



**WATFORD  
BOROUGH  
COUNCIL**

# **DEVELOPMENT MANAGEMENT COMMITTEE**

**25 January 2017**

**7.30 pm**

**Town Hall**

**Publication date: 17 January 2017**

**Contact**

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Only one person will be permitted to speak on behalf of objectors and one in support of a proposal. Precedence to speak in support of the proposal will be given to the applicant or their representative.

In order to speak, a person must register before 12 noon on the day of the meeting by contacting the Democratic Services Team. The contact details are available on the front of this agenda.

If a speaker wishes the Development Management Committee to consider any documentation at the meeting, then it must be submitted to the Democratic Services Team by 12 noon on the day of the meeting.

# Committee Membership

Councillor R Martins (Chair)

Councillor S Johnson (Vice-Chair)

Councillors D Barks, S Bashir, N Bell, A Joynes, J Maestas, I Sharpe and M Watkin

## Agenda

### Part A – Open to the Public

1. **Apologies for absence/Committee membership**
2. **Disclosure of interests (if any)**
3. **Minutes**

The minutes of the Development Management Committee held on 4 January 2017 to be submitted and signed.

Copies of the minutes of this meeting are usually available seven working days following the meeting. All minutes are available on the Council's [website](#).

### **CONDUCT OF THE MEETING**

The Committee to take items in the following order:

1. All items where people wish to speak to the Committee and have registered to do so by telephoning the Democratic Services Team.
2. Any remaining items that the Committee agrees can be determined without further debate.
3. Those applications where the Committee wishes to discuss matters in detail.
4. **16/01310/FULM Land off Tolpits Lane (Pages 5 - 54)**  
  
Residential development comprising 36 one and two bed flats and 40 short term accommodation units, with associated landscape, parking and public realm improvements, incorporating a new highway junction on to Tolpits Lane and amendments to the existing cycle way.
5. **16/01611/FUL The Wellspring Church Centre 1 Wellspring Way (Pages 55 - 74)**  
  
Erection of a two storey wrap-around extension with new entrance (change to previously approved phase 2 scheme 09/00315).

**6. 16/01569/FUL 73-77, Clarendon Road (Pages 75 - 90)**

Demolition of existing buildings, site clearance and associated works, erection of perimeter hoarding and provision for a temporary commercial structure (Class A1).

**7. 16/01577/FUL 5 Newlands Walk (Pages 91 - 100)**

Installation of a telescopic amateur radio mast.

|   |  |             |
|---|--|-------------|
|   | PART A   | Item Number |
| Report to: <b>Development Management Section Head</b> |  |             |
| <b>To Committee:</b>                                  | <b>Committee date: 25<sup>th</sup> Jan 2017</b>  |             |
| Site address:   | <b>Land off Tolpits Lane, Watford</b>  |             |
| Reference no.:  | <b>16/01310/FULM</b>   |             |
| Description of development:                           | <b>Residential development comprising 36no. 1 and 2 bed flats and 40 short term accommodation units, with associated landscape, parking and public realm improvements, incorporating a new highway junction on to Tolpits Lane and amendments to the existing cycle way.</b> |             |
| Applicant:  | <b>Gateway Enterprises (Watford) Ltd<br/>Gateway House<br/>59 Clarendon Road<br/>Watford, WD17 1LA</b>   |             |
| Date received:  | <b>16<sup>th</sup> September 2016</b>  |             |
| 13 week date (major):                                 | <b>23<sup>rd</sup> December 2016</b>   |             |
| Ward:   | <b>Holywell</b>  |             |

**Summary**

The application is to make use of some waste land that was once safeguarded for the building of the West Watford Relief Road, but that project was abandoned 19 years ago, since when the site has had no purpose. The application site in this case is only the southern portion of that strip of land, although the Council have recently been consulting separately on a draft masterplan that proposes further development to the north of this site.

This application is for three buildings, which would be three or four storeys tall, with flat roofs. Two of those would be blocks of flats: 36 in total, being a mixture of one and two bedroom flats. At least 35% of them (i.e. at least 13 flats) will be affordable. The third building would be short term accommodation for the homeless, with 40 bedrooms. The buildings would be arranged along a new short cul de sac that would connect with Tolpits Lane.

During consideration of the application revised plans have been received and consulted upon. The design is considered to have been greatly improved, and the documents that were belatedly submitted are very comprehensive.

The application was considered by the Development Management Committee at their meeting on 14<sup>th</sup> December 2016, but no decision was made as the committee decided to defer consideration of the application. There were two reasons for that decision.

- 1) An addendum to the committee report was published on the day of the meeting and Members considered more time was required to properly consider this additional information.
- 2) There were some discrepancies in the plans which relied on typical plans and Members desired a comprehensive and accurate set of plans to consider.

The update sheet has been incorporated into this report and circulated well in advance of the meeting. In addition, further drawings have now been submitted which do not change the proposal but address the previous discrepancies. For a list of all the drawings and other documents that are now being considered please refer to Condition 2 at the end of this report.

Accordingly, the previous reasons for deferral have been fully addressed.

### **Background**

Ascot Road consists of the old road, which is single carriageway, and a much more modern, straighter and broader road that runs parallel to it as a dual carriageway. Anyone looking at the newer Ascot Road without being aware of its history might be surprised that a broad and straight dual carriageway such as this was built here. It seems over-engineered, given that it is only approximately 360 metres long, and given that it only leads to two business parks (and now also to the recently built Morrisons supermarket and a new primary school). However this road makes sense when one appreciates that it was built as the first stretch of a new dual carriageway road, running from north to south, that was supposed to have connected the Cassiobridge roundabout (at the junction of Whippendell Road and Rickmansworth Road) with Tolpits Lane (the A4145). That planned road project was to have been called the West Watford Relief Road, and the land that it was to have passed over was protected for that purpose. The plan was later abandoned in 1998, with only the first section having been built. The Watford District Plan 2000 was the Local Plan that was adopted in 2003 (it has since been largely superseded by the Watford Local Plan Part 1, adopted in 2013) and that document made it clear (in paragraph 4.84 of chapter 4) as long ago as 2003 that the West Watford Relief Road had been abandoned, and that the land was no longer safeguarded.

That land, despite the fact that it has not been safeguarded for use as a new road for 19 years, still stands empty. It belongs to the Council. It is a broad, straight strip of land that consists mostly of grass and scrub, with some trees along its western boundary, and with an asphalt path running down it for cyclists and pedestrians. This strip of land separates the Watford Business Park (which consists largely of light industrial and warehouse buildings) to its west from the residential streets of Holywell to its east. A short spur off the cycle path connects it with Greenhill Crescent to the west, which is part of the Watford Business Park.

At its southern end the strip of open land meets Tolpits Lane. The cycle and pedestrian path crosses Tolpits Lane via a controlled crossing and then traverses a small open space adjacent to a travellers' caravan site, before joining the Ebury Way (which is a cycle track running east-west along the line of a former railway, connecting Watford with Rickmansworth to the west).

Recently (autumn 2016) the Council have consulted on a masterplan for residential development on the strip of land that was once (but is no longer) safeguarded for the West Watford Relief Road. The application for planning permission that is the subject of this report relates only to a part of that land at the southern end of the strip.

The application site is defined by a red outline on the plans. Its northern extremity is a few metres to the north of the point at which the existing cycle path's spur branches off to connect with Greenhill Crescent. The southern extremity of the application site is the area of open land to the south of Tolpits Lane; but there is no proposal to erect buildings on that land – all of the buildings would be to the north of Tolpits Lane. To the east of the site are the flats and houses of Latimer Close, and to its west are the commercial buildings of Greenhill Crescent in the Watford Business Park.

This is not a Conservation Area and there are none nearby. Neither are there any locally or nationally listed buildings or Tree Preservation Orders here. The site has no special designation in so far as wildlife is concerned – it is not a nature reserve nor is it a Site of Special Scientific Interest. The only planning designation affecting the application site is that the small area of land to the south of Tolpits Lane is within the Green Belt, but there is no proposal to erect any buildings on that land.

### **Proposed Development**

The proposal is to erect three residential buildings on the site. Two of those buildings would be blocks of flats. There would be 36 flats in total, and those would be either one bedroom or two bedroom units. At least 35% of them

(i.e. at least 13 flats) would be affordable housing, so as to comply with Policy HS3 of the Watford Local Plan Part 1. The precise number of affordable flats has not yet been finalised, but the land owners (Watford Borough Council, who are partners in the development) are entering into a Section 106 planning obligation in the form of a unilateral undertaking to guarantee that at least 35% of the flats will be affordable.

The other building, which would be the one standing closest to Tolpits Lane, would be temporary accommodation for people who are on the Council's housing list. It would contain 40 bedrooms: ten on each of its four floors.

This application has been submitted by a new joint venture partnership between Watford Borough Council and Watford Community Housing Trust.

### **Evolution of the Application**

It seems that this application was submitted (on 16.09.2016) before it was completely ready. Some pre-application discussions had taken place with Planning Officers, but not on the detailed proposals that are now before us. The Design and Access Statement that was submitted referred to several documents that should have been included with the application but which were missing from it; and this was apparently because they were still being written at that time: these were the Transport Statement, the Arboricultural Report, the Ecological Report, the Acoustic Report and the Sustainable Drainage Report. Those missing documents were eventually submitted two months later on 18.11.2016.

In October a post-application meeting was held between the applicants and a planning officer, who offered some advice on ways in which the design could be improved. The applicants acted on that advice, and a set of revised plans were submitted on 18.11.2016 (along with the missing reports). Those amended plans superseded the drawings that were originally submitted. The changes to the design can be generally summarised as follows:

- The buildings are now all to be finished in the same materials – which is predominantly a pale yellow brick (slightly darker at ground floor and lighter above). Previously the blocks of flats were to have been finished in a dark red brick and the temporary accommodation was to have been mainly timber clad.
- The buildings are to have flat roofs, rather than shallow pitches. These are shown as being “green roofs” (i.e. clad in living plants such as sedum).



- The fenestration has been changed – the windows now being mainly vertical rather than horizontal in shape.
- The short term accommodation block is now to be four storeys rather than five to reduce its visual dominance and its impact on neighbouring residential premises to its rear on Latimer Close. The number of bedrooms (40) has not changed. This has been achieved by putting some ancillary services in a ground floor annexe.
- A further amendment, to increase the separation distance of the hostel from Latimer Close to 22m (previously it would have been 20m) was received on the 5<sup>th</sup> December 2016. This has been achieved by altering the proportions so as to make the building less deep at the rear, without moving its front wall.

On 14<sup>th</sup> December 2016 the application was considered by the Development Management Committee, who deferred the case for two reasons. As set out in the summary of this report, both of these issues have now been satisfactorily resolved.

### **Consultations**

The Local Planning Authority has carried out three rounds of consultation on this application (whereas usually there would only have been only one). In each of the three rounds site notices were put up and letters were sent to 150 local residents.

The following **external consultees** were notified:

- Hertfordshire Fire and Rescue Service
- Hertfordshire County Council Lead Local Flood Authority
- Hertfordshire County Council Waste and Minerals
- Hertfordshire County Council Highways
- Hertfordshire Ecology
- Herts Constabulary's Crime Prevention Officer
- Thames Water Utilities
- UK Power Networks

The following **internal consultees** were notified:

- Planning Policy team
- Environmental Health
- Arboricultural Officer
- Head of Housing

- Waste and Recycling Service
- Contaminated Land Officer

The reason why a second round of consultation was necessary was that the applicants' agent contacted us on 23.09.2016 (four days after submission) to apologise for having entered the wrong number of flats on the application form, so we sent out a second batch of notification letters and replaced the site notices to make it clear that 36 flats were proposed rather than 32.

As is explained above, several documents that had been missing from the initial application, and also a set of revised design drawings, were submitted two months later on 18.11.2016. For that reason a third round of consultation was undertaken, starting on 18.11.2016 and lasting until 09.12.2016.

The most recent amendment dated the 5<sup>th</sup> December 2016 is a minor change (making the temporary accommodation building less deep at the rear so as to keep it further away from neighbours on Latimer Close) which can only be seen to better the situation with regard to nearby occupiers. It is not considered necessary to consult further on this minor change and there is no legal requirement to do so.

Additional plans were also received on the 16<sup>th</sup> December and 6<sup>th</sup> January, but these merely corrected discrepancies in the previous plans and have not altered the proposals further.

Besides the three rounds of consultation that have been carried out by the Local Planning Authority, the applicants have also held drop-in sessions and public meetings to explain their proposals to local residents at the Holywell Community Centre. Those were on 19.10.2016 and on 16.11.2016.

### **Comments Received From External & Internal Consultees**

The following are summaries that précis the comments that have been received from external consultees.

#### **Hertfordshire County Council – Highways Service**

Comments were received on 14.12.2016 from the Head of Hertfordshire Highways, Nick Gough.

- Herts Highways do not object to the proposed development, and they recommend approval, subject to conditions. They note that any works to the public highway, including its footway, would have to be approved by Herts County Council as a Section 278 Agreement (which is separate from the planning permission) and that the access road will need to be designed

to their standards. If it is to be adopted as a public highway, a Section 38 agreement will be needed.

- They wish to see a condition attached stating that the development may not commence until further information has been submitted and approved as to how the junction of the new street with Tolpits Lane could be converted in future to allow buses to safely pass between Greenhill Crescent and Tolpits Lane.
- They wish to see a condition attached stating that the development may not commence until a Construction Management Plan has been submitted and approved, including details of construction vehicle movements, site entrances, site parking, wheel cleaning measures etc.
- Some minor inconsistencies are noted in the figures that have been submitted for vehicle trip generation, but Herts CC consider them insignificant. It is noted that the trip generation estimates that have been submitted as part of the Transport Statement show that there would be 15 new vehicle movements in the peak periods of 08:00-09:00 and 16:00-17:00, and overall 35 car trips in the AM and 25 in the PM. This is considered acceptable. Additionally it is estimated that there would be 5 trips generated per day for light or heavy goods vehicles.
- The figures that have been submitted regarding collision data over a three year period does not indicate any issues or clusters that might be exacerbated by the development proposal.
- Tolpits Lane is a main distributor road, and generally it is the policy of Herts County Council not to allow new accesses onto such roads except where special circumstances can be demonstrated. The creation of a new cul de sac alone would not constitute “special circumstances”. However, following discussions between Herts CC and the developers, the proposal has been designed with a view to the possibility of introducing a bus connection in future that could connect Greenhill Crescent with Tolpits Lane, and the benefit that this would provide to the area-wide traffic management scheme to serve development planned around the Western Gateway would amount to a special circumstance that would justify allowing the new road junction.
- Although some of the swept path diagrams showing how particular types of service and emergency vehicles could enter, exit and turn within the site were incomplete, information provided subsequently has satisfied the Highway Authority that the proposed junctions can operate adequately

and accommodate the movements of all vehicles that are likely to use them.

- The proposed 50 parking spaces (including 4 disabled-user spaces) is considered appropriate; but parking is a matter for Watford Borough Council rather than for Herts Highways. The application has demonstrated that all the parking spaces can be accessed by cars. The proposed provision of 50 cycle spaces is also considered acceptable as it is 2 more than the required number.
- Bus routes 10 and W30 have stops nearby on Caxton Way / Greenhill Crescent and on Croxley View, which are approximately 200m or 250m from the site. Those buses connect with Cassiobury Park, Watford Metropolitan Station, Watford Junction Station, Watford General Hospital, Leavesden and Central Watford. Future aspirations include a bus route through the site to improve local bus services.
- The nearest station of the Metropolitan Line is currently at Croxley, which is 1.4km from the site, but the proposed new Cassiobridge Station for the Metropolitan Line Extension would be 850m from the site.
- The existing walking and cycling route through the site will be retained, but on a slightly revised alignment.
- Overall the accessibility of the site is considered adequate for a residential development in an edge of town location.
- A Travel Plan is not required for a proposed development of this size.

**Planning Officer's response:**

There is a difference between the policies and priorities of the Highways Authority (Herts County Council) and the Planning Authority (Watford Borough Council) and different legislation applies. Herts CC have asked that a condition be applied to the planning permission stating that no work may commence until further details have been submitted and approved to show how a bus route could be accommodated through the site. They argue that allowing the new access to Tolpits Lane would only be acceptable to them if a benefit were likely to arise in the form of an improved bus route – otherwise their policies state that the new access to the distributor road would be unacceptable. However we as the Local Planning Authority must be mindful that conditions should only be attached to a planning permission if they are necessary – in other words only if without such a condition it would be necessary to refuse planning permission. Given that the development does

not affect existing bus routes or in itself trigger a need for an additional route, and given that the proposed junction with Tolpits Lane is not considered dangerous, it is difficult to see that we would have legitimate grounds to attach the condition that Herts CC have requested, because even if no bus route were ever to materialise on the site, that would not make the development unacceptable in Planning terms.

In addition to needing planning permission from us at Watford Borough Council, the developers will need to obtain a Section 278 agreement from Hertfordshire County Council giving their consent as the Local Highway Authority to connect the new street to the public highway at Tolpits Lane. Clearly Herts CC are unlikely to grant a S278 agreement for a new junction unless they are satisfied with its design, so the issue of whether a bus would be able to use the junction can be considered by them as part of that process, rather than considering it by proxy through the planning system.

The other condition that Herts CC have requested is that a Construction Management Plan should be required. Such a condition would not normally be imposed as construction matters are not material planning considerations, however given there are also ecological considerations in this case a condition has been recommended.

#### **Hertfordshire County Council – Waste & Minerals Team**

Comments were received on 21.11.2016 from Emma Chapman on behalf of Trish Carter-Lyons.

- There is one operational waste site nearby, which is the Household Waste Recycling Centre on Caxton Way, which is authorised as site ELAS221.
- There is the potential that other premises in Watford Business Park (which is identified by HCC as an ELAS – Employment Land Area Of Search) might contain waste sites in future if a requirement for them is identified. HCC wish to safeguard ELAS sites in case there is a future need for waste management sites on them.
- The proposal would not be on an identified ELAS site, and so no ELAS land would be lost, but the development would be adjacent to the Watford Business Park ELAS.
- Herts County Council's Waste Core Strategy and Development Management Policies document does not stipulate a minimum distance between new residential development and waste management sites. However a guidance document that was produced 11 years ago by the

then Office of the Deputy Prime Minister – *Planning For Waste Management Facilities: A Research Study* – recommends a minimum distance of 250m.

