

## PART A

Report of: **DEVELOPMENT MANAGEMENT SECTION HEAD**

Date of Committee:	<b>16<sup>th</sup> October 2014</b>
Site address:	<b>184 Pinner Road Watford</b>
Reference Number :	<b>14/01145/FUL</b>
Description of Development:	<b>Demolition of existing dwelling and garage and erection of 2 new dwellings</b>
Applicant:	<b>Mr Steven Muscat and Mr Darren Secunda</b>
Date received:	<b>2<sup>nd</sup> September 2014</b>
8 week date (minor):	<b>28<sup>th</sup> October 2014</b>
Ward:	<b>Oxhey</b>

### **SUMMARY**

Full planning permission is sought for the demolition of the existing dwelling and garage on the site and the erection of two new detached dwellings.

The application has been submitted following extensive pre-application discussions, resulting in a scheme that will provide two well-designed properties that will be finished to a high standard. The new properties will provide suitable living conditions for their future occupiers without compromising the amenities of neighbours.

The design and layout of the development is sympathetic to the surrounding built form and respects the character of the Watford Heath Conservation Area in which the site is located.

A Unilateral Undertaking has been completed by the owners of the site which secures financial contributions to offset the impacts of the development on local services and infrastructure.

The Development Management Section Head recommends that planning permission be granted as set out in the report, subject to conditions.

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## **BACKGROUND**

### **Site and surroundings**

The site comprises a detached chalet bungalow and its associated garden area which is located within a primarily residential area in the Oxhey ward of the Borough. The property lies on the northeastern side of Pinner Road, adjacent to the junction with Sherwoods Road. Vehicular access to the site is gained via a crossover off Sherwoods Road. There is a detached garage building to the northeast of the house, close to the boundary shared with the neighbouring property of 30 Sherwoods Road.

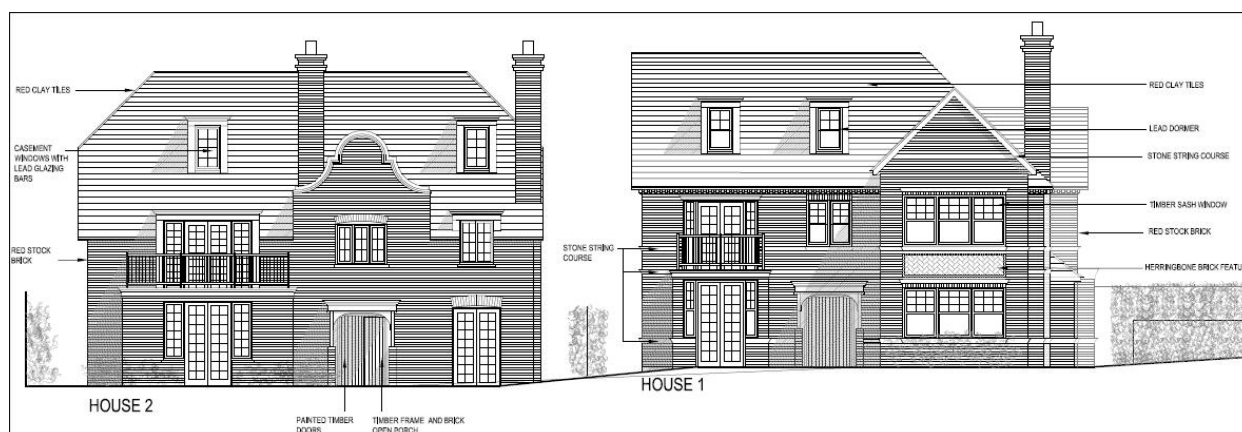
The house itself was built in the 1920s and occupies a generous, square-shaped plot which covers an area of 0.128ha. The house sits within landscaped gardens and there are a number of mature trees both in, and around, the site which contribute positively to the character of the area. Four of the trees within the site are protected by a Tree Preservation Order (TPO No. 220). Evergreen hedging exists along the southeastern and southwestern boundaries of the site.

The surrounding area is primarily residential in character and incorporates a mix of housing types which vary in architectural style and age. The area also has a semi-rural character given its location on the edge of the town. The nearby open grassland heath including the buildings that surround it create the character of a village green.

The property is located within the Watford Heath Conservation Area. The site does not encompass any statutory or locally listed buildings. However, there are a number of locally listed buildings that lie within the vicinity of the site. These include 31-33 Sherwoods Road, 186 Pinner Road (also known as Pinehurst), 201-205 Pinner Road, 207 Pinner Road (Load of Hay Public House) and Nos 32, 33, 34, 35, 36, 37 Watford Heath.

## **Proposed development**

Full planning permission is sought for the demolition of the existing dwelling and garage on the site and the erection of two individually-designed, detached dwellings.



Proposed elevations facing Pinner Road

The proposed dwellings will each comprise five bedrooms and will be arranged over three floors. The houses will front Pinner Road. The easternmost house (labelled as House 1 on the submitted plans) will feature an entrance and porch on its southeast elevation which fronts Pinner Road.

Vehicular access to the properties will be gained utilising the existing crossover on the Sherwoods Road frontage. Each of the proposed properties will have two parking spaces.

Refuse, recycling and cycle storage for each of the properties will be provided within purpose-built enclosures.

## **Amendments**

The scheme has been amended during the course of the application at the request of the Council. Below is a summary of the amendments:

- The first floor window above the door on the front elevation of House 1 has been amended. This redesign has resulted in the window being widened which improves

its proportions and its alignment with the door beneath and the dormer above, thereby enhancing the elevational appearance of the front elevation of the house.

- The Dutch gable feature on the front elevation of House 2 has been redesigned to integrate better with the building.

### **Relevant planning history**

Date of erection – 1921.

Ref. 00/00262/FUL – Erection of a conservatory – Conditional Planning Permission granted in June 2000.

Ref. 01/00287/FUL – Replacement front bay window – Conditional Planning Permission granted in June 2001.

Ref. 12/00810/CON – Conservation Area Consent for demolition of single dwelling – Refused Consent in October 2012 for the following reason (N.B: This application was submitted in tandem with 12/0811/FUL – see below):

1. *The demolition of the existing property, in the absence of an approved scheme for its replacement, would neither preserve nor enhance the character or appearance of the Watford Heath Conservation Area, contrary to Policy U20 of the Watford District Plan 2000.*

The Council's reason to refuse the above consent was appealed against (see below).

Ref. 12/00811/FUL – Demolition of existing dwelling and construction of replacement dwelling plus one additional dwelling – Refused Planning Permission in October 2012 for the following reasons:

1. *The proposed development would not suitably address the street frontage to Sherwoods Road by virtue of its poor layout and design. The proposed houses*

would face away from the street, effectively turning their backs towards both Pinner Road and Sherwoods Road. The southeast-facing elevation of Plot 1 would feature a large, relatively uninterrupted, expanse of wall which would present an unattractive appearance to the development when viewed from the street. It is considered that the development would have a detrimental impact on the streetscene, the character and appearance of the Watford Heath Conservation Area and the setting of the nearby Locally Listed Buildings. The proposal contravenes the provisions of Supplementary Planning Guidance 27 (SPG27), the Residential Design Guide, Volume 1 (RDG) and Policies H7, U1, U2, U3, U15, U18 and U19 of the Watford District Plan 2000. In addition, the development would fail to make a positive contribution to the local character and distinctiveness of the area, contrary to the advice contained within Section 12 of the National Planning Policy Framework (NPPF).

