

PART A	
Report of: DEVELOPMENT MANAGEMENT SECTION HEAD	
Date of committee	27th August 2015
Site address:	2, Trefusis Walk, Watford
Reference Number :	15/01012/FUL
Description of Development:	Demolition of existing detached bungalow and erection of a two storey, five bedroom detached house.
Applicant	Mr Andrew Duffy
Date Received:	17th July 2015
8 week date (minor):	11th September 2015
Ward:	Park

1.0 SITE AND SURROUNDINGS

1.1 The site is located on the north-western side of Trefusis Walk close to the junction with Langley Way. It comprises a detached bungalow with attached garage, built in 1951. The site has an area of 0.052 hectare and incorporates car parking on the site frontage with a crossover to Trefusis Walk.

1.2 Trefusis Walk is a cul-de-sac, characterised by two storey, detached and semi-detached houses with several detached bungalows interspersed between the houses. All the properties are of various traditional designs, incorporating hipped and gabled roofs. The buildings are set back on a defined building line along the road with front gardens areas.

2.0 PROPOSED DEVELOPMENT

2.1 To demolish the existing detached bungalow and garage and erect a two storey,

detached house with hipped roof. The property will comprise five bedrooms and an integral garage, with additional parking for 3 cars provided on the frontage. The existing crossover onto Trefusis Walk at the north-western end of the frontage is to be retained.

3.0 RELEVANT PLANNING HISTORY

- 3.1 There is no planning history of relevance to the current application relating to the site. The existing house at 2a, Trefusis Walk was granted planning permission in 2001 (ref. 01/00124/FUL) within part of the rear garden areas of 72 and 74, Langley Way.

4.0 PLANNING POLICIES

Development plan

- 4.1 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*;
 - (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*.
- 4.2 The *Watford Local Plan Core Strategy 2006-31* was adopted in January 2013. The *Core Strategy* policies, together with the “saved policies” of the *Watford District Plan 2000* (adopted December 2003), constitute the “development plan” policies which, together with any relevant policies from the County Council’s *Waste Core Strategy* and the *Minerals Local Plan*, must be afforded considerable weight in decision making on planning applications. The following policies are relevant to this application.
- 4.3 **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
INF1	Infrastructure Delivery and Planning Obligations
UD1	Delivering High Quality Design

4.4 **Watford District Plan 2000**

SE7	Waste Storage, Recovery and Recycling in New Development
T10	Cycle Parking Standards
T21	Access and Servicing
T22	Car Parking Standards
T24	Residential Development
H10	Planning Agreements for Educational and Community Facilities
L8	Open Space Provision in Housing Development
L9	Children's Play Space

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

No relevant policies.

4.6 **Hertfordshire Minerals Local Plan Review 2002-2016**

No relevant policies.

4.7 **Supplementary Planning Documents**

The following Supplementary Planning Documents are relevant to the determination of this application, and must be taken into account as a material planning consideration.

4.8 *Residential Design Guide*

The Residential Design Guide was adopted in July 2014. It provides a robust set of

design principles to assist in the creation and preservation of high quality residential environments in the Borough which will apply to proposals ranging from new individual dwellings to large-scale, mixed-use, town centre redevelopment schemes. The guide is a material consideration in the determination of relevant planning applications.

4.9 *Watford Character of Area Study*

The Watford Character of area Study was adopted in December 2011. It is a spatial study of the Borough based on broad historical character types. The study sets out the characteristics of each individual character area in the Borough, including green spaces. It is capable of constituting a material consideration in the determination of relevant planning applications.

4.10 *SPG10 Open Space Provision*

This guidance sets out the standards of open space provision required per thousand population as part of new developments. The guidance was adopted in October 2001 and is a material consideration in the determination of relevant planning applications.

4.11 **National Planning Policy Framework**

The National Planning Policy Framework sets out the Government's planning policies for England. The following provisions are relevant to the determination of this application, and must be taken into account as a material planning consideration:

Achieving sustainable development

The presumption in favour of sustainable development

Core planning principles

Section 1 Building a strong, competitive economy

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Decision taking

5.0 CONSULTATIONS

5.1 Neighbour consultations

The following properties were notified:

1, 2a, 3, 4, 6, Trefusis Walk

68, 70, 72, 74, 76, Langley Way

157, 159, 161, 163, Cassiobury Drive

5.2 The following is a summary of the representations that have been received:

Number of original notifications:	14
Number of objections:	7
Number in support:	0
Number of representations:	7
TOTAL REPRESENTATIONS:	7

The points that have been raised are summarised and considered in the table below.