- It is possible that in future a waste management facility might be located on Caxton Way - perhaps in a location that might mean it would be less than 250m from the new residential sites.
- The most recent government document on waste is the DCLG's *National Planning Policy For Waste* (Oct 2014). It states that the likely impact of proposed developments on existing waste management facilities, and on sites allocated for waste management, should be considered.
- New development should make sufficient provision for waste management including storage facilities such as sufficient and discrete provision of bins.
- Construction waste should be dealt with on site where possible and kept to a minimum.
- HCC's Waste Policy 12 requires that relevant construction projects should be supported by a Site Waste Management Plan. This should be required by a condition. Good practice templates for such documents are available on line. Herts CC offer to assess any Site Waste Management Plan that is submitted to the Local Planning Authority.

**Planning Officer's response:**

The comments received make it clear that the proposed development would not conflict with any existing or specifically proposed new waste management site. A condition should be applied to the planning permission to require the submission of a site waste management plan, as per the County Council's recommendation. A condition will also require further information on bin stores.

**Hertfordshire County Council – Lead Local Flood Authority**

Comments were received initially on 11.10.2016, with further comments sent later – most recently on 13.12.2016 - from Sana Ahmed.

- Their first response had been to object to the proposal on the grounds that the original submission had not included details of flood risk. Having now seen the details that were later submitted, they are satisfied and they remove their objection to the planning application.

- A condition should be attached to the planning permission to stipulate that the measures are implemented which have been set out in the Flood Risk Assessment that was carried out by consultants Project Centre (reference 1000003309-FRA-Tolpits Lane, dated 17 Nov 2016).
- A condition should require the submission of a detailed surface water drainage scheme based on sustainable drainage principles. The Local Planning Authority, in considering those details, should consider how the system will be maintained and managed.

**Planning officer's response:**

Condition 15 (see the list at the end of this report) addresses the issues that HCC have raised.

**Thames Water**

Comments were received on 05.10.2016 from Margaret Keen, and identical comments were received from them again on 21.11.2016 in response to a re-consultation.

- If a new building or underpinning would be over, or within 3m of a public sewer it will be necessary to obtain the consent of Thames Water for the work.
- Thames Water has no objection to the application as regards sewerage infrastructure capacity.
- Proper provision should be made for surface water drainage. Attenuation storage tanks on site are recommended to regulate flow into the public network.
- For discharge to a public sewer the consent of Thames Water's Developer Services department is required.
- A condition is recommended, and the appropriate text has been suggested, to require that no piling may take place on site until a Piling Method Statement has been submitted and approved. The reason is that the proposed works will be close to underground sewerage infrastructure and an assessment must be made as to whether that might be damaged.
- Thames Water have easements and wayleaves on the site, and they will seek assurances that these will not be affected. They have provided a map showing where they are – they are on land to the south of Tolpits Lane.

**Planning officer's response:**

The easements and wayleaves are shown as being within the application site, but there are no proposals to erect buildings on this land, which is to the south of Tolpits Lane. The recommended condition requiring a piling statement is to be applied.

**Hertfordshire Constabulary**

Comments were received on the initial scheme on 30.09.2016 from Crime Prevention Advisor Michael Clare, who then wrote again on 29.11.2016 in response to the further consultation on the revised scheme.

- Herts Constabulary are generally content with the proposals, but they have some suggestions that they would like to make.
- There is an existing hole in a fence which is being used as an informal cut-through by residents of Latimer Close to access the site. Is it intended to formalise this route and to create a pedestrian link between the hostel and other car parking areas nearby? In that case pedestrians would be crossing a car parking area between rows of vehicles. If that were the case it would be best to have some active windows in the flats and the hostel overlooking that car parking area.
- It is not clear whether the gardens at the rear would be enclosed – it looks as if they would be left entirely open, which is worrying. There should be a rear perimeter boundary treatment 1.8m high to separate it from Latimer Close. A 3D image appears to show a wall behind the hostel as being only low – that ought to be 1.8m tall for security.
- Parking courts should be well lit and CCTV cameras are also recommended there.
- The communal cycle parking stores and waste stores are not shown in sufficient detail to be able to assess them from a security point of view. Any cycle store or bin store for the temporary accommodation block should be located where they can be seen.
- The revised scheme has done well to remove the colonnade that was previously proposed for the front of the hostel.
- The north elevation of the temporary accommodation block was shown as having small high level windows overlooking the car park. It would be preferable for some of them to be full sized windows to provide some surveillance of the car park.



- A 24 hour warden is recommended for the temporary accommodation block, and CCTV is also recommended for communal areas and corridors.
- It is recommended that physical security for every part of the development (i.e. windows, doors, locks etc) should be to the accredited Secured By Design standard.

**Planning officer's response:**

These comments were based on the initial design. The revised design, which was received on 18.11.2016 has taken account of this advice from the police. In particular the design and layout of windows is better considered so as to provide natural surveillance over the car parks and other areas. The use of CCTV cameras and of windows, doors and locks that are accredited to Secured By Design Standards is recommended by the Police and fully endorsed by the Council; but that level of detail is not a matter that is controlled by planning permission. Conditions will require further information regarding boundary treatments, bicycle and bin stores and lighting.

**Hertfordshire Ecology**

Comments were received on 20.10.2016 from Daniel Weaver.

- Hertfordshire Ecology have no records of their own regarding species or habitats on this site.
- The Phase I Ecology report that was been submitted with the initial application raises several ecological constraints that should be taken into consideration, and appropriate conditions should be applied to a planning permission to take account of them. These relate to reptiles, bats, badgers and breeding birds.
- The Phase I report found evidence of slow worms on the site. These are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). They must not be deliberately harmed or captured without a licence from Natural England. A suitable protection or mitigation strategy will be needed.
- Some evidence was found of badgers in this area, and they are protected under the Badger Protection Act 1991. Harming them is an offence. An appropriate protection or mitigation strategy will be needed.
- There is suitable habitat for nesting birds on the site, and it is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb or

harm nesting birds. Therefore it is recommended that no clearance of vegetation should be undertaken between mid-March and mid-August as that is the breeding season. Alternatively, if clearance work is to be undertaken during that period, it should only be allowed if a qualified ecologist has submitted a report to the Local Planning Authority to confirm that no bird nests have been found, and that report should be approved by the LPA prior to any clearance.

- There is suitable habitat for bats in trees on the site, and therefore a Bat Roost Survey should be undertaken before those trees are removed.
- The text of five conditions is included, which are recommended by Hertfordshire Ecology.

**Planning officer's response:**

These comments were based only on the Phase I report that was included with the documents that were initially submitted on 16.09.2016. More recently on 18.11.2016 additional documents have been submitted, including an Outline Ecological Mitigation Recommendation document by the same environmental consultants. At the time of writing this report we are awaiting further comments on this document from Hertfordshire Ecology. Conditions similar to those that Herts Ecology suggested are to be applied – see the list at the end of this report.

**Hertfordshire County Council – Fire Authority**

Comments were received on 14.10.2016 from Anthony Bester.

- A planning obligation should be required to ensure that any fire hydrants that are necessary will be provided by the developer.

**Planning officer's response:**

These comments do not say that hydrants will be required – only that they might be. This matter is dealt with by the Section 106 unilateral undertaking, which has been signed by the Council in its role as the land owner. That includes an undertaking to provide such fire hydrants as are required by the Fire Authority.

**Watford Borough Council's Arboricultural Officer**

Bob Clarke, the Council's arboricultural consultant, sent his comments first on 20.09.2016, then further comments on 18.11.2016, and subsequently he met to discuss the proposal with the Case Officer on 30.11.2016.

- Some small scrubby trees of little intrinsic value will have to be removed adjacent to the boundary with Green Hill Crescent. Those trees provide some screening of the industrial units. They also provide some continuous greenery connecting Ebury Way with Ascot Rd.
- He is satisfied with the amended proposal, which allows more space for replacement trees to be planted along the boundary with Greenhill Crescent to better screen the development from the industrial units there and to provide a wildlife corridor. In addition to proposals to plant trees and shrubs along the boundaries the plans also show ditches there which serve the dual purpose of helping with sustainable drainage during heavy rainfall and acting as a wildlife corridor. The arboricultural officer has recommended a condition requiring that the proposed landscaping scheme be implemented as shown in the first available planting season following completion of the development.

#### **Watford Borough Council's Planning Policy Section**

Comments were received from Planning Policy Officer Shay Kelleher on 04.10.2016. He was commenting on the plans originally submitted, not on the revised plans.

- This site should be seen as part of the wider Masterplan for Croxley View / Ascot Road. This would see the proposed new thoroughfare curve to connect with the existing road at Croxley View. If agreeable to Herts Highways the road should be shared surface with appropriate paving (preferably not asphalt).
- Are the front gardens necessary? The housing line could be brought closer to the path edge where the doors are facing the street – they should be visible. This would provide more space for the apartments.
- It is regrettable that only 1 and 2 bedroom apartments are proposed. A better housing mix would include some larger flats for families.
- The blocks of flats could be set back further from the road, with the path realigned to follow the building line. The green area to the front would be a more active and larger space which would be more useful – for instance for sustainable drainage or other uses.
- The proposed car parking provision seems excessive at 65 spaces for 36 units, most of which are 1 and 2 bedroom flats. Transport capacity in the area is limited.

- This amount of parking also has a harsher appearance, therefore soft landscaping should be used in the parking areas.
- There should be a path connecting the car parking areas with the green spaces of the existing residential areas behind so as to enable greater permeability through the site and to ensure that the new development is considered a part of the existing residential area, not separate from it.
- Although some mention is made in the supporting documents of a realignment of the existing cycle route, that is not shown on the plans. Clear pedestrian and cycle linkages are needed to the new Cassiobridge Station which is to be built nearby on Ascot Road.
- A similar point is made regarding any new bus route.
- Cycle stores should be to the side of the communal gardens, not in the centre of them. They should be secure and weather proof. Refuse bin stores should be easily accessible from the buildings. Further details of these should be required by a condition.
- The boundary between the existing residential gardens and the proposed communal areas should have more trees and hedges than are shown.
- The Planning Policy Officer writes that a fenestration pattern consisting of portrait format windows rather than the horizontal pattern that is proposed would have been preferable, to avoid the development having what he fears could be an institutional character.
- The Planning Policy Officer writes that he is not convinced by the design approach as regards the shallow pitched roofs.
- The ground floor flats should comply with the Disability Discrimination Act.
- Side windows should provide surveillance of the car parking areas.
- The hostel should not look noticeably different to the other blocks as that would invite stigmatisation and segregation. The proposed colonnade at the front suggests a desire to hide the entrance – the Planning Policy Officer considers that this is the wrong design approach. The building line should be in line with the other blocks, the entrance and the materials should be similar to those other blocks.

**Planning officer's response:**

Some of these comments have been addressed in the redesigned scheme that was later submitted on 18.11.2016. In particular the appearance of the buildings has been improved, with the shallow pitches being replaced by flat green or brown roofs, and with all of the buildings being finished in the same pale brick to give the development a more unified and consistent character.

It is worth noting the conflict between the comments that the Planning Policy Officer has made regarding the desirability of having permeable pedestrian routes through the car parking areas (to provide good linkages with local streets such as Latimer Close) with the comments made by Hertfordshire Constabulary (see above) who worry about the security implications of non-residents walking through those parking areas.

**Watford Borough Council's Housing Section**

Comments were received from the Head of Housing Ayaz Maqsood on 06.12.2016.

- Watford Borough Council typically has 225 households in temporary accommodation at any given time. As WBC has only 73 units of temporary accommodation, we must rely on private sector landlords and private companies to house the remaining 150+. It is unlikely that the number of households in need of temporary housing will reduce in the foreseeable future. The cost that the Council must bear in paying for these people to be housed in the private sector is not sustainable, therefore better solutions are needed. The proposed 40 room facility will help to bridge that gap, as well as increasing the supply of temporary accommodation within the borough overall.
- WBC has a duty under homelessness legislation to provide accommodation until people are able to find a settled home.
- A third of the flats are to be Affordable Housing, and these 1 and 2 bedroom flats will be used for those on the Housing Register who have been assessed as having a housing need. Ideally some 3 bedrooms properties would have been desirable, but the proposed 1 and 2 bedroom flats are never the less to be welcomed.
- It is expected that most (85%) of these will be rented accommodation – which would be Social Rented and Affordable Rented models. Shared Ownership models would not be desirable in this case as such a model would not be affordable to the households who are on the Council's

housing register as being either homeless or in inadequate housing and being unable to find suitable accommodation privately.

### **Watford Borough Council's Environmental Health & Licensing Section**

Comments were received from Environmental Health Officer Catherine Trollope on 13.12.2016.

- Watford Borough Council's Environmental Health and Licensing section would regard the temporary accommodation building in the same way as they would a House In Multiple Occupation (HMO) and the same rules would apply.
- The level of detail that is submitted with this Planning application does not cover some of the issues that an Environmental Health Officer would need to see to assess whether the HMO would comply with their regulations: for instance as regards cooking facilities, fire precautions, hand washing basins etc. They recommend that an Informative Note be added to the planning permission to remind the applicants that they will need to submit the relevant information to the Environmental Health and Licensing section.
- An HMO such as this must be licensed or registered.
- An informative note should be attached to the permission to remind the applicants of the hours during which noisy construction work is considered acceptable. Noisy work outside these hours may be considered a statutory nuisance.
- A condition should require that the noise mitigation measures that are recommended in section 5 of the Noise Exposure Assessment report that was submitted should be implemented. If they are to be varied then that should be agreed with the Environmental Health and Licensing service.
- Building Control regulations will control general noise insulation, but it is recommended that noise insulation will be particularly required between the communal kitchens and any adjacent bedrooms.

### **Planning officer's response:**

The level of detail that is shown on the drawings that we now have before us is sufficient for a Planning application – we would not normally expect to see details such as hand washing basins, fire sprinklers etc. Any application that is made to register or licence the hostel under Environmental Health and Licensing regulations is a separate issue, and such applications can be made later. As this application has been submitted by a joint venture partnership

between Watford Borough Council and Watford Community Housing Trust, we can assume that the operators will be aware of the licensing regulations.

### **Comments Received From The Public**

At the time of writing this report our database shows that 56 responses have been received from members of the public, although some people have written more than once. The following table contains a summary of the points that were raised by members of the public.

| <b>Points Raised</b>  | <b>Officer's Response</b>   |
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| The development could cause an increase in traffic locally. There could be more accidents, pupils attending local schools might be run over, and people might park in inappropriate places.   | Any traffic would be kept separate from the streets of the Holywell Estate. The new street would be a cul de sac connected to Tolpits Lane. This application does not include any proposal to link it to local streets. Any future applications that involved extending it further north would be considered on their own merits.   |
| Insufficient detail has been provided about what traffic calming measures, if any, would be installed near the junction of the new street with Tolpits Lane. Some residents worry that a mini-roundabout there could be dangerous, given how close it is to a blind bridge. Other objectors fear that Tolpits Lane would be overloaded. | A detailed Transport Statement was submitted on 18.11.2016.<br><br>At the time of writing this report we are awaiting comments from Hertfordshire County Council's Highways Service, although it is understood that there have been some discussions between them and the applicants. We are hoping to receive comments from them before the date of the committee, and the members will be informed.<br><br>Constructing a junction with Tolpits Lane requires the agreement of the Highway Authority (Herts County Council) in addition to the planning permission. If the Highway Authority consider the junction dangerous then it will not go ahead. |
| One parking space per unit seems insufficient.  | This site will be approximately 10 minutes' walk from the new Cassiobridge Station that is to be built soon for the Metropolitan Line   |

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|  | <p>Extension. It is also close to a large Morrisons supermarket and to local services such as doctors surgeries, schools etc, making it a location in which one could live without any car. The proposed provision complies with the emerging policy that is set out in the Watford Local Plan Part 2 (albeit that is not yet adopted).</p>   |
| <p>The new buildings might not be well maintained. Several objectors write that existing affordable housing is not well maintained on the Holywell Estate and they fear that similar problems might arise here.</p>  | <p>This is not a material Planning consideration.</p>   |
| <p>The tallest existing buildings in the area are four storeys. The proposed buildings would be too tall. One objector writes that the hostel would dominate the skyline and be a “hideous monstrosity.”</p>   | <p>Originally the hostel was to have been five storeys, but it has now been reduced to four storeys, with a flat roof. The buildings are now proposed as being just three or four storeys, all with flat roofs.</p>   |
| <p>The proposal to build a new hostel for the homeless is in conflict with the Council’s strategy of reducing the number of such establishments.</p>   | <p>There is a duty to provide accommodation and at the current time the proposed facility will provide much needed accommodation.</p>   |
| <p>Although there is a need for more housing, particularly affordable housing, West Watford is over-populated so this is not the right place. Local services could come under pressure as a result of the development, including health services, schools and the emergency services. One person has objected on the grounds that the development has not made provision for policing.</p> | <p>West Watford is not particularly densely developed – mostly it is just two storey housing. The flats that would be sold privately will be subject to pay the Community Infrastructure Levy, which collects funds to improve local services. Hertfordshire Constabulary have submitted comments, but they have not written that it would cause them to be over-stretched. The borough requires a significant quantity of new housing over the coming years to keep pace with the increasing population – tackling the housing shortage is the prime objective of both national and local planning policy.</p> |