2. *The proposed building would be considerably larger than the existing detached property in terms of its scale and height, thus increasing both the overall massing and footprint on the site. The houses would be higher than the neighbouring properties, particularly that at 184A Pinner Road, and would appear dominant when viewed from the street. This would also result in the new houses having a poor relationship with the surrounding development. As such, the scheme would neither enhance nor preserve the character or appearance of the Watford Heath Conservation Area and would cause harm to the visual amenity of the site and its surroundings including the setting of the nearby Locally Listed Buildings, contrary to the provisions of Supplementary Planning Guidance 27 (SPG27), the Residential Design Guide, Volume 1 (RDG), Policies H7, U1, U2, U3, U15, U18 and U19 of the Watford District Plan 2000 and the advice contained within Section 12 of the National Planning Policy Framework (NPPF).*
3. *The design of the proposed development fails to respect the context of the site and the character of the Watford Heath Conservation Area. The new properties would have a modern, largely symmetrical appearance and houses of this design would*

*not enhance the character of the area. The application also fails to demonstrate that the new houses would feature a suitable use of materials and external finish given the lack of detail provided within the application submission. The dormer windows would appear incongruous by reason of their excessive size and siting. They would appear disproportionate with the scale of the houses and would dominate the rear roofslopes. The proposed middle dormer on the rear roofslope of Plot 1 would not be centrally aligned with the first floor window beneath it and this would further contribute towards the poor relationship that these features would have with the buildings. For these reasons, the proposal contravenes the provisions of the Residential Design Guide, Volume 1 (RDG), Policies H7, U1, U2, U3, U15, U18 and U19 of the Watford District Plan 2000 and the advice contained within Sections 7 and 12 of the National Planning Policy Framework (NPPF).*

- 4. The application fails to demonstrate that an adequate car parking arrangement and suitable vehicular manoeuvring space, to serve the proposed development, can be provided on site. It has not been demonstrated that a safe and convenient means of parking can be achieved without resulting in danger and obstruction to its users or users of the adjoining highway, contrary to Policies H9, T4 and T21 of the Watford District Plan 2000. With inadequate parking and manoeuvring space, the development would fail to provide a suitable living environment for future occupiers of the development.*
- 5. The proposed building would be considerably larger than the existing property in terms of its scale, height, massing and footprint. As a result, the scheme would have an overbearing impact on neighbouring properties and would lead to a heightened sense of enclosure within neighbouring gardens. The proposal would detrimentally affect the living conditions of the neighbours contrary to the provisions of the Residential Design Guide, Volume 1 (RDG) and Policies H7, H8 and U2 of the Watford District Plan 2000.*

6. *The proposal would result in a loss of privacy to the occupiers of the neighbouring property at 30 Sherwoods Road given the potential to be overlooked from the proposed first floor window (serving the room labelled as "Bedroom 4" on Drawing No. 01) on the southeast-facing elevation of Plot 2. Similarly, the house at Plot 2 would suffer from poor levels of privacy by potentially being overlooked by No. 30. This would detrimentally affect the living conditions of the occupiers of Plot 2 and the neighbours contrary to the provisions of the Residential Design Guide, Volume 1 (RDG) and Policies H7, H8 and U2 of the Watford District Plan 2000.*

The Council's reasons to refuse the above application and the Conservation Area Consent (Ref. 12/00810/CON) were appealed against (Appeal Refs. APP/Y1945/A/12/2189908 and APP/Y1945/E/12/2189899). Both appeals were dismissed in May 2013.

Ref. 13/01110/PREAPP – Pre-application enquiry for demolition of house and garage and construction of two houses – The Council responded to this pre-application enquiry in November 2013. In its original response, the Council advised that the redevelopment of the site to demolish the house and provide 2 new houses is acceptable in principle. However, there were some fundamental issues with the proposed scheme relating to its layout, its impact on the amenities of neighbours, the sub-standard parking arrangement and its poor design and layout. The applicant subsequently employed a new architect who has re-designed the scheme. Extensive discussions have taken place and amendments have been made leading up to the submission of this application.

Relevant planning history for plot adjoining 184 Pinner Road:

Ref. 28245 – Erection of detached dwelling house – Conditional Planning Permission granted in December 1964.

**Relevant Policies**

**The National Planning Policy Framework (NPPF)**

Section 4 Promoting sustainable transport

Section 6 Delivering a wide choice of high quality homes

- Section 7 Requiring good design
- Section 10 Meeting the challenge of climate change, flooding and coastal change
- Section 11 Conserving and enhancing the natural environment
- Section 12 Conserving and enhancing the historic environment

**Hertfordshire Waste Core Strategy and Development Management Policies  
Document 2011-2026**

No relevant policies.

**Hertfordshire Minerals Local Plan (saved policies)**

No relevant policies.

**Watford District Plan 2000 (saved policies)**

- SE7 Waste Storage, Recovery and Recycling in New Development
- SE22 Noise
- SE23 Light Pollution
- SE24 Unstable and Contaminated Land
- SE28 Groundwater Quality
- SE37 Protection of Trees, Woodlands and Hedgerows
- SE39 Tree and Hedgerow Protection in New Development
- T10 Cycle Parking Standards
- T21 Access and Servicing
- T22 Car Parking Standards
- T24 Residential Development
- H9 Back Garden Development
- H10 Planning Agreements for Educational and Community Facilities
- L8 Open Space Provision in Housing Development
- L9 Children's Play Space
- U15 Buildings of Local Interest
- U18 Design in Conservation Areas
- U19 Small Scale Developments in Conservation Areas
- U20 Demolition in Conservation Areas



## **Watford Local Plan Core Strategy 2006-31**

WBC1	Presumption in favour of Sustainable Development
SS1	Spatial Strategy
SD1	Sustainable Design
SD2	Water and Wastewater
SD3	Climate Change
SD4	Waste
HS1	Housing Supply and Residential Site Selection
HS2	Housing Mix
T2	Location of New Development
T3	Improving Accessibility
T4	Transport Assessments
T5	Providing New Infrastructure
INF1	Infrastructure Delivery and Planning Obligations
UD1	Delivering High Quality Design
UD2	Built Heritage Conservation
GI3	Biodiversity

## **Supplementary Planning Documents**

SPG10 Open Space Provision (SPG10)

Residential Design Guide (RDG)

Watford Character of Area Study

Watford Heath Conservation Area Character Appraisal

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## CONSULTATIONS

### Neighbour consultations

Letters were sent to a total of 15 addresses that adjoin and surround the site. Eight representations have been received citing the following objections:

- Overdevelopment.
- Detrimental to look of the area.
- More like vandalising conservation area than conserving it.
- Not in keeping with area.
- Loss of light to neighbours.
- Impact on outlook.
- Noise disturbance.
- Inadequate parking leading to further parking problems in Sherwoods Road.
- Ugly buildings which are out of simpatico with each other and the wants of the Council.
- Overlooking.
- Impact on views from neighbouring property.
- The properties would dominate what has hitherto been a quiet and leafy corner in one of the last picturesque areas in Watford.
- Houses would destroy visual balance sought in the Watford Heath Character Assessment.
- Intrude on privacy of neighbours.
- Deny neighbours the pleasant skyline of trees, bushes, sky and sunsets that they enjoy.
- Noise disturbance caused by cars driving in and out of the properties.
- Will lead to more parking on road.
- Prospect of several more cars either parked or pulling out from Sherwoods Road so close to the corner can only add to the danger of collisions.

