, centrally positioned crossover. A lamp post currently exists where the new crossover is proposed. The county council as the highway authority have confirmed that the lamp post could be moved and relocated. The current outline application does not seek approval for the detailed access arrangements and this would be dealt with as a 'reserved matter' at a later stage prior to commencement of the development.
- 6.21 Saved Policy T22 of the Watford District Plan addresses car parking standards. The site is within parking zone 4 where the maximum number of spaces for a development comprised of this housing mix would be between 5.25 and 7. The parking provision of 6 spaces therefore accords with current policy.
- 6.22 The plans indicate five cycle stores, each of which can accommodate three bicycles. This provision is in accordance with saved Policy T10 of the Watford District Plan.
- 6.23 The plans depict space for sufficient refuse storage to both sides of the building.
- 6.24 The number 10 bus route runs along High Road connecting the area to Watford Town Centre and Watford Junction Station. This route currently has a weekday daytime frequency of four buses an hour. Access to public transport is therefore considered to be good in this location.

6.25 (f) Trees and biodiversity

The agent has submitted a comprehensive arboricultural report which assesses the impact on trees within and close to the site. This property has no significant trees growing within its boundary other than those along the rear boundary which are not likely to be impacted by the proposals as indicated in the report. There are, however, a number of trees growing directly adjacent to the property, including a Copper Beech tree within the frontage of 76 High Road which is protected by a tree preservation order. The report details how these existing trees would be protected during construction, this includes no 'scraping up' works within root protection zones to the front of the property. In order to safeguard trees during the period of construction works, the detailed tree protection measures in the arboricultural report will be conditioned.

7 Consultation responses received

7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment	Response
Hertfordshire County Council Highways	No objection subject to conditions and informatives.	Noted

7.2 Internal Consultees

Name of Statutory Consultee / Other Organisation	Comment	Response
Watford Borough Council Arboricultural Officer	No objection subject to conditions.	Noted.
Watford Borough Council Environmental Health	No objection.	Noted.
Watford Borough Council Waste and Recycling	Refuse requirements calculated.	Noted.

7.3 Interested Parties

Letters were sent to 40 properties in the surrounding area. Eleven responses were received in objection. The main comments are summarised below, the full letters are available to view online:

Comments	Officer response
Overdevelopment	The development makes effective use of a brownfield site and contributes to housing need in Watford. See paragraphs 6.2 to 6.4.
Layout, scale and design	The layout of the site and the design and scale of the building are considered appropriate in these surroundings, causing no harm to the setting of the listed building on the opposite side of the road. See paragraphs 6.5 to 6.9.
Harm to neighbouring amenity	The development would cause no significant harm to neighbouring amenity in terms of outlook, light or privacy. See paragraphs 6.15 to 6.19.
Insufficient parking	Parking provision is considered acceptable in accordance with current policy. See paragraph 6.21.

8 Recommendation

That planning permission be granted subject to the following conditions:

Conditions

1. No development shall commence until details of the:

- a) Access
- b) Landscaping

(hereinafter referred to as "the Reserved Matters") have been submitted to and approved by the Local Planning Authority.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Applications for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of three years from the date of this Decision Notice.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

3. The development to which this permission relates must be commenced not later than two years from the date of approval of the final Reserved Matters application.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

4. For those matters not reserved for later approval, the development hereby permitted shall be carried out in accordance with the approved plans and document:

- Drawing number: 3203-SK1
- Drawing number: 3203-3B-01
- Drawing number: 3203-3B-02
- Drawing number: 3203-5D-03
- Drawing number: 3203-5D-05
- Drawing number: 3203-5D-06 Rev: A
- Drawing number: 3203-3B-49
- Report on the impact on trees. Ref: S237-J1-IA-1. Dated: 18th August 2020

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

5. No construction works shall commence until details of the materials to be used for all the external finishes of the building, including walls, roof, dormers, porch, doors, windows and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved 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.

6. The development hereby approved shall not be occupied until the new on-site car parking spaces and manoeuvring areas have been constructed and laid out in accordance with approved drawing number: 3203-5D-03 (or any subsequent drawing submitted to and approved in writing by the Local Planning Authority). The vehicular access and onsite car parking spaces and manoeuvring areas shall be retained at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to ensure that sufficient on-site parking spaces are provided.

7. The development hereby approved shall not be occupied until refuse, recycling and cycle storage has been provided in accordance with approved drawing numbers: 3203-5D-03, 3203-5D-05 and 3203-3B-49 (or any subsequent drawing submitted to and approved in writing by the Local Planning Authority). The storage facilities shall be retained at all times thereafter.

Reason: In the interests of the visual appearance of the site and to ensure satisfactory provision for on-site cycle storage facilities.

8. The tree protection measures outlined in “Report on the impact on trees” (Report Ref: S237-J1-IA-1. Dated: 18th August 2020) shall be implemented in full prior to the commencement of development and shall be retained at all times during demolition and construction works.

Reason: To safeguard the trees, which represent an important visual amenity, during the period of construction works, in accordance with saved Policy SE37 of the Watford District Plan 2000.

9. The proposed first floor windows in the northeast facing and southwest side facing elevations shall be permanently fixed closed below 1.7m internal floor level and shall be fitted with obscured glass at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent any potential for overlooking and consequent loss of privacy to neighbouring properties pursuant to the provisions of the Residential Design Guide 2016 and Policy SS1 of the Watford Local Plan Core Strategy 2006-31.

Informatives

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