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|  | <p>A detailed Transport Statement was belatedly submitted on 18.11.2016. Appendix H of that document includes a swept path diagram showing how emergency vehicles would be able to move within the site.</p>   |
| <p>The proposed flats would not cater for families, being only 1 or 2 bedroom flats.</p>   | <p>The application does not fully comply with the general mix of housing sought across the borough as a whole as set out in Table 8 and Policy HS2 (Housing Mix) of the Watford Local Plan Part 1. However, the site is located in proximity to the station at Ascot Road where the policy indicates a higher ratio of flats may be acceptable.</p>  |
| <p>The application has not taken account of whether bats might be on the site. A local resident writes that she has often seen them flying over the area and into nearby trees. She points out that it is an offence to disturb them when in their roosts.</p> <p>Besides bats, a local resident also writes that she has seen deer, badgers, foxes, hedgehogs, squirrels, rabbits, rats, mice, voles and shrews on the site; and also several species of birds, insects, slugs and snails, grass snakes, slow worms, frogs and toads. She also lists various species of flora on the site. This site acts as a corridor for wildlife, linking Ebury Way with areas to the north. She points out that Local Planning Authorities are obliged to have regard to the potential impacts on protected species under regulations that are set out in the Conservation of Habitats and Species Regulations 2010, and under Section 40 of the Natural Environment and Rural Communities</p> | <p>The application has taken account of this – albeit belatedly – the environmental reports were missing from the documents that were initially submitted. Bats and other protected species such as badgers and slow worms have been taken into consideration.</p> <p>Even with planning permission, it would be an offence for the developers to disturb protected species without having first obtained an appropriate licence from Natural England.</p> |

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| Act 2006.   |   |
| Recently some exploratory ground investigation works were done. A resident fears that it might have caused environmental damage.  | Some of the long grass was mowed and some small exploratory holes were dug to inform the consultants' reports which were submitted in November. We are not aware of any damage having been caused to the site. This is not a specially protected site – it is not a nature reserve or a Site Of Special Scientific Interest.  |
| An “avid user of the local Holywell bus” fears that more people would use it, and that consequently the standard of the service would decline.  | It is to be hoped that new residents will make good use of the local bus service. There is no reason to suppose that it would deteriorate as a result – on the contrary an underused bus service is one that is unlikely to flourish.   |
| The proposed bus service would probably not run all night, but it should do so, to cater for flexible working patterns.   | This application does not include a proposal for any new bus service, and the street that it proposes would only be a cul de sac. It may be that in future other residential developments might be built further north, continuing the street, and Herts County Council have expressed an interest in running a bus service along such a road, but at the moment this is hypothetical and it is not part of this application.             |
| One resident writes that she feels there are too many schools in Watford already, and no more should be built on this land. Some residents write that they fear that a new school would be built where a children’s play area currently stands. | Watford does not have too many schools, but there is no proposal to build a school on this site. This application is only for housing and temporary accommodation – nothing else. The children’s play area is not within the application site – it lies further to the north. These residents seem to be confusing the consultation on this planning application with a separate consultation into a draft masterplan for the wider area. |
| An objector writes that there are not   | The proposal is to provide only 36  |

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| <p>enough schools in the area to cope with all the children who would live in the new housing.</p>  | <p>new homes, some of which would only have one bedroom, and none would have more than two, so the number of children is not likely to be very large. The private homes will be liable to pay the Community Infrastructure Levy which goes towards upgrading local services including schools.</p>   |
| <p>The Council are not likely to refuse their own planning application – this is a foregone conclusion. One objector suspects that bribes have been paid. Another writes that she hears the drains are being installed already, so clearly the decision to build has already been made and the public’s comments will be ignored.</p> | <p>The applicants are a joint venture company set up by Watford Borough Council and the Watford Community Housing Trust. The decision will be made by a committee of democratically elected councilors at an open public meeting, where the views of local residents will be taken into account, and minutes will be taken. The drains have not been installed – this rumour is false, but it might have arisen because some small exploratory test holes were dug to analyse the soil for the purpose of preparing the consultants’ reports that have been submitted.</p> |
| <p>An objector wrote on 3<sup>rd</sup> January to say that he understands that preliminary work was due to commence on that day, and that this is evidence of corruption at the Council because planning permission has not yet been granted.</p>   | <p>The developer’s contractor leafleted local residents at Christmas to inform them that some fences would be erected on or soon after 3<sup>rd</sup> January, and explained that this was to allow for preparations to later remove any endangered animals from the site if planning permission is subsequently obtained. The leaflet explained that the public footpaths and cycle routes would not be affected by these fences.</p>   |
| <p>One objector writes that this site is not suitable for a hostel for the homeless because it would house “people who have had problems in their lives” and they should not be housed here because it is too close to</p>  | <p>There seems to be an inconsistency here – if the site is too close to a residential neighbourhood then it is unclear how it can also be too isolated. The most appropriate place for people to live – whether</p>   |

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| <p>a residential area and because it is too isolated. Instead they should be housed in the town centre.</p>   | <p>temporarily or permanently – is surely in a residential area.</p>   |
| <p>There is a location next to Watford Library that would be suitable for building a hostel for the homeless on instead of this site.</p>   | <p>We must consider the application that is before us, and decide whether planning permission should be approved or refused. Whether alternative sites exist is irrelevant.</p>  |
| <p>Several objectors are concerned about the type of people who could be housed in the temporary accommodation, and they worry about public safety.</p>   | <p>To be clear, the proposal is simply to provide short term accommodation for people who present themselves to the Council as an interim measure until permanent accommodation is arranged. There is no reason to suppose that people who find themselves in this situation are criminals. Anyone can suddenly find themselves in this situation due to unfortunate circumstances. Prejudice against people who are in need of short term accommodation is not legitimate grounds to refuse planning permission for a building in which they can be temporarily housed.</p> |
| <p>People will no longer be able to walk to work through the site to the Business Park, or to get from Tolpits Lane to Ascot Road.</p>  | <p>People will still be able to walk to those places, simply by walking down the new street that is proposed. There is no proposal to permanently close the path to the business park (although there is a possibility that it could be closed temporarily during the construction works).</p>   |
| <p>The application states that there are 200 people in need of temporary housing. The Council should not be providing temporary housing for those people, but rather it should be providing them with permanent housing. Building temporary housing is wasting a building that could have been permanent housing.</p> | <p>This is a matter of housing policy rather than being a Planning consideration, so it is not a matter for this report. The Council has a duty to arrange temporary accommodation for people in need. Although in an ideal world it would be able to immediately place them all in permanent homes, that is simply impossible as things stand.</p>  |

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| <p>A resident does not believe that the hostel would be adequately staffed at all hours, and accuses the Council of failing in their duty of care.</p>   | <p>The staffing of the hostel is a matter for the management, rather than being a material Planning consideration. It would be operated by Watford Community Housing Trust. It seems unfair to accuse them of failing to properly manage a hostel that does not exist yet.</p>  |
| <p>Neighbouring properties on Latimer Close will be overlooked and overshadowed.</p>   | <p>Please refer to the section of this report entitled Impact on Neighbouring Premises.</p>   |
| <p>No street lighting is proposed.</p>   | <p>Details of the road surfacing and of any street lighting can be required by a condition.</p>   |
| <p>Dog lovers will be deprived of space to walk their pets.</p>  | <p>The Ebury Way is one minute's walk from this site. It is an ideal place to walk one's dog.</p>   |
| <p>The loss of countryside is unacceptable – Watford is already over-urbanised. Rather than erecting buildings on this site, bee hives should be installed here instead, and they should be tended by school children.</p> | <p>This site is one minute's walk away from open Green Belt countryside, trees, fields and attractive views: including the beautiful Ebury Way, which is a cycle and footpath leading several miles through woods and past lakes to Rickmansworth's Aquadrome water park. There is no shortage of countryside nearby.</p>   |
| <p>The land was originally designated as Green Belt and it was reserved for the building of a road. It was not designated for the building of a hostel.</p>  | <p>Local plans change and are replaced every few years, and this is always subject to democratic oversight, extensive public consultation and independent scrutiny.</p> <p>The site is not designated as Green Belt under the current Watford Local Plan Part 1 (which was adopted in Jan 2013). The previous local plan was the Watford District Plan 2000 (adopted in 2003), and that did not designate this land as Green Belt either. Neither did the version before that, which was from 1993. Going back even further to the local plan from 1985 we can see that the southernmost tip of the application</p> |

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|   | <p>site was included in the tip of a wedge shaped area of Green Belt; but a long defunct designation from over 30 years ago is hardly relevant in this case. The site is not Green Belt, it has not been safeguarded for use as a road since 1998, and the land currently has no particular designation or purpose.</p>  |
| <p>The removal of trees should not be allowed.</p>  | <p>The Council's arboricultural officer is satisfied with the proposal, subject to a condition to ensure that new native trees are planted to replace those trees that have to be removed.</p>   |
| <p>The development might reduce the value of privately owned homes on the Holywell Estate. Those home owners should be compensated.</p>   | <p>This is not a material planning consideration.</p>  |
| <p>One objector writes that 600 new homes on this site would be far too many. Others fear that 850 new homes would be excessive. Another believes that the proposal is for 450.</p>   | <p>It seems that some confusion has arisen between the consultation on this planning application and a more general consultation that has also been taking place into draft master-planning ideas for the wider area. This application is only for 36 new homes, plus a hostel with 40 bedrooms.</p>   |
| <p>A local resident is appalled that Watford Community Housing Trust have attempted to keep this proposal a secret from local people. She ends her letter by writing that she hopes that the Council will take account of the views that were expressed at a consultation meeting on 19<sup>th</sup> October. Other people have expressed similar concerns that the process has been "shrouded in mystery."</p> | <p>There has been extensive public consultation on this application – both from the Local Planning Authority who have sent out three rounds of letters to 150 local addresses as well as putting up site notices several times, and from the applicants who have held local meetings and drop in events to explain their proposals to local people on two occasions – the meeting on 19<sup>th</sup> October being one of them; the other was on 16<sup>th</sup> November.</p> |
| <p>The proposal is to build the new housing facing the existing estate, creating a "them versus us"</p>   | <p>The proposed blocks will back onto the existing estate rather than facing it. They will face towards Watford</p>  |

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| atmosphere of hostility.  | Business Park.  |
| Nothing should be built on this land. It should be left as it is for people to enjoy. | This land has no designated purpose. It was once to have had a main road built on it, but that idea was abandoned in 1998. It is not a park or a nature reserve. It is waste land. The long grass, weeds, brambles and shrubs which cover it most of the time make it difficult to walk over. It has no particular Planning designations or protections. There is no particular reason why it should not be put to good use to help meet the borough's housing needs. There is plenty of open Green Belt countryside to enjoy just a few minutes' walk away to the south of Tolpits Lane. |

An objection was received on 06.12.2016 from consultants **Savills**, writing on behalf of their clients **Eskmuir Properties Ltd**, who are long leaseholders on some commercial properties on the Watford Business Park at 27,28 and 31 Greenhill Crescent and at 36,28.40 and 42 Caxton Way. They raised the following points:

- The boundary treatment between the site and the existing industrial estate has not been considered in full detail.
- The new homes will face the rear yards of industrial units, where a variety of activities takes place at various times.
- The application should have taken account of the noise that emanates from these sites and its potential impact on the new homes, but it has not done that. Although they do not object to the principle of the development, Eskmuir wish to ensure that their tenants' operations will not be affected by the residential development.
- Any permission should include a condition requiring further details of the boundary treatment, which should include any noise abatement measures that are considered necessary by a noise assessment. This will probably entail a solid boundary structure.
- Likewise suitable noise insulation measures should be required for the flats, including for their windows.
- Regardless of noise issues, a solid boundary treatment is required along the boundary of the site with the industrial estate to ensure security.

### **Planning Officer's comments on the objection from Savills / Eskmuir:**

- It seems that Savills' concern is that residents of the new flats might complain to Environmental Health about noise disturbance from their clients' businesses, and that this could result in enforcement action being taken against those businesses.
- Savills have written that in their opinion a noise exposure assessment should be required; but actually one has already been submitted. As is explained above, a number of technical documents which had been missing from the initial submission in September were eventually submitted on 18<sup>th</sup> November; among these was an acoustic report by consultants Clement Acoustics, entitled *Land At Croxley View, Watford: Noise Exposure Assessment* (ref 11555-NEA-01). Consultation was done on this and on the other reports and the revised plans that were received on the same day. Savills' letter is dated 6<sup>th</sup> December.
- The Noise Exposure Assessment shows that microphones were positioned at two places on the boundary of the site with the industrial units and that readings were taken over an extended period. The findings were that the noise levels were "*typical for a suburban location. Provided adequate mitigation measures are put in place during the design and construction phase of the development, recommended internal noise levels can be achieved*" (section 4). Section 5.3-5.4 of the document recommends types of glazing that would be appropriate to ensure that any noise from the Business Park would not disturb residents of the new units.

On 14.12.2016 the following comments were received from the **Holywell Community Group**:

*Addressing the Officers of the Development Committee whose task it will be to make a determination on the planning application submitted by the partnership formed between Watford Borough Council and Watford Community Housing Trust.*

*While it is appreciated that there is a nationwide housing crisis the consensus of local opinion falls heavily on the side of objecting to the proposals contained in the Plans submitted. This has been demonstrated by the comments submitted during the consultation period with residents and consultees expressing their disquiet regarding many aspects of the proposed development including:*

- *over-development remembering that there are a lot more and even higher buildings that will be proposed on this plot of land by the same partners;*



- *the proposed location of temporary housing in the form of a hostel;*
- *increased pollution and its effect and disturbance to the local ecology in the loss of habitat;*
- *infliction of huge pressure on local health services and public transport already overburdened;*
- *creation of a new road junction, eventually planned to be a mini-roundabout, in too close proximity to the blind summit of a narrow hump-backed bridge which itself is formed on a bend of Tolpits Lane;*
- *the potential of future flooding if correct procedures are not adhered to;*
- *re-routing of a long used and safe cycle / foot path used by commuters, walkers and leisure purposes.*

*Yes, several amendments have been made to the initial application following two drop-in sessions and a very well attended public meeting, however, it is generally thought that these amendments are more cosmetic than anything substantial.*

*The decision to site a block of temporary housing units and Flats so close to the industrial estate where B1, B2 and B8 activities regularly take place could in itself prove to be detrimental to the health and well-being of the future tenants of those blocks. You will also have seen comments submitted that suggested a more suitable location would be closer to the town centre where facilities and social diversions are more readily accessible.*

*In respect of the accommodation proposed, comments made by the Council's own Head of Housing which suggest that a better mix could be achieved including the provision of permanent family homes including 3 bedroom properties and houses which existing residents of the estate have said they would not object to if designed in low-rise format in a more appealing design than featureless blocks.*

*Your attention to the finer detail of the application would be appreciated.*

*Holywell Community Group – 14 December 2016*

## **RELEVANT POLICIES**

### **National Planning Policy Framework**

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and seeks to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. The NPPF was published on 27<sup>th</sup> March 2012 and is a material consideration in planning decisions. It does not change the statutory

status of the development plan as the starting point for decision making. Planning Policy Guidance Notes and Statements have been cancelled and replaced by the NPPF. Particularly relevant sections are:

Requiring Good Design  
Decision Taking

### **The Development Plan**

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

- (a) *Watford Local Plan Part 1: Core Strategy 2006-31 (adopted Jan 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*
- (d) the *Hertfordshire Minerals Local Plan Review 2002-2016*

### **Watford Local Plan, Part 1: Core Strategy 2006-2031**

This document was adopted on 30<sup>th</sup> January 2013. The following sections are particularly relevant to this case:

SD1 Sustainable Design  
SD2 Water and Waste-Water  
SS1 Spatial Strategy  
UD1 Delivering High Quality Design  
SPA6 Western Gateway  
HS2 Housing Mix  
HS3 Affordable Housing  
T2 Location of New Development  
T4 Transport Assessments

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

Many of the policies in this plan were replaced on 30<sup>th</sup> January 2013 when the Watford Local Plan, Part 1 was adopted, but some of them were saved. The following saved policies are relevant to this application:

Policy SE37 (Protection of Trees, Woodlands and Hedgerows)

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

There are no policies that are relevant to this case.

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

There are no policies that are relevant to this case.

### **Supplementary Planning Guidance**

The following Supplementary Planning Documents are relevant to this application:

Residential Design Guide (SPD adopted 2014, amended 2016)

### **Background Documents**

The Manual For Streets

Technical Housing Standards – Nationally Described Space Standard (Department for Communities and Local Government 2015).

Watford Borough Council has formally adopted these standards in 2016. They are included in the Residential Design Guide supplementary planning document (updated Aug. 2016) sections 7.3.5 to 7.3.8.

## **APPRAISAL**

### **Residential Development**

As is explained above, the application site is part of a strip of land that was once safeguarded for the West Watford Relief Road – a project that was abandoned nearly two decades ago, in 1998. Since then the land has not been safeguarded. It was always intended that it would be built on – it was never intended that it should be retained as open space. The change is that the proposal is now to build much-needed housing on it, rather than a main road.

The Watford Local Plan Part 1 was adopted in 2013. It includes Policy SPA6: Western Gateway, which identifies this site as being part of Special Policy Area 6 which is considered to be an important area with potential for redevelopment for various uses, including for 300 new homes.

Watford needs new housing, including affordable housing; and the best places to locate these new dwellings are sites that are close to good public transport (the new Cassiobridge Station will make this an excellent site in that respect – see below), and which are already residential in character – this site is on the edge of the residential Holywell estate, including Latimer Close, Croxley View and Chesham Way, so it should be considered as an extension of the Holywell Estate, rather than as being a new neighbourhood.

All 36 of the flats that are proposed would have either one or two bedrooms. While there is certainly a need for such flats, the borough also has a need for larger flats to suit families, and that is mentioned in Policy HS2 (Housing Mix) of the Watford Local Plan Part 1. The proposal does not include three bedroom flats on the lower floors that would suit families. Ideally, provision of units for larger families would have been welcomed, but the site is located

close to the proposed new Cassiobridge Station at Ascot Road where Policy HS2 (Housing Mix) of the Watford Local Plan Part 1 indicates that a greater degree of flatted development could be appropriate. It should also be noted that overall the proposal will provide housing which will address housing need in the borough regardless of tenure.

At least 35% of the 36 flats will be affordable housing, as is required by Policy HS3 (Affordable Housing). The precise number is not yet decided, but it will be at least 13 flats that will be affordable. This is controlled by the Section 106 unilateral undertaking, which has already been signed and submitted.

In addition to those affordable flats, the development would also provide a hostel with purpose-built modern short-term accommodation for people who are on the Council's housing list. It will have 40 rooms – ten on each of its four floors. They are a mixture of single and double bedrooms, and five of them (all on the ground floor) will be set up with the needs of disabled people in mind. This hostel will provide a much needed modern facility for those in urgent need of temporary accommodation, as an alternative to the use of private sector bed and breakfast accommodation – which is a drain on the Council's financial resources.