- Character of area would be dramatically altered.
- Buildings will be dominant and out of keeping with other buildings in the conservation area especially those opposite, namely the Load of Hay pub and three adjoining cottages.
- Overbearing impact on neighbouring property.
- The bricks to be used are completely out of character with any other houses in the immediate surroundings. Likewise the Romanesque pillars.
- Air pollution caused by cars using driveway.
- No mention of boundary hedge being retained and a fence or wall would be inappropriate and spoil the “green” look of the area.
- The proposed development has cosmetic rather than substantial changes from the previously declined application which failed on appeal.
- Will add more traffic to a road which is already too busy, especially on such a dangerous corner.
- Semi-rural ambiance of the area would be lost.
- Proposed development is too large for the plot.

### **Site Notices**

Site notices were placed. The period for comment expired on 26<sup>th</sup> September 2014.

### **Press Advertisement**

An advertisement was published in the Watford Observer. The period for comment expired on 3<sup>rd</sup> October 2014.

### **Statutory consultations**

#### **Hertfordshire County Council (Highway Authority)**

The Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

1. All materials and equipment to be used during the construction shall be stored within the curtilage of the site unless otherwise agreed in writing by the Highway Authority prior to commencement of the development.

*Reason:* In the interest of highway safety and the free and safe flow of traffic.

2. Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

*Reason.* To minimise the impact of construction vehicles and to protect the amenity of the local area.

The application seeks full permission for the demolition of an existing two-storey dwelling and the erection of 2 two-storey houses on a site at 184 Pinner Road to the southeast of Watford and 30m from the boundary with Three Rivers district.

Written information to describe the proposal in addition to the application form takes the form of a Planning, Transport, Design & Access Statement. There is also a form generated by the Planning Portal website described as 'Community Infrastructure Levy – Determining whether a Development may be CIL Liable'. The Transport Statement element of the combined report does not comply with the nationally accepted standards for such an analysis were it to be provided in a freestanding document. However the information provided is sufficient for the scale and location of proposal described.

The site is at the junction of Pinner Road with Sherwoods Road. Pinner Road is the A4008 and is on the principal road network. It has the status of main distributor in the HCC hierarchy and has a 30mph speed limit. Sherwoods Road is a single carriageway unclassified local access road with a 30mph speed limit. There is a flat-topped entry feature across its entrance to reduce traffic speed and improve the pedestrian route across it.

### Access

Vehicular access is currently achieved via a footway crossover off Sherwoods Road. This is shared with number 30 next door. The responses to question 6 in the application form indicate no change to vehicular access but alteration to pedestrian access to the site. This would take the form of closing the existing pedestrian entrance from the Pinner Road frontage and creating a new one to each of the 2 new dwellings.

### Accessibility

Being located on the southern edge of the borough the site has quite low accessibility. I note that good access to Clapham Junction and Richmond are highlighted on page 3 of the Planning, Transport, Design & Access Statement. To those I would add major destinations along the west coast main line e.g. London Euston and Birmingham and Manchester.

### Parking

The responses to question 11 in the application form indicate that there would be one change in car spaces on site should this proposal be granted permission but that there would be 4 additional cycle parking spaces created on the site. The version of drawing 1406-TP.03 06/14 TA described as 'Car Maneuvring (sic) As Proposed' illustrates by using computer-generated swept paths how private cars could successfully get into and out of the proposed parking bays while leaving and entering the public highway in forward gear.

### Planning obligations

It is the policy of the County and Borough Councils to seek planning obligations to mitigate the effects of development. HCC's requirements in respect of highways and transport are set out in section 11 of the document 'Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements)'. This can be read/downloaded at <http://www.hertsdirect.org/yourcouncil/hcc/resandperf/hertsprop/planningobs/>.

The site is in accessibility zone 4 according to the LPA's Car And Cycle Parking Zones map. Accordingly and based on the Toolkit I calculate the second strand contribution as consisting of £1,000 based on the net increase in residential accommodation described in response to question 18 in the application form. In accordance with the Toolkit this sustainable transport contribution would be index linked (by SPONS) from July 2006 to the date of payment. The date of payment would be prior to first occupation of the development. If the highway authority fails to programme to spend the money within 10 years of receipt, the contribution would be payable back to the developer with any interest.

#### Conclusion

The Highway Authority does not consider the proposed site will materially increase traffic movements from the site therefore the development is unlikely to result in a significant impact on the safety and operation of the adjacent highway. The Highway Authority has no objection to the grant of permission.

#### Contaminated Land Officer

The site is located within the vicinity of potentially contaminative land uses. Consequently there may be land contamination issues associated with this site. I recommend that the standard contamination condition be applied to this development should permission be granted.

#### Thames Water

##### *Surface water drainage*

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public

sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)

#### *Water comments*

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

#### Arboricultural Officer

The proposals indicate the loss of one tree (T6 on plan) and an area of shrub/hedge to accommodate the parking spaces for house one. I did have some concerns regarding the latter but the formal clipped hedge on the site boundary is rooted in the first 500mm inside the boundary and should not be affected by the proposals.

To ensure all the trees and hedges shown for retention are not damaged during construction the tree protection methods as shown on ACS drawing TPP1\_PR Rev A: and within the tree report should be made a condition of any consent granted.

The plans also show indicative below ground service routes: these are considered acceptable and a condition requiring details of any alteration to these should be submitted and approved.

I would also wish to see details of the proposed type and installation method for the low-invasive and permeable hard surface within the root protection area of T1 and the parking areas for house 1.

#### Planning Policy – Conservation & Design

The site lies in the Watford Heath Conservation Area as extended in 2006 and has been the subject of an ongoing pre-application dialogue for most of this year. The applicant has made several changes during the course of the pre-application discussions including altering the roof form which involved a loss of internal floor space. Much of the discussion since then has involved reviewing and refining the details of the proposed buildings.

There are a couple of small changes which would result in a better scheme:

- a redesign of the Dutch gable feature on House 2;
- an amended design for the front elevation window above the front door for House 1 – this should use the centre line of the door as the centre line for the window and it could be either a single or double bay.

If these changes are made and conditions applied regarding details and materials then the application is acceptable and overcomes the objections raised by the Inspector as well.

[Note: As referred to above, the application has subsequently been amended to address both these points.]

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## **APPRAISAL**

In accordance with s.38 of the Planning and Compulsory Purchase Act 2004, the Development Plan for Watford comprises:

- (a) *Watford Local Plan: Core Strategy 2006-31 (adopted January 2013)*;
- (b) the continuing “saved” policies of the *Watford District Plan 2000*;
- (c) the *Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026*; and
- (d) the Hertfordshire Minerals Local Plan Review 2002-2016.

### **Background information**

This application follows a previous scheme which was submitted to the Council in August 2012 and which proposed the demolition of the existing house and the erection of 2 houses. This was submitted as two applications – one seeking conservation area consent for the demolition of the dwelling (Ref. 12/00810/CON) and the other seeking full planning permission for the erection of the 2 new dwellings (Ref. 12/00811/FUL). These applications were refused and subsequent appeals were dismissed (see “Relevant planning history” section of the report above). In his appeal decision relating to the erection of the new dwellings, the Inspector concluded that the appeal proposal would have unacceptable adverse effects on the character and appearance of the locality and on the living conditions of neighbours. He also found, however, that material highway safety issues would not arise.