Representations	Officer's response
Proposed house is too large for the plot. Will change the streetscene.	It is considered that the proposed house will sit comfortably within this residential street, which is characterised by houses of varying scales and designs.
A 5 bedroom house will attract more cars. Insufficient parking provided. Existing parking problems on the road will be made worse.	The house has provision for 4 cars which is acceptable. There is no particular reason why a 5 bedroom house should result in a greater ownership of cars than a 3 or 4 bedroom house.
Loss of outlook from the rear windows of 2a and 4, Trefusis Walk.	This is discussed in the report. It is not considered there will be any significant adverse loss of outlook.

Loss of natural light to rear rooms of 2a and 4, Trefusis Walk.	This is discussed in the report. It is not considered there will be any significant adverse loss of natural light.
Loss of morning sunlight from garden and patio of 4, Trefusis Walk.	This is discussed in the report. It is not considered there will be any significant adverse loss of sunlight.
The proposed house extends beyond the 2 storey building line at the rear.	There is no consistent rear building line on this side of the road and this is considered to be a matter of only limited weight.
Loss of the existing bungalow.	There is no policy objection to the loss of the bungalow.
Loss of light to properties opposite.	There is not considered to be any loss of light to properties opposite. Two storey properties face each other across the road along Trefusis Walk and this is a normal relationship in urban areas.
Increased traffic on the road and using the turning head.	The change from a bungalow to a 5 bedroom house is likely to generate an insignificant number of additional vehicle movements on the road.
5 bedroom house not in keeping with the street.	There is no objection to the provision of a 5 bedroom house in this road.

The Committee will be advised of any additional representations received after the date this report was written.

5.3 **Statutory publicity**

No statutory advertisement was required for this application.

5.4 **Technical consultations**

The following responses have been received from technical consultees:

No technical consultations were necessary in respect of this application.

Hertfordshire County Council (Highway Authority)

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

Condition:

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 Highways Authority prior to commencement of the development.

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

Comments:

The application is for the demolition of existing detached bungalow, redevelopment with a five bedroom detached house and extension the existing vehicle crossover at 2 Trefusis Walk Watford, WD17 3BP.

Access:

The property is located on Trefusis Walk which is an unclassified Road with speed limit of 30 mph.

The applicant states that the development will widen of the existing access to the highway.

Parking:

The applicant states that the proposal would result in no additional parking spaces being provided in association with the development. It is noted that there will be loss of a parking spaces in the existing garage. There is no requirement for a turning space and the details are considered acceptable there is sufficient room to park four cars.

Note:

I have no objection this application in highway grounds, I note that the plan drawing 5505/1P2 dated 11/05/15 did not show the dimension details layout for the proposed crossover width. Please note that a widened dropped kerb or new proposed crossover will be allowed up to a maximum (in total) of 4 dropped kerb plus 2 ramped kerbs which means allow the maximum width of 5.4m.

6.0 APPRAISAL

6.1 Main issues

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

- (a) The scale, design and appearance of the proposed house.
- (b) The level of amenity provided for the future occupiers.
- (c) Impact on the amenities of adjoining properties.
- (d) Car parking provision.

6.2 (a) The scale, design and appearance of the proposed house.

Trefusis Walk is characterised by two storey detached and semi-detached houses of various designs, incorporating traditional design details and pitched roofs. The proposed house incorporates a hipped main roof with a gabled front projection and a mono-pitched canopy over the main door. The proposed materials are red brick, render to the first floor of the front projection and gable and concrete roof tiles. It is very similar in width and height to the adjacent house at no.2a and follows the existing building line in the street. Overall, it will sit comfortably within the streetscene.

6.3 (b) The level of amenity provided for the future occupiers.

All of the proposed rooms will significantly exceed the minimum standards of the Residential Design Guide and all will have good levels of outlook, natural light and privacy. The rear garden will have an area of 182m², also significantly in excess of the minimum standard (95m²).

6.4 (c) Impact on the amenities of adjoining properties.

The two adjoining properties are nos. 2a to the south-west and no.4 to the north-east.