### **Transport and Highways**

For a summary of the points that were made by the head of Hertfordshire County Council's Highways Service, please see section the Consultations section of this report (above).

These new homes will be well located for public transport because they will be just five minutes' walk from a new station that is scheduled to be built as part of the Metropolitan Line Extension project (previously called the Croxley Rail Link). The new station (one of two) will be called Cassiobridge Station, it will be located at the point where Ascot Road is crossed by an east-west railway line, which has long been disused but which is to be brought back into use so as to connect Watford Junction Station with the London Underground Metropolitan Line.

Secure and weatherproof bicycle stores are to be provided in the parking areas. The detailed design of these has not been shown, so a condition should be applied to require further details of the bicycle and refuse stores.

The site is already just five minutes' walk from two existing bus routes: the number 10 bus route which passes along Croxley View and the W30 which stops on Greenhill Crescent on the nearby Watford Business Park.

At this stage the proposal is that the new street on which these buildings would stand would be a cul de sac, with vehicular connection only to Tolpits Lane. It is possible that in future further residential developments might be built on land to the north – there has been a consultation done recently on early ideas for a masterplan to explore that possibility. In that case it is possible that the street might be extended in future to serve those subsequent developments.

Hertfordshire County Council (who are the Local Highway Authority) have expressed an interest in making future use of the new street provided by this development to provide a connection for buses between Greenhill Crescent and Tolpits Lane, possibly utilising the route that is currently part of the cycle track. The scheme has been designed with a highways layout which would allow, and not preclude, such an arrangement being introduced in the future, however it needs to be borne in mind that this is not a part of the current proposal. From a Planning perspective we cannot insist upon the inclusion of a bus connection because that would be unjustified unless we could argue that the development would be unsatisfactory without a new bus route – which is not the case, given that there are already two bus routes so close to the site.

However it will be necessary for the developers to co-operate with Hertfordshire County Council on the design and construction of the junction of the new street with the existing public highway at Tolpits Lane. A junction that could be used by buses would have to be somewhat wider than one that was intended only for cars.

Drawing 0453-PL-010 revision C is a proposed site layout plan showing the whole of the proposed cul de sac, which would terminate in a T-shaped turning head. It shows the junction with Tolpits Lane as being a simple T-junction with a give way line. A filter lane would be provided on Tolpits Lane so that any traffic travelling north and seeking to turn right into the development could pause in the middle of the road while waiting for a break in south-bound traffic.

One of the reports that had been missing initially but which was belatedly submitted on 18<sup>th</sup> November is a long and detailed Transport Statement by consultants Project Centre (document reference 1000003318). Incidentally, to avoid any confusion, please note that the illustration on its front cover does not represent the proposal in this case – it is simply a generic illustration of a development. Section 6 of that document explains that at this stage the proposal is a simple priority junction as is shown on the plan, but that consideration has been given to replacing that in future with a mini-

roundabout if that is considered necessary – for instance if further developments were to be built to the north of this one and if the road were to become a bus route.

Consideration will have to be given to how any road works for the new junction might impact on protected species of wildlife. If mitigation measures are necessary this could cause delays because those can only be done at certain times of year.

However it should be possible to commence works meanwhile on the buildings because there is another route that could be used as a temporary site access for construction vehicles without affecting traffic on Tolpits Lane and without passing through any residential areas - that is to make use of the existing asphalt road that is a spur of the cycle track connecting it with Greenhill Crescent on Watford Business Park. That is a well surfaced road 3m wide, with soft verges on either side, which belongs to the Council, and which could easily be used as a site access by simply removing some bollards. The planning officer has suggested this idea for a temporary site access to the applicant. A condition should be applied to the planning permission to require the submission of a Site Management Plan including details of how the site would be accessed during the works, such a condition would not normally be appropriate as it relates to highways and construction matters. However, given the complexities of this case which will require development alongside the provision of a new access and management of ecology it is considered justified in this particular case.

Although it would be possible to live in this location without a car, there will be some car parking spaces provided. The application form that was initially submitted in September stated that 65 parking spaces were proposed, but following discussions with a planning officer the scheme has been redesigned to provide more soft landscaping, with fewer parking spaces. No updated application form has been submitted and neither has the Design and Access Statement been revised, but a two page addendum to that Statement has been submitted – that says that the number of parking spaces has been reduced, but it does not give a new number. However the Transport Statement that was submitted alongside the revised plans on 18.11.2016 states (in sections 4.15 to 4.16) that it is now proposed that 50 spaces be provided, consisting of 36 spaces for the 36 flats, 9 spaces for visitors to the flats, 5 spaces for the hostel (for staff, visitors and residents). As the Transport Statement explains, this provision would comply with the Council's emerging Watford Local Plan Part 2 parking standards, which are yet to be adopted but which have been subjected to public consultation. This provision will mean that each flat will have a parking space, that visitors will be catered

for, and that the site will not be unduly dominated by hard surfaces and parked cars – which would be undesirable and unnecessary given how close it will be to the Metropolitan Line Cassiobridge Station that is soon to be built.

Currently a cycle path passes through the site, connecting the Ebury Way to the south with West Watford and with the business parks. Although its route will be altered slightly, it will still be possible to cycle through the site by passing along the new street and then connecting with the remainder of the existing path to the north. The potential to allow buses to use this route is not part of this application, but could be considered in the future.

### **Standard of Accommodation**

The government's document *Technical Housing Standards – Nationally Described Space Standard* (Department for Communities and Local Government, March 2015) sets out the minimum internal space standards that the government considers acceptable for residential developments to ensure that an adequate standard of accommodation is provided. Watford Borough Council have adopted these standards, and they are set out in the Residential Design Guide supplementary planning document (2016) sections 7.3.5 to 7.3.8. These new national standards have replaced the local standards that had previously been set out in the 2014 version of the Residential Design Guide. The requirement is that a one bedroom flat should have an internal area of at least 50m<sup>2</sup> and that two bedroom flats (which we assume could house a couple and a child) should have 61m<sup>2</sup>. The proposal complies with those requirements.

Dual aspect flats are proposed so as to provide views and natural light from more than just one direction.

The hostel is to have a lift, and five of its ground floor bedrooms (and also some bathrooms) are designed with the needs of the disabled in mind.

### **Impact on Neighbouring Premises**

The new homes will have their rear garden spaces backing onto the existing gardens of the flats and houses of Latimer Close, as is conventional, to keep some separation between the buildings.

The buildings will be no more than four storeys tall, and some will be only three. In the revised scheme they will all have flat roofs to keep them low profile and to minimise their visual impact on the neighbours. Never the less, they will still be somewhat taller than the neighbours on Latimer Close, which are two storey buildings with pitched roofs.

The hostel was originally to have been five storeys tall, but it has been redesigned on the advice of a planning officer to reduce its visual dominance – it is now to be four storeys tall with a flat (rather than a shallow pitched) roof. The number of bedrooms (40) has not changed. This has been achieved by moving ancillary services into a ground floor annexe.

The new buildings will face west across the new street and towards the Watford Business Park. There are no residential premises there, so overlooking in that direction will not present a problem. All of the balconies that are proposed for the upper floors of the flats will be at the front, not at the rear.

As the new buildings would stand to the west of the neighbours on Latimer Close, if there were to be any over-shadowing it would occur only in the evenings. Being only three or four storeys tall, and with flat roofs, it is unlikely that over-shadowing would be a serious problem, but ideally this would have been demonstrated by the submission of a set of shadow diagrams.

Drawing 0453-PL-010 revision C is a site layout plan at a scale of 1:500 on A3 paper. Scale measurements taken from that plan show that all of the proposed buildings would be more than 11m from their rear garden boundaries, and some buildings would be 15 or 20 metres away from the rear boundaries. Our Residential Design Guide (RDG) supplementary planning document recommends (in section 7.3.16b) 11m as a minimum to avoid undue overlooking of neighbouring gardens.

The distances between the new buildings and the neighbouring buildings on Latimer Close would be 22m behind the hostel and various distances from 23m to 33m behind the new blocks of flats. The Residential Design Guide (section 7.3.16b) recommends that in general a back to back separation distance of 27.5m should be maintained between the rear elevations of new residential buildings and existing buildings as regards their upper floors in cases where clearly glazed windows of habitable rooms would be facing each other; although it also says that in some cases 22m could be adequate, such as between dwellings in new developments. In this case the separation of the hostel from Latimer Close (on the revised scheme) is 22m, and there would be 4 existing properties at this distance. The relationship between these existing dwellings and the proposal would be the same as that which has been accepted between new dwellings since the adoption of the Residential Design Guide, and there is additional planting proposed on the boundary which would assist further in softening the relationship and obscuring views.



In this particular case the need for the development to provide a new access road to facilitate the masterplan and the highways requirements regarding siting and layout place particular constraints on the location of the building, and there are particular objectives arising from the nature of the accommodation which affect the layout of the building. In this case, having regard to these constraints and the wider benefits of this development and the masterplan for the area, it is considered that, on balance, the relationship with the 4 properties on Latimer Close is acceptable.

Because the development will have its own new street, a cul de sac connected to Tolpits Lane, traffic movements associated with these new homes will not have any effect on the streets of the Holywell estate, so residents of those streets will not be inconvenienced.

### **Design**

Although there were some pre-application discussions about the general principles that apply to the development of this site, the finished drawings were not presented to planners for comment prior to the submission of the application on 16<sup>th</sup> September 2016. There was however a post-application meeting with a planning officer in October at which advice was given as to how the design could be improved without compromising the aims of the scheme. This advice has been acted upon, and the applicants' architects submitted revised drawings on 18<sup>th</sup> November 2016.

Since this application was first considered by the Development Management Committee at their meeting on 14.12.2016 (when it was decided that the case should be deferred to allow time for an updated report to be prepared and for more detailed drawings to be submitted) further drawings have been received. These are not changing the proposal – they simply provide more detail. For instance, whereas previously we did not have a full set of floor plans, but only indicative plans showing a typical layout, we now have a full set of plans for the whole development.

The revised design is a great improvement. Previously the hostel had been given a different design treatment to the two blocks of flats – it would have been clad mostly in timber, while the flats would have been finished in brick, and its roof was to a different design. This would have been undesirable aesthetically, giving the development a mismatched and arbitrary character, and it would also have singled the hostel out as having been finished in cheaper materials. Singling that building out as being different to the others would also have been undesirable from the point of view of social cohesion.

The design that had originally been proposed for the blocks of flats seemed rather dated, being reminiscent of the type of developments that were built in the 1980s, with shallow pitched roofs with oddly asymmetrical ridges, with horizontal windows, and with dark brown bricks that would have given the development a rather dour character.

The revised design is a great improvement. All the buildings are to be finished in the same material, which is to be a pale yellow brick (slightly darker at ground floor and lighter on the upper floors) giving the development a light and airy character. Brick is a high quality, durable material that resists aging and weathering better than almost any other material (only stone can rival it) as well as being the traditional vernacular building material.

The buildings will all have flat roofs to give them a neat and crisp skyline – this is both an improvement aesthetically and in terms of reducing the visual impact on the neighbours at Latimer Close.

The fenestration is also much better designed – the windows are mostly now to have a vertical rather than a horizontal emphasis, and they will be set into reveals to give a better sense of depth and articulation to the frontages.

### **Security**

The main parking court is to be between the two blocks of flats, and there will also be some parking spaces between the newly planted trees along the boundary with Greenhill Crescent – i.e. across the new street from the front of the new buildings. Those spaces across the street will be well overlooked from the front windows of the flats and the hostel, but the main car park between the flats will be less well overlooked.

The comments that have been received from Hertfordshire Constabulary related to the design that was initially proposed. There is now only one such car park proposed, rather than two (the number of parking spaces having been reduced) but the point that they made about limited natural surveillance remains. The solution that the police have suggested is that the car park be well lit and that CCTV cameras should be installed.

The police also suggested that the location of the secure bicycle stores be reconsidered, and it has been. In the revised scheme they are no longer to be in the rear gardens, but they will now be in the corners of the car parks, where they will be less isolated. Further details of their design should be required by a condition, which can also cover the design of the refuse bin stores – in the former case to ensure that bicycles are not stolen, and in the latter to ensure that rough sleepers cannot abuse them.

The police raised concerns as to whether a pedestrian link would be opened up between the car parks of the development and the open spaces of Latimer Close behind, as that would invite non-residents to walk through the car park, which would become vulnerable to vehicle crime. Actually no such link is proposed. By contrast the comments that were submitted by the Planning Policy Officer recommended that a pedestrian link be opened up to improve permeability through the site. Clearly a balance has to be struck between security and openness. It is the opinion of the case officer and of the Development Management Section Head that the best approach would be to install a fence to separate the car park from Latimer Close, as it would not be desirable to have strangers trespassing through the car park as a short-cut. There has never been an official footpath through this site from Latimer Close – someone has removed palings from a fence to create an unofficial short-cut and the erosion of the grass there shows that it is much used, but the site is not large and it is easy to walk around it without having to cut through. No detail has been provided on the plans about fencing, but a condition can be applied to require those details.

### **Ecology and Landscaping**

Detailed comments have been received in a representation from Hertfordshire Ecology. Their comments were based on the Phase I ecology report that had been submitted, which had been prepared for the applicants by their ecological consultants. Hertfordshire Ecology did not object to the application, but they noted that the Phase I report had found evidence of some protected species of wildlife on or near the site, and they also noted that there was a potential for bats to roost and birds to nest in some trees that are to be cleared. They recommended conditions to be applied to the planning permission which require that further work be done on surveying the site for reptiles, bats, birds' nests and badgers, and another that is intended to ensure that any trenches are fitted with ramps to enable badgers to escape if they fall in, and that pipes are not left open which could trap them.

Since those comments were received from Hertfordshire Ecology the applicants have (on 18.11.2016) submitted their consultants' additional ecology report: the Outline Ecological Mitigation Recommendations. Hertfordshire Ecology have been notified of the additional document; at the time of writing this report we are awaiting further comments from them.

As protected species have been found on site it will be necessary to carry out mitigation measures to move them off the site before clearance or building works may commence. Such work can only be carried out at appropriate times of year when creatures such as slow worms or badgers are not

hibernating. A condition should be applied to ensure that appropriate licences must be obtained from Natural England to move those creatures. Local Planning Authorities are under a legal obligation to ensure that protected species of wildlife are not harmed as a result of development.

The Council's arboricultural officer is satisfied with the amended proposal, which allows more space for replacement trees to be planted along the boundary with Greenhill Crescent to better screen the development from the industrial units there and to provide a wildlife corridor. In addition to proposals to plant trees and shrubs along the boundaries the plans also show ditches there which serve the dual purpose of helping with sustainable drainage during heavy rainfall and acting as a wildlife corridor. The arboricultural officer has recommended a condition requiring that the proposed landscaping scheme be implemented as shown in the first available planting season following completion of the development.

The revised design shows the buildings as having flat roofs, rather than shallow pitches. These are shown as being environmentally sustainable "green roofs" (i.e. clad in living plants such as sedum) to make them havens for wildlife, and to absorb some rainwater, and to avoid the buildings overheating in hot weather.

### **Drainage**

There are to be soft landscaped rain gardens at the rear of the buildings which will allow for rainwater to be dispersed to the soil within the site. This is a "sustainable drainage" system that will ensure that rainwater is not sent elsewhere to overload drains, sewerage facilities and rivers, but is absorbed within the site.

The initial submission was not accompanied by any details as to how rainwater would be dealt with, but this has now been provided. Hertfordshire County Council are the Lead Local Flood Authority and have raised no objection to the scheme, subject to a condition requiring further details of the drainage system.

Thames Water have submitted comments in which they raised no objection to the development.

### **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 floor-space created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted.

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.

### **Conclusion**

The amended scheme that was submitted on 18.11.2016 and 05.12.2016 is a significant improvement over that which was initially submitted on 16.09.2016, and it is now considered to be well designed.

The site was always intended to be built upon (originally it was to be a main road) and the proposal to put it to use as a residential development is to be welcomed as it will help towards meeting the borough's housing need. The site is adjacent to an existing residential area, and it is well located for public transport. There is also a large Morrisons supermarket a few minutes' walk away, to meet the needs of the residents.

The flats will provide a good standard of accommodation, although ideally some 3 bedroom units would have been welcome alongside the 1 and 2 bedroom units. At least 35% of the flats are to be affordable housing; and in addition the scheme is to include a 40 bedroom block of short term emergency accommodation, which will enable the Council to house those who are in urgent need in modern purpose-built facility rather than having to rely on private sector bed and breakfast establishments.

Overall, the development is unlikely to cause significant harm to the amenity of neighbouring homes on Latimer Close, and these relationships are considered acceptable as set out in the relevant section of this report.

Although there are some protected species of wildlife on site, it should be possible to move them to safety, subject to the approval of Natural England - there being open greenbelt countryside nearby on the other side of Tolpits Lane.

The recommendation to the committee is that the planning permission be granted subject to the conditions that are set out at the end of this report.

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**Decision Level:** Committee

**Recommendation:** Conditional Planning Permission

**Conditions**

1 The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development shall be carried out in accordance with the following drawings and documents, unless otherwise approved in writing by the Local Planning Authority:

Drawing 0453 PL 001  
Drawing 0453 PL 010 revision C  
Drawing 0453 PL 120 revision A  
Drawing 0453 PL 150  
Drawing 0453 PL 160  
Drawing 0453 PL 170  
Drawing 0453 PL 171  
Drawing 0453 PL 200 revision B  
Drawing 0453 PL 201 revision A  
Drawing 0453 PL 250 revision B  
Drawing 0453 PL 300 revision A  
Drawing 0453 PL 700 revision A  
Drawing 0453 PL 701 revision A  
Drawing 0453 PL 702 revision A  
Drawing 0453 PL 703  
Drawing 0453 PL 704  
Drawing CVW-ALA-00-ZZ-PL-0001 revision PL1  
Drawing CVW-ALA-00-ZZ-PL-0002 revision PL1

Drawing CVW-ALA-00-ZZ-PL-0003 revision PL1  
Drawing CVW-ALA-00-ZZ-PL-0004 revision PL1  
Design and Access Statement including 2 page addendum document (rev A)  
Noise Exposure Assessment Report 11555-NEA-01  
Urban Wildlife Extended Phase I Survey  
Outline Ecological Mitigation Recommendations report  
Tree Survey - Opus B55837  
Report on Ground Investigation  
Flood Risk Assessment ref 1000003309-FRA  
Sustainable Drainage Strategy Statement ref 1000003309-SUDS  
Transport Statement  
Affordable Housing Statement

Reason: For the avoidance of doubt and in the interest of proper planning. During the period in which this application has been under consideration revised versions of the drawings and additional documents have been submitted.