The current application differs significantly from the previous one in terms of its layout, the design of the buildings and their appearance. It is considered that the amendments made to the scheme have addressed suitably the concerns expressed about the earlier proposal.

As of 1<sup>st</sup> October 2013, conservation area consent is no longer required for the demolition of buildings within a conservation area; planning permission is now required for such demolition, and this aspect falls to be considered as part of the redevelopment proposals for the site.

### **Principle of development**

Policy HS1 of the Watford Local Plan Core Strategy 2006-31 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 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 integrated public transport links.

The proposal complies with the provisions of Policy HS1 in that the site occupies land which is close to good public transport routes, is not in an area at risk of flooding, is not existing employment land and does not have high biodiversity, landscape or cultural heritage significance.

Policy HS2 of the Watford Local Plan Core Strategy 2006-31 states that the Council will seek the provision of a mix of housing types, sizes and tenures at local level to meet the requirements of all sectors of the community. This includes the provision of:

- family sized units (especially houses) and;
- smaller housing units;
- provision for those unable to compete financially in the housing market;
- those with special needs as informed by local evidence.

Policy HS2 advises that “Low density family houses with gardens will be sought in more suburban areas”.

Paragraph 8.2.7 of the Watford Local Plan Core Strategy 2006-31 also identifies that there is significant need for dwellings with 3 or more bedrooms.

The proposed development meets the objectives of Policy HS2 in that it will provide family-sized houses, each comprising more than 3 bedrooms and benefiting from substantially-sized gardens. It is considered that such properties are suited to the suburban location of the site.

Affordable housing is not sought in this case because the application is for less than 10 residential units and the site is less than 0.5ha in area.

Policy SS1 of the Watford Local Plan Core Strategy 2006-31 states that “Outside of the areas covered by specific policies, the emphasis will be on making sure that new development protects residential amenity, protects and enhances the character of the area, maintains and enhances the quality of our open spaces and green infrastructure and protects our built heritage”. Outside of the town centre and Special Policy Areas, the focus for residential development will be on low to medium density development with a preference for family housing with gardens. It is considered that the proposal complies with the objectives of Policy SS1 as set out in the sections that follow. The development will meet the aims of providing family housing with gardens as set out above.

Saved Policy H9 (Back Garden Development) of the Watford District Plan 2000 advises that planning permission for back garden development will only be granted where a proper means of access which is convenient and safe for pedestrians, non-motorised and motorised highway users is provided, which keeps to a minimum any visual impact within the street scene and where the proposal complies with the criteria listed in Policies H8, U1, U2, U3 and U4 of the Watford District Plan 2000.

It is considered that the access arrangement proposed will be convenient and safe for its users. The Highway Authority has confirmed that it has no objection to the proposal (see “Transportation, access and parking” section of the report below).

Policies H8, U1, U2, U3 and U4, which are referred to in Policy H9, have not been “saved” and have been replaced by Policies UD1 and SD1 of the Watford Local Plan Core Strategy 2006-31.

### **Design and impact on street scene**

Policies SD1 and UD1 of the Watford Local Plan Core Strategy 2006-31 seek to ensure that all new development is based on an understanding of the local characteristics of the surrounding area. Particular regard should be paid to the height, size, roof pitch, use of materials, textures, finishes, size and scale of window and door openings and the impact on the streetscene. This is supported further by paragraph 7.3.4 of the RDG which states that “In existing areas, particularly in the case of infill or backland development, it is important that proposals respect – but not necessarily in all instances replicate – the height and scale of adjoining or nearby buildings”.

At a national level, the Government’s planning guidance places a strong emphasis on the creation of high quality environments through good design. Section 7 of the National Planning Policy Framework (NPPF) states that planning decisions should aim to ensure that developments “will function well and add to the overall quality of the area” and “are visually attractive as a result of good architecture and appropriate landscaping”.



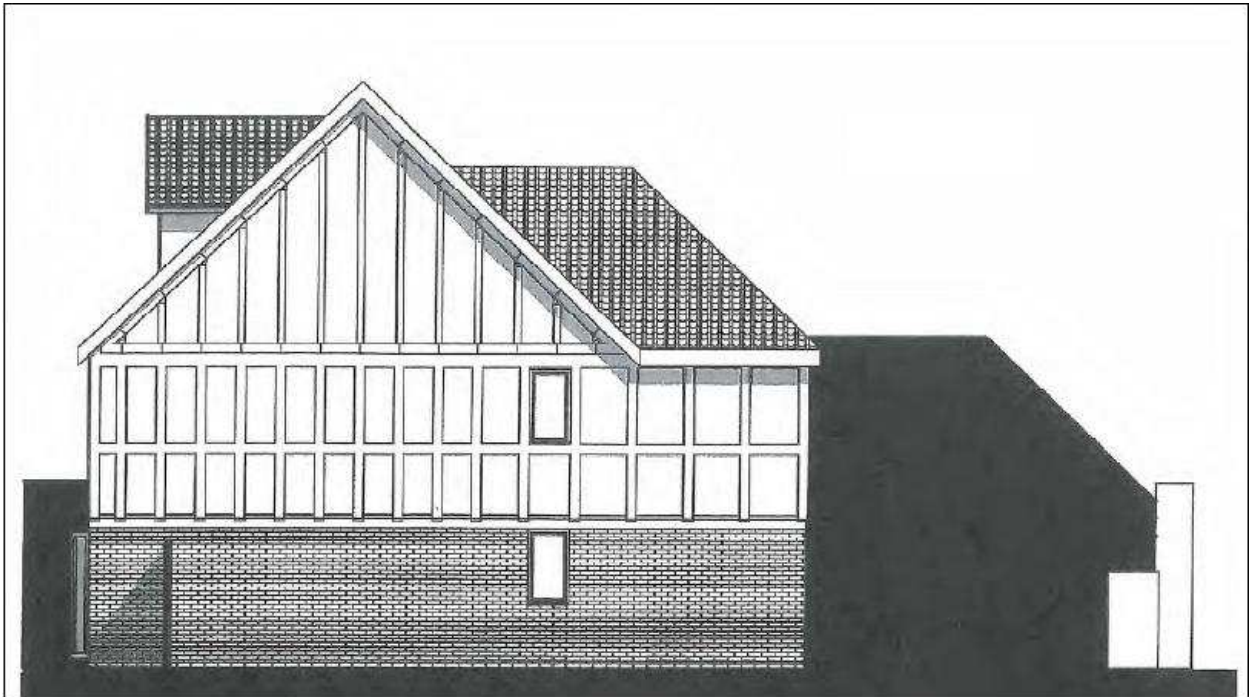
Refused Pinner Road elevation for planning application 12/00811/FUL.

With the earlier scheme (Ref. 12/00811/FUL), two 'mock-Tudor' style houses of a similar design were proposed. These two houses were to be linked by a single storey element. The Council was not satisfied that the houses previously applied for would suitably integrate with the context of the site. This view was endorsed by the Inspector appointed to determine the appeal who, in his decision, commented "The use of virtual total symmetry on the Pinner Road elevations would create unfortunate repetition when one of the attributes of the area is the variety and yet cohesion of most of the houses".