- 6.4.1 In respect of no.2a, the proposed house is set in 1m from the side boundary and projects 4.4m beyond the rear elevation of this property. Following the submission of the application, the first floor element adjoining no.2a has been reduced in depth to 3.4m. The proposed house will satisfy the 25° and 45° rules as set out in the British Research Establishment's document "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" ensuring good levels of daylight will be retained to this property. As the proposed house is sited to the north-east of no.2a, it will have no adverse impact on sunlight.
- 6.4.2 By achieving a 45° angle of view from the mid-point of the nearest ground floor window in no.2a (in this case, patio doors), the proposed house will not have any significant adverse impact on outlook from no.2a. With a projection of 3.4m at first floor level, it is also not considered to have an unduly overbearing impact on the garden area of no.2a.
- 6.4.3 There is one window proposed in the flank elevation of the proposed house at first floor level which is to a en-suite. This can be obscure glazed and so will not result in any overlooking or loss of privacy to no.2a.
- 6.4.4 In respect of no.4, the proposed house is set in 1m from the side boundary and projects 2.7m beyond the rear elevation of this property. The proposed house will satisfy the 25° and 45° rules as set out in the British Research Establishment's document "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" ensuring good levels of daylight and sunlight will be retained to this property.
- 6.4.5 By achieving a 45° angle of view from the mid-point of the nearest ground floor window in no.4 and not exceeding 3.0m in depth, the proposed house will not have any significant adverse impact on outlook from no.4 and will not have an unduly overbearing impact on the garden area of no.4.

6.4.6 There is one window proposed in the flank elevation of the proposed house at first floor level which is to a bedroom. As this is a secondary window, it can be obscure glazed and so will not result in any overlooking or loss of privacy to no.4.

6.4.7 Overall, the proposed house complies with the Residential Design Guide and is not considered to have any significant adverse impacts on the amenities of the adjoining properties.

6.4.8 (d) Car parking provision.

The maximum parking requirement for a dwelling with 4 or more bedrooms in the Council's car parking standards is 3 spaces. The proposal includes an integral garage and has sufficient space on the frontage for 3 cars. This level of provision is therefore in excess of the maximum requirement.

7.0 COMMUNITY INFRASTRUCTURE LEVY AND PLANNING OBLIGATION

7.1 Community Infrastructure Levy (CIL)

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. The CIL charge covers a wide range of infrastructure as set out in the Council's Regulation 123 list, including highways and transport improvements, education provision, youth facilities, childcare facilities, children's play space, adult care services, open space and sports facilities. CIL is chargeable on the relevant net additional floorspace created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted. The CIL charge applicable to the proposed development is £120 per sqm.

The charge is based on the net increase of the gross internal floor area of the proposed development. Exemptions can be sought for charities, social housing and self-build housing. If any of these exemptions is applied for and granted, the CIL liability can be reduced.

In accordance with s.70 of the Town and Country Planning Act 1990, as amended by s.143 of the Localism Act 2011, a local planning authority, in determining a

planning application, must have regard to any local finance consideration, so far as material to the application. A local finance consideration is defined as including a CIL charge that the relevant authority has received, or will or could receive. Potential CIL liability can therefore be a material consideration and can be taken into account in the determination of the application.

7.2 **S.106 planning obligation**

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. On and from this date, s.106 planning obligations can only be used to secure affordable housing provision and other site specific requirements, such as the removal of entitlement to parking permits in Controlled Parking Zones and the provision of fire hydrants. There is no requirement for a s.106 planning obligation in this case.

8.0 **CONCLUSION**

- 8.1 The proposed house is considered acceptable in its scale, design and appearance and will sit comfortably within the streetscene. It will provide a good level of amenity for future residents and will have no significant adverse impacts on adjoining properties and their occupiers.

9.0 **HUMAN RIGHTS IMPLICATIONS**

- 9.1 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.

10.0 **RECOMMENDATION**

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

5505/1p3, 2p4, 3p3

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

3. No construction of the development hereby permitted shall take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturdays or at any time 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 saved Policy SE22 of the Watford District Plan 2000.

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

Reason: In the interests of the visual appearance of the site and 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.

5. The dwelling shall not be occupied until full details of a hard landscaping scheme for the front parking area, including details of a sustainable drainage scheme for surface water, have been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details.

Reason: In the interests of the visual appearance of the site and to ensure the proposed hardsurfaced area does not lead to additional surface water run-off from the site, in accordance with Policies UD1, SD2 and SD3 of the Watford Local Plan Core Strategy 2006-31.

6. The first floor windows in the south-east and north-west flank elevations shall be fitted with obscured glass and top-hung opening fan lights only. Both windows shall be retained as such at all times.

Reason: To prevent overlooking and a loss of privacy to the adjoining properties.

Informative

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. The Council also gave pre-application advice on the proposal and undertook discussions with the applicant's agent during the application process.

Drawing numbers

5505/1p3, 2p4, 3p3

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