3 No work shall commence above the level of the damp-course until full details of the bricks, the window frames and doors, and the roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual appearance of the site, pursuant to Policy UD1 (Delivering High Quality Design) of the Watford Local Plan (Part 1: Core Strategy) 2006-2031. This condition is necessary because if the development were to be built in inappropriate materials it could result in harm to the character of the area. More information is required regarding the green roofs that are shown on the revised drawings that are hereby approved to assess their environmental benefits to the site. This is not a pre-commencement condition because it allows works to be undertaken up to the level of the damp course before the materials are approved.

4 The development shall not be occupied until details of the design and paving of the street and the car parking areas has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance of the site, pursuant to Policy UD1 (Delivering High Quality Design) of the Watford Local Plan (Part 1: Core Strategy) 2006-2031.

5 No external lighting shall be installed unless it has been approved in writing by the Local Planning Authority. Any details submitted for approval shall include the position, height and angle of the lighting, the maximum level of illumination in candelas per square metre, and an assessment of its likely impacts on the safety of passing traffic and on the amenity of neighbouring premises.

Reason: To avoid glare which could lead to danger to users of the adjacent highway, and in the interests of the amenity of the area and of neighbouring premises.

6 The development shall not be occupied until details of refuse and recycling stores, secure and weatherproof bicycle stores, and boundary treatments has been submitted to and approved in writing by the Local Planning Authority. No refuse or recycling bins shall be located in positions other than those approved by that scheme.

Reason: In the interests of the visual appearance of the site and its impact on the street scene and character of the surrounding area, in accordance with Policy UD1 of the Watford Local Plan. Also to ensure that the residents are able to make use of bicycles as a sustainable mode of transport, pursuant to saved Policy T10 of the Watford District Plan 2000. Also to ensure that the stores are designed with crime prevention in mind.

7 No part of the flat roof of the development hereby permitted shall be used as a terrace, balcony or other open amenity space.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring premises pursuant to Policy UD1 (Delivering High Quality Design) of the Watford Local Plan (Core Strategy) 2006-2031, and in accordance with the principles of good design that are set out in the Residential Design Guide supplementary planning document (volume 2 Extending Your Home, section 3.3.1c) as referenced in paragraph 12.1.5 supporting Policy UD1.

8 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.



Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

9 No development shall commence within the site 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 temporary access for construction vehicles, contractors' parking, the delivery and storage of materials and equipment, measures to mitigate noise and dust, wheel washing facilities, 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 residential properties, to prevent obstruction of the adjoining highway, and to ensure highways works are managed with regard to protected species and ecology. during the time that the development is being constructed, pursuant to saved Policy SE22 of the Watford District Plan 2000.

10 No removal of hedgerows, trees or shrubs shall take place between 1 March and the 31 August inclusive, unless a report by a competent ecologist has been submitted to and approved in writing by the Local Planning Authority setting out details of any active birds' nests on site, and of what appropriate measures are proposed to protect nesting birds on site. Any removals of trees, shrubs or hedges during that period shall be carried out in accordance with the approved report.

Reason: To protect any breeding birds that might be nesting on the site, pursuant to the Wildlife And Countryside Act 1981 (as amended).

11 No development shall commence on the site until a detailed mitigation strategy has been submitted to and approved in writing by the Local Planning Authority, setting out how protected species of wildlife are to be removed from the site, how and where they are to be resettled, and how they are to be discouraged from re-entering the site during construction works. Thereafter the development shall be carried out in accordance with the approved details.

Reason: The environmental consultants' report Outline Ecological Mitigation Recommendations that has been submitted in support of this application does not provide specific proposals as to exactly how such works would be carried out on this site, and therefore more detailed site-specific proposals are

required to ensure that protected species will not be harmed during the works.

12 No works which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect badgers from being trapped in open excavations and/or pipe culverts are submitted to and approved in writing by the local planning authority. The measures may include:

- a) Creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day.
- b) Open pipework greater than 150mm outside diameter being blanked off at the end of each working day.

Reason: To prevent harm to badgers, which are protected species of wildlife, from being trapped in trenches or in open pipes at night.

13 No construction work shall commence on site until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that waste is minimised and suitably recycled or disposed of during the construction works, pursuant to Waste Policy 12 (Sustainable Design, Construction and Demolition) of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012, which forms part of the Development Plan, and also pursuant to Policy SD4 (Waste) of the Watford Local Plan Part 1.

14 The landscaping proposals that are set out on the following drawings shall be implemented, as shown, in the first available planting season following the completion of the development. The drawings are: CVW-ALA-00-ZZ-PL-0001 revision PL1 and CVW-ALA-00-ZZ-PL-0002 revision PL1 and CVW-ALA-00-ZZ-PL-0003 revision PL1 and CVW-ALA-00-ZZ-PL-0004 revision PL1. 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 by the Local Planning Authority.

Reason: In the interests of the visual appearance of the site, and to screen it from nearby commercial premises, and in the interests of protecting flora and fauna, in accordance with Policies SD1, GI3 and UD1 of the Watford Local Plan Part 1.

15. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro- geological context of the development has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year + 40% for climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- (i) Detailed engineered drawings of proposed SuDS features.
- (ii) Provision of a fully detailed drainage plan showing pipe diameters, pipe runs, outlet points and location of SuDS features and supporting calculations.
- (iii) Details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding both on and off the site.

### **Informatives**

1 For details of how the Local Planning Authority has reached its decision on this application please refer to the planning officer's report, which can be obtained from the Council's website [www.watford.gov.uk](http://www.watford.gov.uk), where it is appended to the agenda of the Development Management Committee meeting of 14 December 2016; and also to the minutes of that meeting.

2 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 2015.

3 This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other building control legislation. Nor does it override any private rights which any person may have relating to the land affected by this decision. To find more information and for advice as to whether a Building Regulations application will be required please visit [www.watfordbuildingcontrol.com](http://www.watfordbuildingcontrol.com).

4 You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health and Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990. In order to minimise impact of noise, any works associated with the development which are audible at the site boundary should be restricted to the following hours: Monday to Friday 8am to 6pm, Saturdays 8am to 1pm. Noisy work is prohibited on Sundays and bank holidays. Instructions should be given to ensure that vehicles and plant entering and leaving the site comply with the stated hours of work. Further details for both the applicant and those potentially affected by construction noise can be found on the Council's website at:  
[https://www.watford.gov.uk/info/20010/your\\_environment/188/neighbour\\_complaints\\_%E2%80%93\\_construction\\_noise](https://www.watford.gov.uk/info/20010/your_environment/188/neighbour_complaints_%E2%80%93_construction_noise)

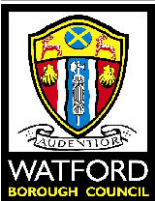
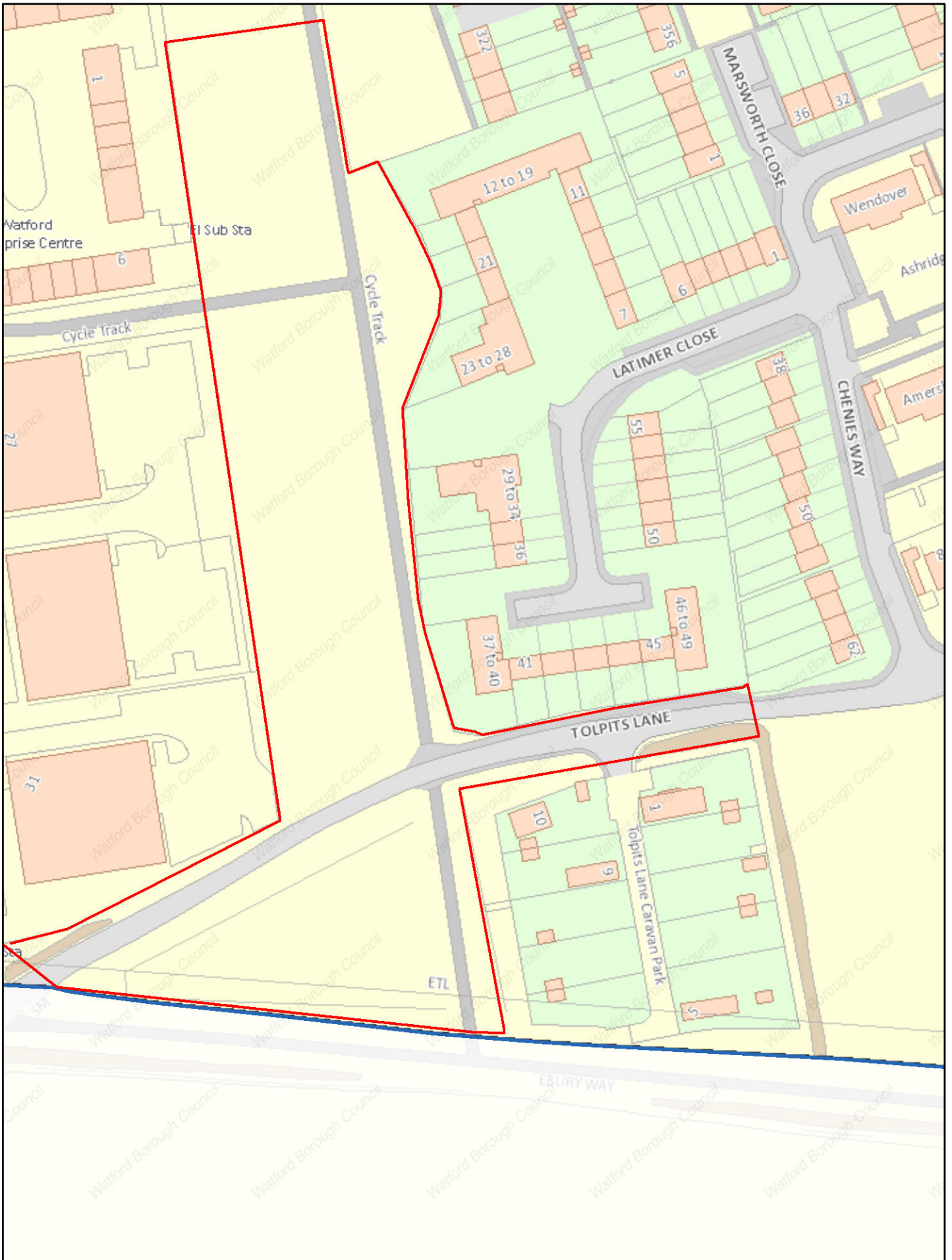
5 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

6 The applicant is reminded that, in addition to the need to comply with the conditions of this planning permission, it is a legal requirement that a licence be obtained from Natural England before disturbing protected species of wildlife.

7. All new units granted planning permission and to be constructed require naming or numbering under the Public Health Act 1925. You must contact Watford Borough Council Street Naming and Numbering department as early as possible prior to commencement on [streetnamenumbers@watford.gov.uk](mailto:streetnamenumbers@watford.gov.uk) or 01923 278458. A numbering notification will be issued by the council, following which Royal Mail will assign a postcode which will make up the official address. It is also the responsibility of the developer to inform Street Naming and Numbering when properties are ready for occupancy.

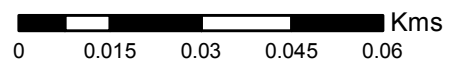
Case Officer: Mr Max Sanders

Tel. 01923 27 8288 E-mail: [max.sanders@watford.gov.uk](mailto:max.sanders@watford.gov.uk)



### Land off Tolpits Lane

Date: 06/12/2016



Scale 1:1,250





|   |  |             |
|---|--|-------------|
|   | PART A   | Item Number |
| Report to: <b>Development Management Section Head</b> |  |             |
| <b>To Committee</b>                                   | Date of Committee: <b>25th January 2017</b>  |             |
| Site address:   | <b>The Wellspring Church Centre<br/>1 Wellspring Way, Watford, WD17<br/>2AH</b>  |             |
| Reference no:   | <b>16/01611/FUL</b>  |             |
| Description of development:                           | <b>Erection of a two storey wrap-around extension with new entrance (change to previously approved phase 2 scheme 09/00315).</b> |             |
| Applicant:  | <b>Mr. J. Williams<br/>The Wellspring Church Centre<br/>1 Wellspring Way, Watford, WD17 2AH</b>                                  |             |
| Date received:  | <b>22<sup>nd</sup> November 2016</b>   |             |
| 8 week date (minor):                                  | <b>19<sup>th</sup> January 2017</b>  |             |
| Ward:   | <b>Central</b>   |             |

**Summary**

The Wellspring is a modern church which was granted planning permission in 2009. That permission allowed it to be built in two phases: so far only Phase I has been built, which opened seven years ago. The second phase was to have been a two storey extension to the rear of the main church to make it longer, and a ground floor wrap-around side and rear extension with a flat roof.

Work must *commence* on a development within three years of the grant of planning permission – otherwise the permission expires; but there is no limit as to when the work must *finish*. In this case, as phases I and II were allowed by the same planning permission they are regarded as one “*development*”; and as work on Phase I commenced within three years of the permission having been granted, the effect is that the planning permission will never expire, and so Phase II could be built at any time. If the church wanted to build Phase II to the same design that was approved in 2009 it would not be necessary for them to apply again. However they have changed their minds about the design, and for that reason a new planning permission is required – hence this application.

The main differences between the Phase II scheme that was approved in 2009 and the extension that is now proposed are that the flat-roofed side and rear wrap-around element is now to be double storey rather than single, and that it is to be finished in brick, which is a higher quality material and more in keeping with the character of the area than the white render that was previously approved.

Another element of Phase II is that the main church building with its curved roof is to be lengthened – that is again proposed in this application, and this element of the design has not changed significantly from the previously approved Phase II scheme.

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## **Background**

### **Site and Surroundings**

The site is the Wellspring Church. This building was completed a few years ago (under planning permission 09/00315/FULM which was granted in 2009). Only the first phase of the project has been constructed so far. The church's intention has always been that the second phase will be a ground floor extension at the side and the rear.

The church stands between the rear of Watford Museum (which is a grade II listed building), and a new housing development known as Pump House Crescent. The church was built first, and Pump House Crescent was built shortly afterwards. Both developments were on land that had originally been occupied by a brewery (the museum being the only surviving building – it was the brewery's office), then by a public swimming pool; and following the demolition of that pool in 2000 the land had stood empty for several years.

### **Watford Museum**

Watford Museum stands next to the site – the rear of the museum being separated from the side of the church and its lawn by an access road leading to Dyson Court, which is sheltered housing for the elderly. The museum is a Grade II listed building. The following text about it is taken from our document Nationally Listed Buildings In Watford 2011:

#### *Original Listing Information:*

*1775 large red brick mansion. Three storeys parapet and slate roof. Two storey wings added circa 1807. Centre 5 window range, centre 3 bays breaking forward with pediment over. Bulls-eye window in pediment. Wood dentil cornice. Gauged brick flat heads to windows, glazing bar sashes. C19 central doorcase with hood on console brackets. To rear 2 full height curved bays with triple windows, added circa 1807. Wings 3 window range, parapets, altered. Rainwater head on north side dated 1775, with initials J A D possibly*



*Dyson, brewers on the site. Head office of Benskin's brewery from 1868. Interior mostly altered during C19.*

*Additional Information:*

*When this house was built in 1775 it was the home of Edmund Dawson. Later, it passed to John Dyson and then to Joseph Benskin. At first the Benskin family lived there but in time the house became the Company's head office and it continued to be brewery offices until the entire site was bought by Watford Council in 1975. The house now accommodates Watford Museum which opened in 1981.*

*Ref. 10/66. Listing date: 15/09/1982 Listing grade: II*

### **Proposed Development**

Full planning permission is sought for a two storey side and rear extension to the church.

The main differences between the Phase II scheme that was approved in 2009 by planning permission 09/00315/FULM (which remains extant) and the extension that is now proposed are that the flat-roofed side and rear wrap-around element is now to be double storey, and that it is to be finished in brick, which is a higher quality material and more in keeping with the character of the area than the white render that was previously approved.

Another element of Phase II is that the main church building with its curved roof is to be lengthened (occupying space that is currently a timber-clad fire escape stair). That is again proposed in this application, and this element has not changed significantly from the previously approved Phase II scheme.

Besides its main use as a place of worship, the Wellspring Church is also used for various ancillary community uses, and to that end the proposed extensions would include rooms that would be used as a new reception area, dual purpose meeting rooms / children's rooms, a parent and child room with a buggy store and baby changing area, a rear family entrance, a family lounge, a youth and family office, interview rooms, a small hall, a youth room, a break out space, a vestry, and an extension to the first floor auditorium.

The application is accompanied by a Design and Access Statement

### **Planning History**

Planning permission 09/00315/FULM was granted on 11<sup>th</sup> June 2009 for the erection of a new church building, including rooms for community use. This was a similar scheme to one that had previously been granted planning permission 08/00301/FULM in June 2008,

but it had been found that the first scheme could not be implemented due to a mistake on the plan regarding the position of a boundary, and so it had been necessary to apply again for a similar scheme in which the church was moved approximately one metre towards the museum.

There were subsequently some applications to discharge various conditions of planning permission 09/00315/FULM, and also some Advertisement Consent applications for signage. There were also some applications for planning permission to make alterations to the parking and outdoor areas.

There was also an application to vary the permissible opening hours: 11/01049/VAR was approved in 2011, varying Condition 13 of planning permission 09/00315/FULM. The newly amended condition allowed the church to hold activities between 07:30 and 23:00, except on days when the church is used as a polling station when the premises may open at 06:30, and except on Christmas Eve and New Year's Eve when the premises may remain open until 01:00 the following morning.