In terms of siting, the Inspector found that some set back off Pinner Road would be appropriate but this need not be a rigid straight line. He commented that a flexible approach on siting may be acceptable and further advised that "an attempt at elevational liveliness would be a normal approach for an important road side position such as this". The current design has followed this approach by virtue of the front of House 1 being setback from the front of House 2 when viewed from Pinner Road and with "elevational liveliness" being created through the various articulated elements and building features.

In contrast to the earlier proposal, the current scheme now seeks to provide two individually-designed properties that vary in appearance but with a consistency of approach. This will help ensure that the scheme reflects the character of the area which consists of a mix of building forms. Many of the buildings within the vicinity of the site were built following the approach of the 'Arts and Crafts' movement and this is reflected in their architecture, particularly with regard to their asymmetric form, their various projecting elements, their roof design including multiple chimneys and the use of high-quality elevational treatments. The architect has adopted a similar approach in designing the two new houses in that they will be bespoke, asymmetric and will rely on the use of high quality materials and traditional detailing that will add visual interest to their elevations. The two houses will differ from each other in terms of their layout, shape, roof design and elevational treatment. Notwithstanding this, however, the two houses have been carefully designed so that they will complement each other when viewed side-by-side.

The scheme considered under application 12/00811/FUL failed to provide a development that would suitably address the street. This formed a reason for refusal of the application and these concerns were upheld by the Inspector who commented in his appeal decision that the scheme “would make no reference to the position of this site, the relevant elevations make little attempt to ‘turn the corner’; a virtually blank gable would face, and be close to, Sherwoods Road.



Refused Sherwoods Road elevation for planning application 12/00811/FUL.

The houses proposed under the previous application were designed to face away from the street, effectively turning their backs towards both Pinner Road and Sherwoods Road. The southeast-facing elevation of the house previously proposed nearest to Sherwoods Road was shown to feature a large, relatively uninterrupted, expanse of wall which would have presented an unattractive appearance to the development when viewed from the street. The current scheme seeks to address this issue by incorporating those features usually found on the principal elevation of a house such as front doors and porches on the elevations facing Pinner Road. In addition, the southeast elevation of the house proposed nearest to Sherwoods Road (labeled as “House 1” on the submitted drawings) will provide

an attractive frontage to Sherwoods Road as a result of its articulation, fenestration and the incorporation of an entrance door and porch on this side. These features will help 'break up' the elevation and create an active frontage that will ensure that the development has a suitable relationship with the street.

Overall, it is considered that the proposed buildings will offer an attractive appearance that is compatible with the surrounding built form. The chalet bungalow that exists at present is somewhat at odds with the surrounding pattern of development due to its scale, orientation and the substantial plot size within which it sits. This observation was supported by the Inspector appointed to determine the previous appeal who advised that "One would expect bulk and mass of any new development on this site to be greater than the existing structure as this is something of an anomaly in terms of its scale relative to its plot size". The existing dwelling and garage to be demolished have no historical or architectural significance and they are neither statutory nor locally listed. It is considered that their removal will not result in harm to the visual amenity of the area subject to the site being redeveloped as proposed.

It is acknowledged that the new houses will rise higher than that of the neighbouring property at 184A Pinner Road, as detailed on the proposed street elevation drawing. However, the building at 184A Pinner Road has a relatively low ridge height when compared to the majority of other two storey detached houses within the area. The proposed house which is to be sited nearest to 184A Pinner Road (House 2) will feature a low eaves height of 4.3m and a half-hipped roof. It will be separated from the boundary shared with 184A Pinner Road by a distance of 1.8m. These measures will help ensure that a suitable relationship between the property at 184A Pinner Road and the proposed houses is achieved. House 1 will not rise significantly higher than the neighbouring property to the northeast (30 Sherwoods Road) and will sit comfortably within the Sherwoods Road street scene.

The proposed houses will be configured over three floors with accommodation being provided within the roofspace. To help facilitate the use of the roofspace, dormer windows are to be installed to the front and rear roof slopes of both houses. It is apparent that

dormers are a feature of some of the houses within the area and indeed the existing chalet bungalow incorporates a dormer on its northwest-facing roofslope and a much larger dormer on its northeast-facing roofslope. The proposed dormers will have modest proportions and will not appear dominant. They will remain proportionate with the scale of the roof and will have a suitable relationship with the other fenestration.

A schedule of the materials to be used for the external finishes of the building has been included within the Planning, Transport, Design and Access Statement which has been submitted with the application. Samples of windows, roof tiles and bricks have also been submitted with the application. These include samples of red multi bricks for the walls of the houses and clay tiles for the roof. The windows are to feature timber framing and for House 1 it is proposed that sliding sash windows are used. Casement windows with lead glazing bars are proposed for House 2. It is felt that the use of multi bricks, timber windows and clay roof tiles is acceptable in principle. However, details of the exact type of materials to be used will need to be secured by condition so as to ensure that a high quality appearance is achieved that remains compatible with the context of the site.

### **Layout**

The RDG outlines the minimum space standards for residential units. The proposed development will comply with the minimum space standards set out in this guidance. Additionally, all habitable rooms provided within the development will benefit from suitable levels of natural lighting and outlook, in accordance with the provisions of the RDG.

The properties have been carefully designed to provide the habitable rooms on the upper floors with a front aspect thereby reducing the potential for overlooking into the neighbouring properties.

Section 7.3.22 of the RDG advises that the minimum area for private amenity space for a 5 bedroom dwelling is 95 square metres. The submitted plans indicate that the gardens provided for each property will significantly exceed 95 square metres in area, in accordance with the RDG. It is considered that the main parts of these gardens will



receive sufficient levels of natural light and will provide an attractive amenity space for residents to enjoy.

Refuse and recycling storage will be created within purpose-built enclosures. The proposed enclosures will allow adequate refuse and recycling storage to meet the demands of the development to be provided without compromising the visual amenity of the site or its surroundings, in accordance with Policy SE7 of the Watford District Plan 2000 and Policy SD4 of the Watford Local Plan Core Strategy 2006-31.

### **Impact on heritage assets**

Policy UD2 of the Core Strategy states “The council will ensure that the borough’s historic environment is identified, conserved, and, where appropriate, enhanced. This will include conservation areas, listed buildings, locally listed buildings, scheduled ancient monuments, archaeological remains and registered parks and gardens, and their settings”.

Paragraph 131 in Section 12 (Conserving and enhancing the historic environment) of the NPPF advises that “In determining planning applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness”.

Annex 2 (Glossary) of the NPPF defines a “Heritage asset” as “A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)”. In this case, the relevant heritage assets include the nearby locally listed buildings and the conservation area.

Paragraph 132 of the NPPF states “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation”. It further states that “As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.

The proposed development will take place within close proximity of the locally listed buildings which are located to the south, southeast and east of the site and which include 31-33 Sherwoods Road, 186 Pinner Road (also known as Pinehurst), 201-205 Pinner Road, 207 Pinner Road (Load of Hay Public House) and Nos 32, 33, 34, 35, 36, 37 Watford Heath.

However, no harm to the setting of the locally listed buildings will be caused given that the development will provide well-designed houses that will incorporate traditional materials and detailing. The new houses will be positioned within the site so that they are setback from both Pinner Road and Sherwoods Road and they will be separated from the nearby locally listed buildings a sufficient distance so as not to dominate them.

The Watford Heath Conservation Area Character Appraisal advises that “The most significant building period, which makes the area special, is the Arts and Crafts Domestic Revival period (1900-1930)”. The Appraisal also states that “The other key feature of the area is the presence of mature trees and hedges. The trees are primarily positioned around the edge of the heath, and act as a foil to the buildings. Many of the properties have well established hedges along boundaries, which add to the semi-rural character of this area”.

The scheme has been designed to reflect the Arts and Crafts style of buildings that are present within the area. This is demonstrated by the fact that each house has been individually-designed. The use of stone string courses, herringbone brick panels and brick dental courses on House 1 and the inclusion of a Dutch gable feature on House 2, along with other detailing, will help add an element of liveliness to the elevations and create a high quality appearance.

The retention of the belt of mature trees and the well-established hedging which runs along the southwest and southeast boundaries of the site will also help ensure that the character of this part of the conservation area is not harmed.

Thus, the proposed redevelopment of the site responds positively to the two key characteristics of the Conservation Area as referred to in the Character Appraisal.

The planning merits surrounding the loss of the existing buildings on the site have already been discussed in the “Design and impact on street scene” section of the report above.

#### **Impact on neighbouring properties**

The proposed development will not give rise to any significant harm to the amenities of neighbours; thus, it accords with the provisions of the RDG and Policy SS1 of the Watford Local Plan Core Strategy 2006-31.

Section 7.3.16 of the RDG advises that a minimum separation distance of 27.5m should be achieved between rear elevations of new houses and existing houses, when clear glass and directly facing habitable windows are at first floor level. It further states that “Exceptions will be made where it can be demonstrated that adequate privacy standards can be achieved”. The RDG also advises that a minimum direct distance of 11m should be achieved between upper level habitable rooms on a side or rear elevation and property boundaries to minimise overlooking of private gardens.

In terms of the 27.5m separation distance rule, the guidance relates to “back to back” distances between properties. In this case, the rear elevations of the proposed houses will not directly face the rear elevations of any nearby neighbouring houses. Because of the internal configuration of the proposed buildings, the upper level windows on the rear elevations do not provide the main source of outlook to any habitable rooms. Many of those rear-facing windows will serve non-habitable rooms or will act as secondary windows. As such, these windows can be fitted with obscure glazing and be fixed shut up

to a height of 1.7m above the internal floor level where necessary, in order to prevent any overlooking towards the neighbouring property at 30 Sherwoods Road and beyond.

The neighbouring property at 184A Pinner Road has no windows in its southeast elevation which faces the site. The proposed house nearest to No. 184A will not have any windows in its northwest-facing elevation and, consequently, there will be no direct overlooking towards this neighbouring property.

Balconies are proposed on the front elevations of the houses and it is considered that these will not provide any significant vantage points for views to be afforded into surrounding properties. Whilst the balconies may allow views to be afforded into the gardens of each of the proposed properties themselves, future occupiers will be aware of this situation before occupying the buildings. Also, by virtue of the size of the gardens proposed there would be private space available to future occupants elsewhere within their curtilages.

The proposed development will not result in any significant loss of natural light or outlook to surrounding residential properties given the position of the proposed buildings in relation to neighbouring properties. The new houses will have a larger scale than the existing chalet bungalow which they seek to replace and they will also rise higher and cover a larger footprint than the existing property. However, the scheme will not have an overbearing impact on neighbouring properties at 184A Pinner Road and 30 Sherwoods Road nor will it lead to a heightened sense of enclosure within neighbouring gardens given the separation that will be provided between the new houses and neighbouring properties. House 2 will be sited so that its rear elevation does not extend beyond the rear elevation of that of 184A Pinner Road and the front of House 2 will not project beyond the front of the nearest part of 184A. 45° lines taken from the nearest ground floor habitable room windows on both the front and rear elevations of No. 184A will not be infringed by the development.

In the appeal decision for application 12/00811/FUL, the Inspector found that the appeal scheme would have had an overbearing impact on the neighbouring property to the northeast (30 Sherwoods Road) with open outlook unduly and unacceptably reduced. The scale and massing of the development now proposed differs from that which formed the subject of the appeal and the current application suitably addresses this concern. The buildings currently proposed are to be detached with spacing provided between them whereas the houses previously proposed were to be linked, effectively creating a single building mass. Additionally, the house previously proposed within the northwestern side of the site was to incorporate an L-shaped footprint and would have come within 1m of the boundary shared with 30 Sherwoods Road. The scheme proposed under this current application, however, will allow a greater degree of separation between House 2 and the boundary shared with 30 Sherwoods Road. A minimum distance of 9.5m will now be provided between the rear elevation of House 2 and the boundary shared with 30 Sherwoods Road.

#### **Transportation, access and parking**

The site lies within Zone 4 of the “Car and Cycle Parking Zones”, detailed in Appendix 2 of the Watford District Plan 2000. Within this zone, a four or more bedroom house should be served by a maximum of 3 spaces. A total of 2 five bedroom houses are proposed and therefore no more than 6 parking spaces should be provided in order to meet the maximum parking provisions of Policy T22 of the Watford District Plan 2000. The submitted plans indicate that a total of 4 spaces will be provided (2 per property) which will not exceed the maximum standards.

The proposed layout indicates that manoeuvring space will be provided to allow the parking spaces to be accessed and egressed with relative ease and convenience.

A minimum of 1 cycle parking space is required per dwelling, in accordance with Policy T10 of the Watford District Plan 2000. The submitted drawings indicate that cycle storage will be provided within enclosures which are to be sited at the rear of each property. Such provision will create secure and weatherproof storage in locations that will not cause harm

to the visual amenity of the site. Further details of the exact siting, design and size of the storage enclosures can be secured by condition.

The proposal does not seek to create any new vehicular access. The existing crossover access from Sherwoods Road will be utilised. The Highway Authority has been consulted and has confirmed that there are no objections to the proposal on highways grounds.

A Unilateral Undertaking has been completed by the owners of the site to secure a financial contribution towards the implementation of the South West Hertfordshire Transport Strategy and sustainable transport measures in the Borough of Watford, in accordance with Policies T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31 and Policy T24 of the Watford District Plan 2000.

#### **Trees and landscaping**

The trees and hedging contained within the site make a positive contribution to the visual amenity of the area. The majority of the mature trees on the site, including all of those which are subject to a Tree Preservation Order, and the evergreen hedge that runs around a section of the site's perimeter will be retained. Measures will be put in place to ensure that the trees and hedging are protected whilst construction works take place. These will be secured by condition should permission be granted.

#### **Education, childcare, library facilities, youth facilities**

The owners of the site have entered into a planning obligation to secure financial contributions towards local services, in accordance with the requirements of Policy H10 of the Watford District Plan 2000. This has been secured by a Unilateral Undertaking.

#### **Public open space and children's playspace**

The site is too small to warrant the provision of children's playspace and public open space within its confines. The owners of the site have entered into a planning obligation to secure financial contributions towards the provision of children's playspace and public open space which can be provided off-site, in accordance with the provisions of SPG10 and Policies L8 and L9 of the Watford Local Plan Core Strategy 2006-31.