The present application has followed a Pre-Application Enquiry (15/01314/PREAPP). The draft plans that were initially shown to the Council in September 2015 were considered unacceptable in design terms, and advice was given on that design in a letter of 16.10.2015. A year later, in September 2016, a revised scheme was shown to the Council, which had been redesigned in the light of the advice that had been given. The planning officer and the Conservation Team Leader met with the applicant (08.09.2016) and advised that this revised design was likely to be acceptable in principle. The scheme that is now before us is similar to that second draft design that was seen by officers in September 2016.

## **Relevant Policies**

### **National Planning Policy Framework**

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and seeks to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. The NPPF was published on 27<sup>th</sup> March 2012 and is a material consideration in planning decisions. It does not change the statutory status of the development plan as the starting point for decision making. Planning Policy Guidance Notes and Statements have been cancelled and replaced by the NPPF. Particularly relevant sections are:

Requiring Good Design

Decision Taking

Conserving and Enhancing the Historic Environment

### **The Development Plan**

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

- (a) *Watford Local Plan Part 1: Core Strategy 2006-31 (adopted Jan 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*
- (d) the *Hertfordshire Minerals Local Plan Review 2002-2016*

### **Watford Local Plan, Part 1: Core Strategy 2006-2031**

This document was adopted on 30<sup>th</sup> January 2013. The following sections are particularly relevant to this case:

- UD1 Delivering High Quality Design
- UD2 Built Heritage Conservation

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

Many of the policies in this plan were replaced on 30<sup>th</sup> January 2013 when the Watford Local Plan, Part 1 was adopted, but some of them were saved. None of those are particularly relevant to this application.

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

There are no policies that are relevant to this case.

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

There are no policies that are relevant to this case.

### **Background Documents**

Nationally Listed Buildings In Watford 2014

### **Consultations**

#### **Neighbour consultations**

80 neighbouring properties were sent consultations letters. These included addresses on Pumphouse Crescent, on the High Street, and at the retirement flats of Dyson Court. Two site notices were put up on 12.12.2016, and a press notice was published in the Watford Observer local newspaper on 09.12.2016.

32 responses were received, all of which were objections. All but two of those were

identically worded letters from residents of Dyson Court. Of the other two, one was from another resident of Dyson Court, and the other was from someone who lives elsewhere but who works as a volunteer at Watford Museum. Please see the section of this report below entitled Consideration of Objections Received.

### **Statutory consultations**

None were necessary. The adjacent Listed Building at Watford Museum is Grade II, and so it has not been a requirement in this case that Historic England be consulted – that applies only when a proposed development has the potential to affect the setting of a Grade I or Grade II\* listed building (albeit the potential impact on any Listed Building is an important consideration that must be taken into account by the Local Planning Authority).

### **Internal consultations**

The Conservation team have been consulted because the proposed development would be adjacent to the rear of Watford Museum, which is a Grade II listed building. Comments were received from the Urban Design and Conservation Manager on 09.01.2017, and those are reproduced below in the *Appraisal: Design* section of this report.

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## **Appraisal**

The Wellspring is a modern church which was granted planning permission in 2009. That permission (09/00315/FUL) allowed it to be built in two phases, and so far only Phase I has been built. The second phase was to have been two storey extension to the rear of the main church to make it longer, and a ground floor wrap-around side and rear extension with a flat roof.

Work must *commence* on a development within three years of the grant of planning permission – otherwise the permission expires; but there is no limit as to when the work must *finish*. In this case, as phases I and II were allowed by the same planning permission they are regarded as one “*development*”; and as work on Phase I commenced within three years of the permission having been granted, the effect is that the planning permission will never expire, and so Phase II could be built at any time. If the church wanted to build Phase II to the same design that was approved in 2009 it would not be necessary for them to apply again – they could simply start building it. However they have changed their minds about the design, and for that reason a new planning permission is required – hence this application.

Therefore, in principle, the proposal to build a side and rear extension to the church is not in contention – planning permission has already been granted for that, and the permission

remains extant. Our task must be to consider whether those respects in which this application differs from the previously approved scheme are acceptable.

The main differences between the Phase II scheme that was approved in 2009 and the extension that is now proposed are that the side and rear flat-roofed extension, which was to have been single storey, is now to be double storey, and finished in bricks rather than in render. There has been no significant change as regards the other element of Phase II which is to lengthen the main church building with its curved roof.

### **Design /Impact on the neighbouring Listed Building**

The Urban Design and Conservation Manager has provided the following comments, assessing the proposed design:

*This application involves extensions to the new church at Wellspring; it was always expected that the church would expand their activities on this site and that this would involve extensions to the side and rear of the existing building. The proposals also involve the relocation of the storage shed and bike storage.*

*The main issues in this case are the relationship of the extensions to the existing building and whether there is any impact on the setting of the Grade II listed Museum building.*

*Listed Building: the applicants were advised to consider the relationship of the side extension to the rear elevation of the museum. During the pre-application process this was discussed and the applicants heeded advice to set the upper floor back from the building line and to minimise any impact to the setting of the museum building. The applicants were also advised to keep the building design simple so that it would not compete with the design of the rear elevation of the museum which has two distinctive semi-circular bays. It was recommended that the height of the eaves of the new building should not exceed that of the museum.*

*Existing building: In terms of the relationship to the existing building the extensions should complement the existing and remain subservient elements.*

*Comments on the scheme:*

*Bulk and massing: the proposed extension successfully wraps round the existing building (includes an extension to the main building in the same manner). The ground and first floor wrap sections are subservient to the principal building and are set far enough away from the listed building to avoid compromising the setting of the building further than it already has been through various developments over the years. The elevations have strong but simple detailing – cornice and parapet designs with good vertical articulation*

*through a simple fenestration pattern. The setting back of the first floor element allows this to recede and the line of the cornice and parapet to be the stronger visual lines. The first floor is also glazed which reduces further the visual impact of the first floor.*

*Elevations: the vertical articulation is simple and effective creating a good rhythm along the elevation to the museum. Care will be needed with the addition to the principal building so that materials match well and that the point where the bricks join is executed to minimise the visibility of the join. The creation of a new entrance feature with some colour will enhance the overall design of the building. Care will be needed to ensure that the first floor sections avoid any overlooking to Dyson Court – use of obscure glazing could ensure this. Also, there should be no access to the area behind the parapet other than for maintenance purposes.*

*Materials: in principle these are acceptable but samples should be seen to sign them off before construction. One item which will need care is the grills above the single bay windows – these will be quite prominent and it would be good to get a decent looking one here, so can we ask for samples of this as well and possibly details of how it will be set into the wall. Also, can we ensure that there will be good reveals for the windows.*

*Landscape: the fence shown is more acceptable for domestic buildings but is already being used there; it would be helpful to have a better quality boundary treatment where this is required; it may be possible to remove some of the higher boundary treatment in places depending on the use of the spaces on either side. Can we condition the landscape materials as well – hard surfaces are quite important to the setting of the buildings here.*

*In conclusion the proposed extensions are acceptable and can be approved subject to conditions. No harm would be caused to the setting of the listed building by the proposed extensions.*

End of comments from the Urban Design and Conservation Manager

### **Bricks**

It is proposed that the extensions will be finished in brick, which is a higher quality material and more in keeping with the character of the area than the white render that was previously approved.

The side elevation will include numerous large windows, and the first floor will be stepped back. These features will break up the development to avoid it appearing unduly bulky or oppressive.

Apparently the original bricks are no longer manufactured, so it would be very difficult to obtain enough identical bricks for the whole development. While it should be possible to find some that were a close match, the risk is that they would always look slightly different, which would give the extension the appearance of having failed to properly match the original building. This problem was discussed between planning officers and the applicants at pre-application stage, and it was agreed that the best solution (as regards the wrap-around flat-roofed side and rear element of the extension) was to use a brick that complements the original building, without attempting to match it. A grey brick is considered best, as a different shade of red or a lighter colour would stand out more, drawing attention away from the original church, and away from the listed museum building. The same approach has been used successfully a few years ago on the extension to the Colosseum concert hall, adjacent to the Town Hall, where grey bricks were used for the extension of a red brick historic building.

The other part of the proposed Phase II extension is the lengthening of the main church building with its curved roof, which will become 7m longer at the rear. For that part of the development it is essential that bricks are used which match the originals. When this problem was discussed at pre-application stage the applicants' agent was of the opinion that, although the bricks are no longer manufactured, it might be possible to source the relatively small quantities that would be needed for this part of the development from various sources.

A condition should be applied requiring the submission of sample bricks for approval by the Council before works commence – this should cover not only the grey bricks for the wrap-around flat-roofed element, but also the red bricks that must match the originals for the lengthening of the main church. This is important. If the applicants were to find that, despite their optimism, they cannot source sufficient quantities of matching bricks for the lengthening of the main church building, that would present them with a problem, and it might mean that this planning permission cannot be implemented.

### **Impact on neighbouring properties**

The Design and Access Statement that was submitted along with the drawings includes a page of shadow diagrams, showing how the proposed extension would cast its shadow at various times of the day in June. It shows that the development would not overshadow Dyson Court or any other residential neighbours.

Although it is to be a two storey extension, the design has sought to reduce its visual impact by giving the side element a flat roof and by setting its first floor back. The flat roof will be kept below the eaves of the curved roof of the existing church. This will help to avoid the development being overbearing towards the retirement flats at Dyson Court.

The proposed development also includes the lengthening of the main church building itself, and that will involve simply extending the existing structure and its curved roof by approximately 7m. The flank wall facing the houses of Pumphouse Crescent currently has three tall windows, but it would gain a fourth, which would be where the timber clad fire-escape stairs currently stand. This lengthening of the main church building will have some impact on a few of the houses on Pumphouse Crescent in that it will affect the outlook from their front windows and front doors. However this aspect of the proposed design is the same as that which was previously approved as Phase II of planning permission 09/00315/FUL; and that planning permission remains extant and could be lawfully implemented. At the time of writing this report (10.01.2017) no objections have been received from anyone living on Pumphouse Crescent. That residential development was built after Phase I of the church was built; so anyone who has bought a home on Pumphouse Crescent should (if they or their solicitor looked on-line to see the planning permission for the church) have been aware that permission had already been granted to lengthen the church building to the rear in this way.

### **Parking and transport**

Currently the church has a few parking spaces at the side and a few at the rear. They are intended mainly for dropping off, deliveries and short term parking, and for the use of disabled people. Ordinary members of the congregation are expected to arrive on foot, as this site is ideally suited for access on foot or by public transport, being in the town centre and adjacent to a station.

The rear boundary of the site has a dog-leg. Currently the rear lawn is deeper in one section, and it is behind that deeper section that the church has its rear parking bays – those are on one side only. Parking bays behind the part of the lawn that is less deep are on both sides, but they do not belong to the church – some are for Dyson Court and some are for the museum.

No changes are proposed to the parking arrangements. The church's parking bays are to be retained, and the development will not affect any of the parking spaces for the museum or for Dyson Court.

The section of the existing lawn that projects the most deeply will have a new outbuilding erected on it for storing rubbish and recycling bins and for bicycles – so anyone who cycles to the church will have a secure and weatherproof store in which to park their bicycle. It is shown on the ground floor plan and on a 3D image, but not on an elevation drawing. It is not clear what materials it would be made of. As little detail has been given about the height or the materials for that outbuilding, conditions should be applied to ask for further



detail on the materials and to limit the height to 2.5m.

### **Consideration of objections received**

32 representations have been received, and all but one of those have been from residents of the retirement flats at Dyson Court. All of the respondents objected to the proposal. The only letter that was not from Dyson Court was from someone who lives elsewhere but who works as a volunteer at Watford Museum.

Of the 31 letters that were received from Dyson Court, all except one were identically worded but with different names and signatures, and they were delivered to the Town Hall as a bundle. Evidently they were typed and printed out by one person, but signed by the individuals whose names they bear; so in effect these letters can be considered as a petition. There was one letter from a resident of Dyson Court that was different, having evidently been written by the person whose name it bears.

The Wellspring Church have informed us that they have also held two consultation events of their own in December. One was a public drop-in event at the church, and the other was a presentation to the residents of Dyson Court. It seems that the letters of objection that we received from various residents of Dyson Court were delivered to us prior to their meeting with the applicants.

The following table contains a summary of the points that were raised.

| <b>Points Raised</b>   | <b>Officer's Response</b>  |
|--|--|
| The application only mentions Dyson Court once, and fails to say that it is a retirement home.   | The Council are aware that Dyson Court is a retirement home and that it is a neighbour of the site.  |
| The needs of elderly residents of Dyson Court should not be impeded: such as access for visitors, carers, ambulances and other emergency services, and space for using mobility scooters and walking aids. | There is no proposal to build anything that would impede access to and from Dyson Court.   |
| The flats opposite the new extension might be overlooked, or suffer from perceived overlooking because of the development's close proximity.   | A condition will ensure that the rear first floor windows will be obscurely glazed (they would only serve an escape corridor, stores and the vestry), and that the spaces behind the first floor parapets cannot be used as balconies. |
| Because the church will become larger it is possible that events will be held there more   | A condition will require that further details of the windows must be submitted for   |

|  |   |
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| <p>often, and this could cause a noise nuisance to neighbours.</p>   | <p>approval. This will enable the Council to ensure that they will provide an adequate level of soundproofing.</p>  |
| <p>The sun diagrams do not make it clear whether Dyson Court would suffer a reduction in natural light.</p>  | <p>The sun movement diagrams are included in the Design and Access Statement. They show that the shadow cast by the development would not reach Dyson Court.</p>  |
| <p>There is already insufficient parking provision for the church, with all available spaces being taken during services, plus some metered spaces on the High Street. With the reduction in parking spaces to the rear, pressure on parking spaces will be increased, given the expanded size of the church. This will reduce the number of parking spaces locally that will be available to residents of Dyson Court and their visitors.</p> | <p>This site is ideally located for access on foot or by public transport, being in the Town Centre and adjacent to a station. It was always envisaged that the congregation and users of the church would arrive on foot – that was the case with Phase I and it remains the case with Phase II. Given how well located the church is for car-free travel, it would be impossible to justify a refusal of planning permission on the grounds of inadequate parking provision – such a refusal would certainly be overturned at appeal.</p> |
| <p>The application states that the church will serve the community, but is there a geographical or time limit on who constitutes “the community”? The further people come from, the more likely it is that they will use cars, and the greater the environmental impact will be.</p>   | <p>The Planning system cannot legitimately be used to limit the catchment area of a church.</p>   |
| <p>It is already difficult to turn vehicles to the rear of the site, and this is likely to become worse with more traffic movements.</p>   | <p>No changes are proposed to the parking area. There is no reason to suppose that the development would cause a significant increase in traffic movements.</p>   |
| <p>Residents of Dyson Court worry that people visiting them on Sundays will find it difficult to park.</p>   | <p>Dyson Court will not lose any of its parking spaces.</p>   |
| <p>The section of the Design and Access Statement that refers to the pre-application advice is incomplete, and so is the section dealing with the impact on the listed museum building.</p>  | <p>Noted</p>  |
| <p>Because some boxes in the application form have been left blank it is not clear what the closing time of the premises will be.</p>  | <p>A condition is recommended (see the list at the end of this report) to make it clear that the permitted opening and closing times</p>  |

|   |  |
|---|--|
|   | remain the same as those that have already been set for the existing church.   |
| One respondent notes approvingly that pre-application advice has been given, and that it seems that the design has been improved as a result of that.   | The design that is now before us is indeed a considerable improvement over the scheme that was first shown to us with a pre-application enquiry in 2015.   |
| The proposal to use grey bricks will make the development appear dreary and oppressive. Would it not be better to use bricks that match the original church?  | Please see the section of this report above entitled Bricks.   |
| How will the extension be built without blocking access to the parking areas for the museum and for Dyson Court? Where will materials be stored during the work? Will a construction environment management plan be required?                                       | These matters relate to the construction phase of the development process and are not material planning considerations.  |
| Taking the church building to the extremes of the site will greatly reduce the open space and the outlook in and around the front of the two entrances, and the small parking area left to Dyson Court. This will reduce natural light to the front of Dyson Court. | The front of the extension will be set well back (8.5m) behind the front of the existing church, leaving a paved courtyard in front of the new entrance. There will be some open space (albeit only a metre or so) between the rear of the building and the rear boundary fence.<br>It has always been intended that Phase II would largely cover the grass and paved areas at the side and rear of the church – permission to do that was granted from the outset in 2009, and that permission remains extant (albeit the design that is now proposed has changed). |
| The plan shows an X marking a space at the rear of the church between the bin store and the fence, which is for a ramp. Will there be access into the church car park?  | Yes. A pedestrian gate is proposed beside the refuse and bicycle outbuilding. It would give access to the family entrance / escape lobby.  |

### **Conclusion**

Planning permission has already been granted in 2009 (and remains extant) for a Phase II extension at the side and the rear of the church, so the principle of the development has been approved, and there are only minor differences as regards the footprint of the development that is now proposed. The main difference between the newly proposed

design and the previously approved scheme is that it is now to be double storey, and that it is to be finished in brick, which is a higher quality material and more in keeping with the character of the area than the white render that was previously approved. The new scheme is considered to be well designed, it will remain subordinate to the main church building and it will not harm the setting of the adjacent listed museum building. It will not cause significantly more harm to the amenity of neighbouring residential premises than the previously approved scheme would have done.

### **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.

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**Decision Level:** Delegated

**Recommendation:** Conditional Planning Permission

### **Conditions**

1 The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.

***Reason:*** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development shall be carried out in accordance with the following drawings, unless otherwise approved in writing by the Local Planning Authority:

Drawing 1510 100

Drawing 1510 101 revision C

Drawing 1510 102 revision C

Drawing 1510 103 revision B

Drawing 1510 104

Drawing 1510 105 revision B

Drawing 1510 106 revision B

3D images 1510 110

3D images 1510 111

3D images 1510 112

3D images 1510 114  
3D images 1510 115  
Drawing 1510 116 revision A  
Drawing 1510 117 revision A  
Drawing 1510 118  
3D image Pln 113  
Design and access statement

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

3 No work shall commence above the level of the damp-course until full details of the materials listed as follows have been submitted to and approved in writing by the Local Planning Authority. Physical samples, labelled with the manufacturer and product name, shall be submitted of the following: the bricks, the grilles that are to be set into the walls, the materials to be used for the entrance porch's colonnade of screens, the paving for the external spaces, the materials out of which the walls and roof of the bicycle / refuse store is to be built. Written details accompanied by colour photographs shall be submitted of the following: the fences, the roofing materials. The development shall be carried out in accordance with the approved details.

**Reason:** In the interests of the visual appearance of the site and to ensure that it does not harm the setting of the adjacent Listed museum building, pursuant to Policies UD1 (Delivering High Quality Design) and UD2 (Built Heritage Conservation) of the Watford Local Plan (Part 1: Core Strategy) 2006-2031. This is not a pre-commencement condition because it allows for work to be done below the level of the damp course before the materials are approved. In addition to aesthetic considerations, details of the glazing are required to ensure that levels of sound insulation are adequate to protect the amenity of neighbouring residential properties.

4 No work shall commence above the level of the damp-course until full details of the window and door frames, including details of the reveals into which the windows are to be set, and the glazing have been submitted to and approved in writing by, the Local Planning Authority. The. Details shall include produce specifications and samples adequate to determine the appearance of the windows, their level of opacity, their sounds transmittance and whether they have ventilation. development shall be carried out in accordance with the approved details.

**Reason:**

- a) In the interests of the visual appearance of the site and to ensure that it does not harm the setting of the adjacent Listed museum building, pursuant to Policies UD1

(Delivering High Quality Design) and UD2 (Built Heritage Conservation) of the Watford Local Plan (Part 1: Core Strategy) 2006-2031.

- b) To ensure that levels of sound insulation are adequate to protect the amenity of neighbouring residential properties; and
- c) To ensure the relevant windows are adequately obscured as specified in condition 6 so as to protect the privacy of neighbouring occupiers.

5 Unless otherwise agreed in writing by the Local Planning Authority, no activity shall take place within either the building or any part of its curtilage before 07:30hrs or after 23:00hrs, except on days when the premises are in use as a polling station, when the premises may open at 06:30hrs; and except on Christmas Eve and New Year's Eve when the premises may remain open until 01:00hrs on the following morning.

**Reason:** To safeguard the amenities and quiet enjoyment of neighbouring properties pursuant to Policy SE22 of the Watford District Plan 2000. This condition is consistent with the opening hours that are currently set for the existing church by planning permission 09/00315/FULM condition 13, as varied by 11/01049/VAR.

6 No part of the flat roof of the development hereby permitted shall be used as a terrace, balcony or other open amenity space. The proposed first floor windows in the rear elevation shall be fitted with obscured glass at all times.

**Reason:** To prevent overlooking of the windows of neighbouring residential premises, pursuant to section 17 (point 4) of the National Planning Policy Framework and Policy UD1 (Delivering High Quality Design) of the Watford Local Plan (Core Strategy) 2006-2031, and in accordance with the principles of good design that are set out in the Residential Design Guide supplementary planning document as referenced in paragraph 7.3.16 supporting Policy UD1.

7 The height of the outbuilding which is proposed for use as a bicycle and refuse / recycling store shall not exceed 2.5m unless otherwise approved in writing by the Local Planning Authority.

**Reason:** Although it is shown in plan form and on the illustrative 3D images, the outbuilding is not detailed on the elevation drawings and therefore this condition is necessary to ensure that it is not so tall as to harm the appearance of the site or the amenity of neighbouring premises, pursuant to Policy UD1 of the Watford Local Plan Part 1.

## **Informatives**

1 For details of how the Local Planning Authority has reached its decision on this application please refer to the planning officer's report, which can be obtained from the Council's website [www.watford.gov.uk](http://www.watford.gov.uk), where it is appended to the agenda of the Development Management Committee meeting of 25 January 2017; and also to the minutes of that meeting.

2 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 2015. Two rounds of pre-application advice have been given to the applicants by the Council.

3 This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other building control legislation. Nor does it override any private rights which any person may have relating to the land affected by this decision. To find more information and for advice as to whether a Building Regulations application will be required please visit [www.watfordbuildingcontrol.com](http://www.watfordbuildingcontrol.com).

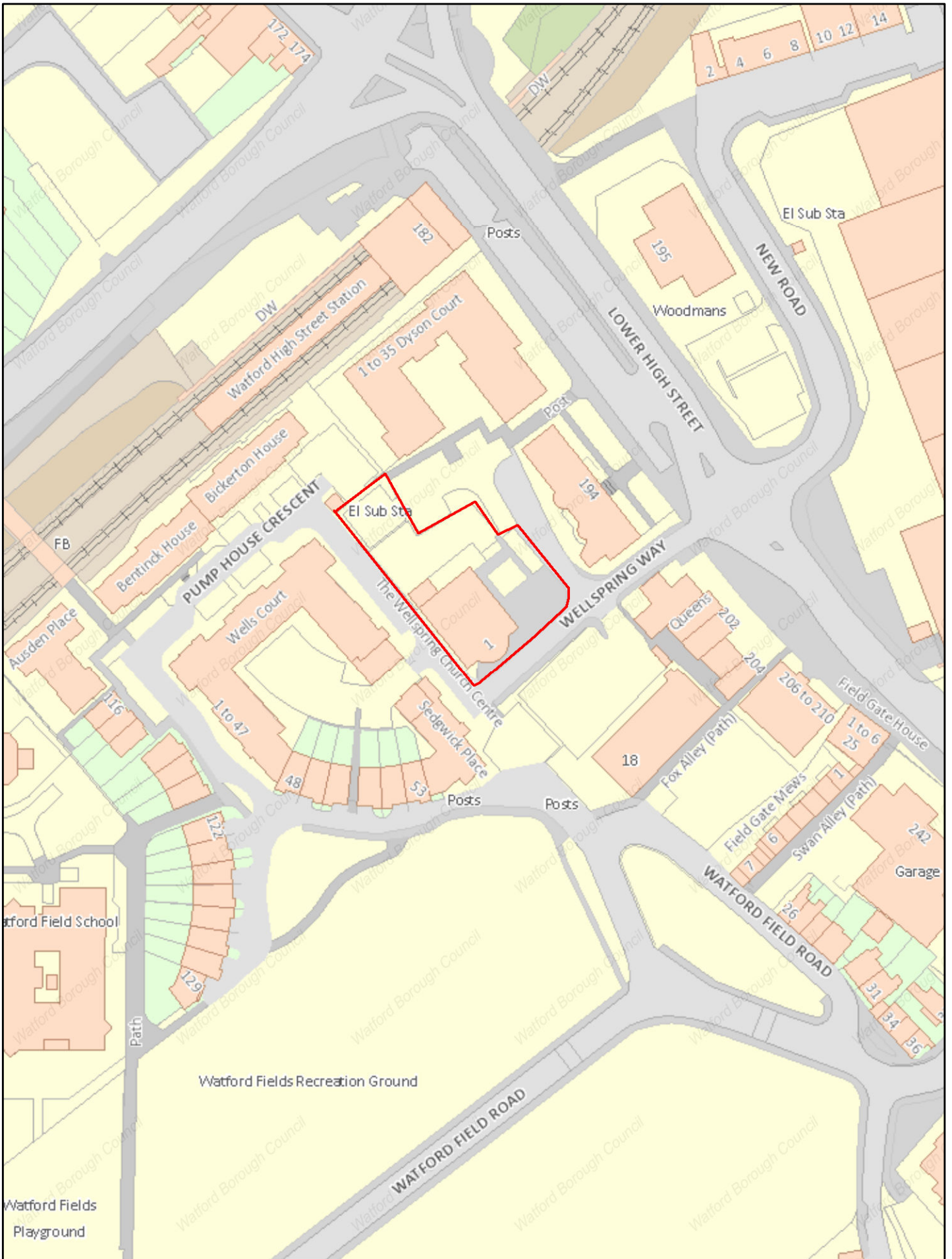
4 You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health and Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990. In order to minimise impact of noise, any works associated with the development which are audible at the site boundary should be restricted to the following hours: Monday to Friday 8am to 6pm, Saturdays 8am to 1pm. Noisy work is prohibited on Sundays and bank holidays. Instructions should be given to ensure that vehicles and plant entering and leaving the site comply with the stated hours of work. Further details for both the applicant and those potentially affected by construction noise can be found on the Council's website at:  
[https://www.watford.gov.uk/info/20010/your\\_environment/188/neighbour\\_complaints\\_%E2%80%93\\_construction\\_noise](https://www.watford.gov.uk/info/20010/your_environment/188/neighbour_complaints_%E2%80%93_construction_noise)

Case Officer: Mr Max Sanders

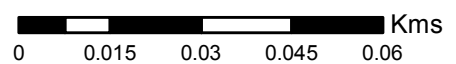
Tel. 01923 27 8288 E-mail: [max.sanders@watford.gov.uk](mailto:max.sanders@watford.gov.uk)







Wellspring Church Centre 1 Wellspring Way



Date: 17/01/2017

Scale 1:1,250





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| PART A   |  |
| Report of: <b>Head of Development Management</b> |  |
| Date of committee:                               | <b>25 January 2017</b>   |
| Site address:                                    | <b>73-77, Clarendon Road</b>   |
| Reference Number:                                | <b>16/01569/FUL</b>  |
| Description of Development:                      | <b>Demolition of existing buildings, site clearance and associated works, erection of perimeter hoarding and provision for a temporary commercial structure (Class A1)</b> |
| Applicant:                                       | <b>TJX Europe Limited</b>  |
| Date Received:                                   | <b>23 November 2016</b>  |
| 18 week date (minor):                            | <b>18 January 2017</b>   |
| Ward:  | <b>Central</b>   |

## **1.0 Site and surroundings**

- 1.1 The site is located at the northern end of Clarendon Road at its junction with Station Road. It comprises 4 properties – 2 detached Victorian villas at nos. 73 and 75, Clarendon Road (formerly used as offices), a car repair workshop to the rear of nos. 73 and 75 accessed from Verulam Passage, and a 4 storey office building with car parking at 77, Clarendon Road. All 4 properties are now vacant.
- 1.2 Nos. 73 and 75, Clarendon Road are both locally listed buildings. The site also contains 5 preserved trees covered under Tree Preservation Order 256, 2 located on the southern boundary of 73, Clarendon Road and 3 located on the boundaries of 77, Clarendon Road. The site currently has 2 access points from Clarendon Road and 2 from Verulam Passage.

## **2.0 Proposed development**

- 2.1 To demolish all the existing buildings on the site, clear the site and erect a secure hoarding, pending redevelopment of the site. The proposal also includes a small area facing Watford Junction Station for a potential temporary Class A1 unit.
- 2.2 The application is supported by a Construction Traffic Management and Demolition Plan, Heritage Statement, Ecological Assessment and Arboricultural Impact

Assessment.

### **3.0 Relevant planning history**

- 3.1 There is no planning history of relevance to the current application. The Victorian villas at 73 and 75, Clarendon Road were built circa. 1865. The 4 storey office building at 77, Clarendon Road was built in 1978.

### **4.0 Planning policies**

#### **4.1 Development plan**

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
- SPA1 Town Centre
- EMP1 Economic Development
- EMP2 Employment Land
- UD2 Built heritage Conservation
- GI1 Green Infrastructure

#### **4.4 Watford District Plan 2000**

- SE24 Unstable and Contaminated Land
- SE37 Protection of Trees, Woodlands and Hedgerows
- E1 Employment Areas
- U15 Buildings of Local Interest

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

No relevant policies.

- 1A Presumption in Favour of Sustainable Development
- 12 Sustainable Design, Construction and Demolition

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 *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.

4.9 **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 11 Conserving and enhancing the natural environment

Section 12 Conserving and enhancing the historic environment

Decision taking

5.0 **Consultations**

5.1 **Neighbour consultations**

The following properties were notified:

Letters were sent to 29 properties in Clarendon Road, Station Road and Westland Road.

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

|                                   |    |
|-----------------------------------|----|
| Number of original notifications: | 29 |
| Number of objections:             | 14 |
| Number in support:                | 0  |
| Number of representations:        | 14 |

All of the letters object to the demolition and loss of the 2 locally listed buildings and the consequent erosion of Watford's architectural heritage.

In addition to these representations, an online petition hosted at 'change.org' has been signed by 321 persons at the time of preparing this report. Many of the petitioners have also made individual comments. The petition states:

"Proposals have recently been put forward to demolish two of the last remaining Victorian villas in the centre of Watford. In an area that has been aggressively developed, they are one of the few reminders of Watford's historic past - something we are now in danger of losing - and the time to act is now.

What's the story?

"These properties were built in approximately 1865, when Clarendon Road was first developed, and were originally grand Victorian villas. Clarendon Road would have been filled with houses just like these, but over time, the rest of the buildings have been knocked down and replaced with unimaginative modern office blocks. Residents of the houses on this road included Alphonse Legros, a French painter whose works are now exhibited at the Tate, the V&A and the British Museum.

"73 and 75 Clarendon Road are now the last remaining villas on the street, and are the only reminder of what was once here. Due to their architectural and historic importance, the Council have designated these properties as "locally listed", which means that they should, where possible, be preserved. The Council state that, "*of all the grand Victorian villas that originally lined Clarendon Road, [these properties are] almost the only [survivors] and [are] correspondingly of value*", and that they add "*architectural interest to Clarendon Road*".

"TJX Europe Limited (who operate as TK Maxx) have applied to demolish

these buildings, and replace them with a modern office block to accommodate their European HQ.

Why does it matter?

“Because Watford's historic buildings are, slowly and steadily, being destroyed. Developers are now justifying the demolition of these buildings on the basis that the few that remain "no longer represent the character of the area".

What does the campaign aim to achieve?

“We are seeking to prevent the demolition of these buildings so that they can continue to be enjoyed for many more years to come.”

It should be noted that the applicant has not to date submitted an application for the redevelopment of the site, but this is expected in the near future.

### 5.3 **Statutory publicity**

The application was publicised by site notice posted on 02 December 2016. The site notice period expired on 23 December 2016.

### 5.4 **Technical consultations**

The following responses have been received from technical consultees:

#### 5.4.1 Policy (Urban Design and Conservation)

Demolition:

The two buildings at 73-75 Clarendon Road are both included on the Council's local list of buildings; as such they are considered to be non-designated assets in terms of the NPPF. Paras 135 and 136 are relevant here:

Para 135:

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Para 136:

Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure new development will proceed after the loss has occurred.

Note this para does not distinguish between designated and non-designated so

applies to all heritage assets.

#### Local Plan policies:

Both the adopted Plan saved policies and the emerging local plan part 2 have the same approach to the demolition of locally listed buildings stating that proposals involving the loss of a locally listed building are unlikely to be approved.

Significance and value of the assets: the local listing for both these buildings refers to their architectural value along with streetscape and function. In terms of the value types defined in Conservation Principles and Policies (EH 2008) the value is considered to be aesthetic - the ways in which people draw sensory and intellectual stimulation from a place.

Both the buildings are representative of good Victorian villas which was the building type along Clarendon Road in the late 1800s. They are the only two still to survive, the other remaining one at No 36, also locally listed was demolished to allow a mixed use commercial and residential development to go ahead. Other than these two villas the building type now found on Clarendon Road is that of large commercial buildings housing major businesses and is the heart of the town's office area.

In terms of assessing the value as a non-designated asset the value is less than for a designated asset; there are other examples of the type of building in Watford and widely across the country; we don't have a note of the architect – this was researched at the time the building was added to the local list and no records could be found which provided that information. The buildings have been altered with replacement windows which could be rectified to some degree with good modern copies. The quality of the interiors is not known but is likely to be typical of Victorian buildings of this type and some are likely to have been lost over the years. As the proposals involve demolition rather than alteration the impact on the significance is high.

It is expected that an application will be received for a major national headquarters building on the site and pre-application submissions indicate that this will be of high quality and of significant benefit to the town in terms of its economy and to quality of place. At present we do not have a formal application to consider so the future is indicated but not fixed. Under the terms of the NPPF the LPA is required to take reasonable steps to ensure that new development will proceed after demolition has occurred.

#### Conclusions:

In this case, the assets are of local value and are not unique so in terms of all



heritage assets they are of lower value. The impact to the significance is high as demolition is proposed. To justify the loss of assets there should be strong long term benefits to the area. Whilst a new development is proposed it is at pre-application stage only so it is not certain that it will go ahead. The applicants have indicated that to meet their project delivery timetable they want to have a decision regarding the demolition now rather than at the time of the approval. They have also indicated that they will consider conditions other than a recording one, which should be applied here, if it would allow permission at this stage for demolition and site works.

In terms of the NPPF and the adopted local plan policies permission for demolition should only be given where measures are in place to ensure redevelopment will take place and will provide some benefit. This can only really be done if the demolition is conditional on the approval of a planning application; so in principle demolition can be made along with the requirement to record allowing site works and recording to take place ahead of the application be approved but the demolition should really be dependent on that approval.

Hoardings:

The principle of erecting hoardings around the site is acceptable but given the height, their extent and the length of time they are likely to be in place I would recommend that they should be decorated and where possible windows inserted into the hoardings

#### 5.4.2 Arboricultural Officer

The site contains five protected trees T1-T5 of TPO 256. Reference to an Arboricultural Impact Assessment is made however this has not been submitted as part of this application. *[This was subsequently submitted]* Comments in the Construction Traffic Management and Demolition Plan indicate that no trees of sufficient quality for retention were found. Until a detailed scheme is submitted the protected trees should be retained and protected during the demolition and temporary use phase and not be peremptorily be removed. Details of tree protection should be submitted and approved prior to any work commencing on site.

## 6.0 Appraisal

### 6.1 Main issues

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

- (a) Loss of the locally listed buildings.
- (b) Loss of the preserved trees.
- (c) Visual impact of the hoarding.

- (d) Incorporation of temporary retail use.
- (e) Environmental Impacts.

6.2 (a) Loss of the locally listed buildings

The application is supported by a Heritage Statement which includes an assessment of the locally listed buildings at 73 and 75, Clarendon Road as heritage assets. It includes a description of the main features of the buildings and an assessment of the impact of the loss of these buildings. The conclusions of the assessment are:

“Our assessment of the buildings and the site has shown the following:

The two locally listed buildings at the site are vacant and in poor physical condition. They offer very limited architectural quality to the site, and therefore do not contribute to the wider aesthetics of the area.

The buildings no longer represent the wider character of Clarendon Road, due to their age and small scale. The locally listed buildings relate poorly to the street scene with a large area of poor quality hardstanding to the front.