### **S.106 contributions**

The development which forms the subject of this application is one where, in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31, the Council will normally require the applicant to enter into a planning obligation to provide contributions towards the provision or improvement of community facilities and infrastructure. Under Regulation 122 of the Community Infrastructure Levy Regulations 2010, where a decision is made which results in planning permission being granted for development, a planning obligation may only constitute a reason for granting planning permission for that development if the obligation is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

Policies L8, L9 and H10 of the Watford District Plan 2000 and Policies T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31, together with *SPG 10: Open Space Provision* recognise that cumulative small developments within the urban area of Watford can produce significant additional demands for services and facilities in the same way that a smaller number of larger developments would. However, unlike larger developments which can often accommodate some provision of these services and facilities within the site, smaller developments are clearly unable to do so and it would be unreasonable to expect them to. It is therefore reasonable to expect the applicant in such cases to make a financial contribution towards improved services and facilities within the Borough.

Most new residential developments within Watford comprise fewer than 50 dwellings. The Council seeks financial contributions on a per unit basis from all new residential developments. This is considered to be a reasonable approach as it ensures that all such developments make contributions on an equal basis, with actual payments determined by the number and, in some cases, the size of the units proposed. This approach therefore does not disadvantage applicants proposing larger developments within the Borough, but rather ensures that all applicants make payments in proportion to the additional demand on services and facilities that their development will generate.

The Council's approach to seeking financial contributions by means of a planning obligation is fully in accordance with the advice set out in paragraphs 203 to 205 of the National Planning Policy Framework. In each case, the contributions received are pooled together in order to accumulate sufficient funds for the Council and the County Council to undertake capital works within the Borough. Given the small size of the Borough, this is considered to be a reasonable and acceptable approach to the provision of new or improved services and facilities and accords with paragraphs 203 to 205 of the National Planning Policy Framework.

The contributions in the case of the development to which this application relates are set out below. As these contributions have been calculated in accordance with the Hertfordshire County Council's Planning Obligations Toolkit (adopted January 2008) and the relevant policies of the Watford District Plan 2000 and Watford Local Plan Core Strategy 2006-31, they are directly related to the development, are fairly and reasonably related in scale and kind to the development and are necessary to make the development acceptable in relation to those policies. Accordingly, the requirement for such contributions meets the tests in Regulation 122 of the Community Infrastructure Regulations 2010, and, consequently, the planning obligation can be taken into account as a material planning consideration in the determination of the application.

The following contributions (subject to indexation) have been secured through the completion of a Unilateral Undertaking given by the owners of the site.

**Education**

Primary	Secondary	Nursery	TOTAL
4,692	5,662	545	£10,899

<b>Childcare</b>	£244
<b>Youth facilities</b>	£105
<b>Library facilities</b>	£265
<b>Sustainable transport</b>	£1,500
<b>Total payable to Hertfordshire County Council</b>	<b>£13,013</b>

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Public open space	£1,236
Children's play space	£985
Monitoring	£350
<b>Total payable to Watford Borough Council</b>	<b>£2,571</b>

**Consideration of objections received**

Eight representations were received and these are summarised in the "Consultations" section of the report above. Many of the issues raised have been discussed in the "Appraisal" section of the report. However, those issues that have not already been referred to, or which require further discussion, are outlined in the table below.

<b>Objections</b>	<b>Officer's response</b>
Noise disturbance and pollution.	The driveway providing access to House 2 will run adjacent to the boundary shared with 30 Sherwoods Road. Cars entering and leaving the site and using the access drive will undoubtedly cause some noise and emit exhaust fumes. However, this will not be to an extent that would cause undue harm to the living conditions of neighbours and therefore warrant a reason for refusal of the application. The driveway extending along the boundary will allow access to House 2 and will not be subject to a significantly high frequency of vehicular movements.
Overdevelopment.	The proposed houses will meet the minimum internal space standards set out by the RDG. In addition, the amount of amenity space proposed substantially exceeds the minimum requirement which is set out by the RDG. Furthermore, the new houses will be set within fairly spacious plots and therefore the scheme does not represent an overdevelopment of the site.

<p>Impact on views from neighbouring property.</p>	<p>The impact on views obtained from neighbouring properties cannot be considered as part of the determination of the application as this is not a material planning consideration. Neighbouring properties will continue to benefit from an acceptable outlook.</p>
<p>Impacts on highway safety.</p>	<p>The existing access will be utilised and no new vehicular access will be formed. The net increase of one additional dwelling is unlikely to result in any significant increase in traffic. The Highway Authority has been consulted and has raised no objection on highway safety grounds.</p>
<p>Buildings will be out of keeping with other buildings in Conservation Area especially those opposite, namely the Load of Hay pub and three adjoining cottages.</p>	<p>It is acknowledged that the new houses will be of a different scale and type to the Load of Hay public house building and the adjacent terraced properties which lie on the opposite side of Pinner Road to the application site. However, the site is surrounded by buildings of various types and it would be impossible for the new buildings to reflect all of the various forms of architecture that are present within the area. The design approach which has been adopted by the architect will achieve a high quality development that takes design cues from attractive buildings nearby. The development will sit comfortably with the nearest other detached buildings located on the northeastern side of Pinner Road and the southern end of Sherwoods Road which are larger in scale than the terraced properties referred to by the objector. There is no need to replicate the public house or terraced properties within a site like this.</p>

<p>Romanesque pillars are out of character with any other houses in the immediate surroundings</p>	<p>Pillars are shown on an image submitted by the architect with the application which shows an example of the type of stone string course detail proposed. However, this is a photograph of an existing property and has been used as a reference for the string course only. No Romanesque pillars have been incorporated into the designs for the proposed houses. Instead, the submitted plans include fairly “lightweight”, elegant porch structures to be added to the front elevations of each property.</p>
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### **Conclusion**

The proposed houses will provide suitable living environments for their future occupiers without compromising the amenities of neighbours. The designs are sympathetic to the surrounding built form and respect the character of the Watford Heath Conservation Area and the settings of the nearby locally listed buildings.

A Unilateral Undertaking has been completed by the owners of the site which secures financial contributions to offset the impact of the development on local services and infrastructure.

### **Human rights implications**

The Local Planning Authority is justified in interfering with the applicant’s Human Rights in order to alleviate any adverse effect on adjoining properties and their occupiers and on general public amenity. With regard to any infringement of third party Human Rights, these are not considered to be of such a nature and degree as to override the Human Rights of the applicant and therefore warrant refusal of planning permission.

## **RECOMMENDATION**

That, in consequence of a unilateral undertaking under s.106 of the Town and Country Planning Act 1990 (as amended) having been entered into to secure the contributions and other provisions set out in this report, planning permission be granted subject to the following 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. Demolition of the existing buildings and construction of the development hereby permitted shall not take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturdays and not at all on Sundays and Public Holidays.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties during the time that the development is being constructed, pursuant to Policy SE22 of the Watford District Plan 2000.

3. Notwithstanding the information already submitted, no works of construction shall commence until details of the materials to be used for all the external finishes of the buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.

Reason: To ensure that the development is constructed using high quality materials and finishing that respond to the site's context and make a positive contribution to

the character and appearance of the Watford Heath Conservation Area, in accordance with Policies UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31.

4. No development shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of contractors' parking, the delivery and storage of materials, wheel washing facilities, measures to mitigate noise and dust and a contact procedure for complaints. The Plan as approved shall be implemented throughout the construction period.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties and to minimise any obstruction of the adjoining highway during the time that the development is being constructed, pursuant to Policies T24 and SE22 of the Watford District Plan 2000.

5. Notwithstanding the information already submitted, no works of construction shall commence until full details of both hard and soft landscaping works, including details of all existing trees and hedging to be retained, any arboricultural works to be carried out, any new planting, any changes to ground levels, all pathways, all hard surfacing, amenity areas/paving, lighting and, where required, a phasing programme 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 or in accordance with an approved scheme of phasing. Any proposed planting shall be completed not later than the first available planting and seeding season after first occupation of any part of the development. For the purposes of this condition a planting season is the period from 1 October in any one year to 31 March in the next following year. Any trees or plants whether new or existing 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 in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance of the site in accordance with Policy SE36 of the Watford District Plan 2000 and Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

6. Notwithstanding the information already submitted, details of the size, type, siting and finish of refuse, recycling and cycle storage enclosures for the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby approved. The stores approved under this condition shall be installed and made available for use prior to the first occupation of any part of the development and shall be retained at all times for refuse/recycling/cycles only and shall not be used for any other purposes.

Reason: To ensure that suitable cycle, refuse and recycling storage facilities are provided for the occupiers of the development and in the interests of visual amenity, in accordance with Policy T10 and SE7 of the Watford District Plan 2000 and Policies UD1, UD2 and SD4 of the Watford Local Plan Core Strategy 2006-31.

7. No work shall commence until details of the siting, height and type of fencing, gates or other means of enclosure around the boundaries of the site and within the site have been submitted to and approved in writing by the Local Planning Authority. The fencing, gates or other means of enclosure shall be provided as approved prior to the first occupation of any part of the development and shall be maintained as such at all times thereafter.

Reason: In the interests of the visual appearance of the site and to ensure that suitable levels of privacy are achieved for residents, in accordance with Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

8. No dwelling shall be occupied until the parking, driveway and manoeuvring areas have been laid out as shown on Drawing No. 1406 – TP.13 (or any subsequent amendment agreed in writing by the Local Planning Authority). The provision made for parking and manoeuvring shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway, in accordance with Policies T21 and T24 of the Watford District Plan 2000.

9. The development shall be carried out only in accordance with the tree protection measures detailed on Drawing No. TPP1\_PR Rev A (Tree Protection Plan) and as set out in the Arboricultural Assessment and Protection Method Statement (Ref. ha/aiams2/184pinnerd) prepared by ACS Consulting.

Reason: To ensure that no harm is caused to those trees and hedges which are to be retained during any works on site, in accordance with Policies SE37 and SE39 of the Watford District Plan 2000.

10. The below ground services shall be installed only in accordance with the routes detailed on Drawing No. TPP1\_PR Rev A (Tree Protection Plan). Any alterations to the approved layout shall be notified to and approved in writing by the Local Planning Authority before any excavation is made.

Reason: To safeguard the existing trees and shrubs including hedges which represent an important visual amenity, in accordance with Policies SE37 and SE39 of the Watford District Plan 2000.

11. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any modifications or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, F and G of the Order shall be carried out to the dwellings hereby approved without the prior written permission of the Local Planning Authority.

Reason: To enable the Local Planning Authority to ensure that any such developments are carried out in a manner which will not be harmful to the character and appearance of the site and its surroundings, including the Watford Heath Conservation Area, and will not prove detrimental to the amenities of adjoining occupiers in accordance with Policies SS1, UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31.

12. Notwithstanding the information already submitted, no development shall commence until detailed plans showing the existing and new or altered ground levels within the site and the floor levels of each of the proposed dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.

Reason: To ensure that the proposed buildings and any other changes in level on the site maintain a satisfactory relationship between the development and existing properties to safeguard the character and appearance of the area and the privacy and amenities of neighbouring properties in accordance with the objectives of Policies UD1, UD2 and SS1 of the Watford Local Plan Core Strategy 2006-31.

13. All proposed first floor and second floor windows on the northeast-facing elevations of the proposed dwellings including those windows serving the stairwells/landings and all proposed roof light windows shall be permanently fixed closed below 1.7m



above 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 overlooking and consequent loss of privacy to the future occupiers of the development and neighbouring properties pursuant to the provisions of the Residential Design Guide (RDG) and Policy SS1 of the Watford Local Plan Core Strategy 2006-31.

14. The development shall be carried out only in accordance with the construction methods of the low invasive and permeable surfacing as detailed on Drawing No. TPP1\_PR Rev A (Tree Protection Plan) and as set out in the Arboricultural Assessment and Protection Method Statement (Ref. ha/aiams2/184pinnerd) prepared by ACS Consulting.

Reason: To safeguard the health and vitality of the existing trees which represent an important visual amenity in accordance with Policies SE37 and SE39 of the Watford District Plan 2000.

15. Unless otherwise agreed in writing by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Conditions (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Condition (d) has been complied with in relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The scheme shall be submitted to and approved in writing by

the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be produced. The written report shall be submitted to and approved in writing by the Local Planning Authority. The report of the findings shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments.
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This exercise shall be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared, and submitted for the approval in writing of the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that, after remediation, the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given not less than two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification/validation report that demonstrates the effectiveness of the remediation carried out shall be produced, and submitted for the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of (a) above, and where remediation is necessary a remediation scheme shall be prepared in accordance with the requirements of (b) above, which shall be submitted to and approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification/validation report shall be prepared, which shall be submitted to and approved in writing by the Local Planning Authority in accordance with (c) above.

Reason: To ensure suitable measures are put in place to mitigate any potential contamination, in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

## Informatives

1. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended.
2. This planning permission is accompanied by a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure financial payments towards the provision or improvement of public open space, children's play space, childcare, education, youth facilities, library facilities and sustainable transport measures within the Borough of Watford and the provision of any fire hydrants that are necessary to serve the development, in accordance with the provisions of Supplementary Planning Guidance 10 (SPG10), Policies L8, L9 and H10 of the Watford District Plan 2000 and Policies T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31.
3. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the Hertfordshire County Council website at <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
4. Before commencing the development the applicant shall contact Hertfordshire County Council Highways (0300 123 4047) to obtain i) their permission/ requirements regarding access for vehicles involved in the demolition of the

existing buildings; ii) a condition survey of any adjacent highways which may be affected by construction vehicles together with an agreement with the highway authority that the developer will bear all costs in reinstating any damage to the highway.

5. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit Thames Water's website at [www.thameswater.co.uk](http://www.thameswater.co.uk)
6. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
7. With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Veolia Water Company, The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

### **Drawing Numbers**

1406/L.01; 1406 – L.02; 1406 – TP.01; 1406 – TP.02; 1406 – TP.03; 1406 – TP.04; 1406 – TP.05 Rev B – amended plan received 03.10.14; 1406 – TP.06; 1406 – TP.07; 1406 – TP.08 Rev C – amended plan received 03.10.14; 1406 – TP.09; 1406 – TP.10 Rev B – amended plan received 03.10.14; 1406 – TP.11 Rev A – amended plan received 02.09.14; 1406 – TP.12 Rev B – amended plan received 03.10.14; 1406 – TP.13; 1450LS; TPP1\_PR Rev A

### **Other documents**

Planning, Transport, Design and Access Statement

Flood Risk Assessment

Arboricultural Assessment and Protection Method Statement – Ref. ha/aiams2/184pinnerd

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