The removal of the two locally listed buildings will not have an adverse impact on architectural, historic or archaeological interest at the site or in the wider area. The buildings are isolated from any other buildings of local merit or interest.

Furthermore, the removal of the buildings and the clearance of the site is an essential part of the realisation of the comprehensive redevelopment of what is a key, ‘gateway’ site into Clarendon Road and Watford as a whole. TJX is finalising proposals for a new, landmark building that will become the Company’s European headquarters and will help to deliver significant investment and job creation within Watford. The new building will make a positive contribution to Clarendon Road and the town as a whole.

In line with Paragraph 135 of the NPPF, a decision should be made which compares the very limited and localised positive contributions the existing buildings make, against the significant benefits of the proposed redevelopment of this gateway site.

In light of the above, the proposed demolition of the buildings at the application site, including two which are locally listed, is not considered to be contentious.”

The comments of the Council’s Urban Design and Conservation Manager are detailed at paragraph 5.4.1 of this report. Of particular relevance are paragraphs

135 and 136 of the NPPF. These paragraphs require, firstly, that a balanced judgement is made on any application weighing the benefits of a proposed scheme against the disbenefits arising from the loss of heritage assets, and secondly, that all reasonable steps should be taken to ensure the proposed development (and the benefits associated with it) proceeds after the loss of the heritage assets.

In this case, no application has yet been submitted by the applicant for the redevelopment of the site. As such, it is not possible to weigh the loss of the locally listed buildings against the benefits of a new scheme. Whilst it is acknowledged that a substantial redevelopment of the site for new office floorspace, as being proposed by the applicants, would be in accordance with the Council's Core Strategy and the NPPF and would provide significant planning and economic benefits, nevertheless, no application has yet been submitted. Until such time as an application for redevelopment of the site has been submitted and approved by the Council, the locally listed buildings should be retained. An appropriate condition can be imposed to ensure that the locally listed buildings are not demolished until i) a detailed building record has been made of each building and ii) planning permission has been granted for the redevelopment of the site.

#### 6.3 (b) Loss of the preserved trees

The submitted Arboricultural Impact Assessment identifies all of the 5 preserved trees as Category C under BS 5837:2012, defined as 'those trees of low quality and value: currently in an adequate condition to remain until new planting could be established (>10 years)'. On the basis of this assessment, the applicant originally proposed to remove all 5 trees as part of the demolition. However, following the comments of the Council's Arboricultural Officer, they have agreed to retain the trees at this stage. Any loss of the trees will be justified as part of the future application for the redevelopment of the site.

#### 6.4 (c) Visual impact of the hoarding

It is permitted development for a hoarding to be erected around a site prior to the imminent commencement of construction works. In this case, as no planning permission has been granted for the redevelopment of the site, planning permission is required. The normal industry standard for health and safety reasons is 2.4m and this is what is proposed. This is acceptable in terms of site security and visual impact. In order to ensure a high quality hoarding that is not detrimental to the locality, the applicant is proposing images and logos on the hoarding. This is subject to the a separate application for advertisement consent (ref. 16/01570/ADV).

#### 6.5 (d) Incorporation of temporary retail use

In order to avoid a completely vacant, closed site and to provide a level of activity and interest at the site, it is proposed to make provision for a small, temporary retail unit that could serve the large numbers of commuters using Watford Junction Station and the existing employees of the office buildings on Clarendon Road. As this is likely to be for a period of no more than 6 months, this is considered to be acceptable.

#### 6.6 (e) Environmental Impacts

The Construction Traffic Management and Demolition Plan sets out in detail how the demolition works and site clearance will be undertaken and the measures to be implemented to minimise impacts from construction traffic, noise, dust and waste. Due to the nature of the car repair workshops at the rear of 73 and 75, Clarendon Road, further investigation should be carried out for ground contamination. This can be secured by condition.

6.6.1 The Ecological Assessment was undertaken to assess any ecological interest on the site. No evidence of protected species was found on the site and no habitats of ecological value exist, with the whole site being covered by buildings and hardstanding.

### **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. Liability to CIL does not arise in the case of this proposal.

#### **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 planning obligation in this case.

## **8.0 CONCLUSION**

- 8.1 All of the existing buildings on the site have been purchased by the applicant for the proposed redevelopment of the site to provide a new office building and are now vacant. The proposal is for the demolition and clearance of the site pending redevelopment. However, to date, no planning application has been submitted for the redevelopment of the site.
- 8.2 There is no objection in principle to the demolition of the 4 storey office building at 77, Clarendon Road or of the car workshop buildings to the rear of 73 and 75, Clarendon Road. However, 73 and 75, Clarendon Road are both locally listed buildings and the loss of these heritage assets must be weighed against the benefits of any redevelopment scheme. In the absence of an approved scheme, these assets should be retained.
- 8.3 The 5 preserved trees on the site are now to be retained to allow their potential loss to be considered as part of any redevelopment scheme.
- 

## **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:-

TJX-SRA-XX-00-DR-A-01-100B, 101B, 102B

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

3. Demolition works shall only be carried out in accordance with the Construction Traffic Management and Demolition Plan (amended version received 13.01.17) by Mace.

Reason: In the interests of the amenities of surrounding residential and commercial occupiers and highway safety.

4. No demolition works shall commence until the tree protection measures shown on drawing no. 02571P-TPP-01A have been installed in full. These measures shall remain in place at all times until all works on the site have been completed.

Reason: To ensure the existing preserved trees on the site are retained and protected from damage during demolition and clearance works, in accordance with saved Policy SE37 of the Watford District Plan 2000 and Policy GI1 of the Watford Local Plan Core Strategy 2006-31.

5. No demolition or construction works shall commence until a detailed scheme to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- i) a preliminary risk assessment (PRA) which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site;
- ii) where the PRA in (i) above identifies the need for further investigation, a site investigation scheme to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
- iii) where a site investigation scheme referred to in (ii) above is required, the results of the site investigation and risk assessment and, based on

these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;

- iv) where a remediation strategy referred to in (iii) above is required, a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

No changes to these components shall be undertaken without the written approval of the Local Planning Authority. All works shall be carried out in accordance with the approved details.

Reason: In the interests of the health of the future occupiers of the site and to prevent pollution of controlled waters (the site is within Source Protection Zone 2) in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

- 6. Where a remediation strategy has been approved pursuant to Condition 5, no construction works shall commence until a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To verify that all contamination has been successfully removed from site following all remediation works in the interests of the health of the future occupiers of the site and to prevent pollution of controlled waters (the site is within Source Protection Zone 2) in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

- 7. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until

the developer has submitted to, and obtained written approval from, the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination is to be dealt with. All works shall be carried out in accordance with the approved details.

Reason: In the interests of the health of the future occupiers of the site and to prevent pollution of controlled waters (the site is within Source Protection Zone 2), in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

8. The buildings at 73 and 75, Clarendon Road shall not be demolished until:
  - i) A Historic Building Record for each building has been submitted to and approved in writing by the Local Planning Authority; and
  - ii) A separate planning permission has been granted by the Local Planning Authority for the redevelopment of the site at 73-77, Clarendon Road, the implementation of which requires the demolition of these buildings.

Reason: The buildings are locally listed and are heritage assets that should be retained unless the benefits of a scheme for the redevelopment of the site is judged by the Local Planning Authority to outweigh the harm arising from the loss of these heritage assets, in accordance with Policy UD2 of the Watford Local Plan Core Strategy 2006-31 and the NPPF.

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**Drawing numbers**

TJX/CR/SLP

TJX-SRA-XX-00-DR-A-01-100B, 101B, 102B

02571P-TPP-01A

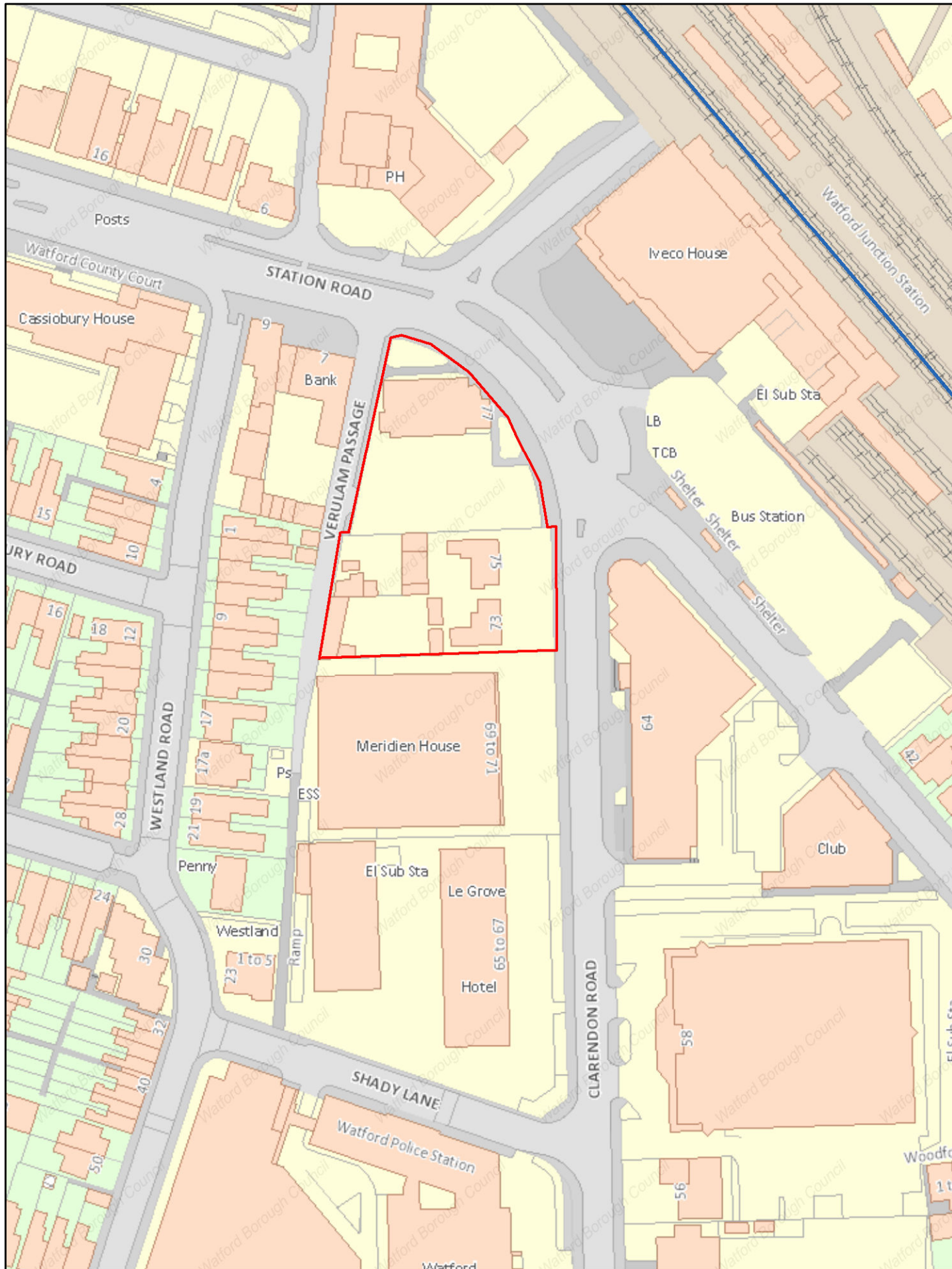
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**Case Officer:** Paul Baxter

**Email:** paul.baxter@watford.gov.uk

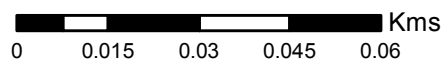
**Tel:** 01923 278284





73-77 Clarendon Road

Date: 17/01/2017



Scale 1:1,250





|  |   |
|--|---|
| PART A   |   |
| Report of: <b>Head of Development Management</b> |   |
| Date of committee:                               | <b>25<sup>th</sup> January 2017</b>   |
| Site address:                                    | <b>5 Newlands Walk</b>  |
| Reference Number:                                | <b>16/01577/FUL</b>   |
| Description of Development:                      | <b>Installation of a telescopic amateur radio mast.</b>                                     |
| Applicant:                                       | <b>Mr T Baldwin</b>   |
| Date Received:                                   | <b>16<sup>th</sup> November 2016</b>  |
| 8 week date (minor):                             | <b>11<sup>th</sup> January 2017 (extended by agreement to 27<sup>th</sup> January 2017)</b> |
| Ward:  | <b>Woodside</b>   |

## 1.0 Site and surroundings

- 1.1 Newlands Walk is a small cul-de-sac of 11 houses which is located on the north side of and adjacent to the A405 North Orbital Road and runs parallel to it. It is accessed from the North Orbital Road via a left-in, left-out junction which also serves Trevellance Way. To the east are 2 blocks of flats, The Gables and Dean Court, and beyond that the junction with Horseshoe Lane.
- 1.2 The houses on Newlands Walk are semi-detached, with the sole exception of no.11 which is detached. All are typical of the houses built in the inter-war period, incorporating hipped roofs and bay windows. To the rear, Trevellance Way comprises 2 storey maisonettes in a white painted render.

## 2.0 Proposed development

- 2.1 The installation of a telescopic amateur radio mast on the rear elevation of the single storey rear extension of the property. The mast will have a height of 4m above ground when retracted and 12m above ground when fully extended. It is proposed that a variety of different aerials may be mounted on the mast up to 3.4m long and 2.6m wide. It is common practice for this hobby that different aerials are used for different purposes and for experimentation. It is stated that the mast will only be extended at times when it is in use and that this will largely be at night.
- 2.2 Comments from surrounding residents indicate the mast has previously been

installed and used by the applicant although the use has now ceased following advice from the Council's Planning Enforcement team.

### **3.0 Relevant planning history**

3.1 There is no planning history of relevance to the current application.

3.2 The applicant has referred to a similar installation at 8, Evans Avenue in the Borough which was allowed on appeal in 1996 and is still in use as a reference.

### **4.0 Planning policies**

#### **4.1 Development plan**

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**

UD1 Delivering High Quality Design

#### **4.4 Watford District Plan 2000**

No relevant policies.

#### **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 *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.

#### 4.9 **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 7 Requiring good design

Decision taking

#### 5.0 **Consultations**

##### 5.1 **Neighbour consultations**

Letters were sent to 31 properties in Newlands Walk and Trevellance Way.

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

|                                   |    |
|-----------------------------------|----|
| Number of original notifications: | 31 |
| Number of objections:             | 4  |
| Number in support:                | 0  |
| Number of representations:        | 4  |

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

| Representations   | Officer's response   |
|---|--|
| Interference with TV signals.   | Licences for amateur radio operation are granted by OfCom who are also responsible for ensuring equipment is periodically checked for EMC interference. Any interference to signals from a licenced radio operator should be reported to OfCom. As there is a separate licensing regime it is not appropriate for the planning system to seek to duplicate this control. |
| Potential noise when the mast is raised.  | As the mast is raised and lowered manually, and takes only a short period of time, any noise is likely to be insignificant.  |
| No guarantee mast will only be used at night and no set limit to the time the mast can be raised. | The Council would not be able to control the time or length of use.  |
| Will appear as an intrusive and incongruous feature in the street scene.                          | See discussion in paragraph 6.2.   |
| Will appear as an eyesore from adjoining properties.  | See discussion in paragraph 6.3.   |

In addition to these letters, a petition has also been received signed by 14 persons. The petition accompanied one of the letters of objection and is merely referenced as 'Protest against planning application reference no. 16/01577/FUL for the installation of a telescopic amateur radio mast at 5, Newlands Walk'.

### 5.3 **Statutory publicity**

No statutory advertisement was required for this application.

### 5.4 **Technical consultations**

No technical consultations were necessary in respect of this application.

## 6.0 **Appraisal**

### 6.1 **Main issues**

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

- (a) Impact on the character and appearance of the area.
- (b) Impact on the amenities of surrounding residents.

6.2 (a) Impact on the character and appearance of the area

There are no planning policies specifically relating to amateur radio masts at a national or local level. However, national planning policy in the NPPF relating to telecommunications development does not exclude masts and other structures supporting antennas from residential areas. Indeed, it is now common for residential areas to support telecommunications masts up to 15m in height. In Watford, masts within residential areas are generally 10-12m in height and of a slender monopole design.

6.2.1 It is also common for most residential properties to support TV aerials on chimneys and satellite dishes and this is the case for properties in Newlands Walk and Trevellance Way. Existing TV aerials are approximately 11-11.5m high.

6.2.2 The height of the mast will take the antennas above the ridge line of the houses (at 8.7m) and to a similar height as the existing TV aerials. The proposed antennas that are commonly used by amateur radio operators vary in size up to 3.4m by 2.6m and generally have a flat, horizontal profile. Occasionally curved antennas are used. In all cases, these are made of thin metal rods in the same way as TV aerials.

6.2.3 The slender nature of the mast will ensure that it will not appear unduly prominent or visually intrusive when in its raised position. The proposed antennas are generally larger than a normal TV aerial but will be thin and lightweight in appearance and will only be visible from the public realm when the mast is raised. Along the southern side of Newlands Walk, where it adjoins the North Orbital Road, is a line of trees that screen the houses from view.

6.2.4 For comparison, there is an existing amateur radio operator at 8, Evans Avenue in Leavesden Green, who operates 2 masts (granted on appeal in 1996). These are clearly visible from Evans Avenue and Clarke Way but are not considered to have any significant adverse impact on the character and appearance of the area.

6.2.5 Overall, having regard to the nature of the proposal, comprising a single, slender mast which is retractable, the type and size of antennas proposed to be used, and the presence of the line of trees along the southern side of Newlands Walk, it is not considered that the proposed mast will have any significant, adverse impact on the character and appearance of the area.

6.3 (b) Impact on the amenities of surrounding residents

The proposed mast and antennas will be visible from adjoining properties in Newlands Walk and from the maisonettes in Trevellance Way to the rear. It will have no adverse impact on natural light or privacy to these properties. In terms of outlook, the mast and antennas will be visible from the windows of adjoining

properties, particularly those in Trevellance Way which directly face the rear elevation of the application property. The distance between the rear windows and the mast is 21m. However, whilst being visible, it will not affect outlook directly but will affect the view. When the mast is raised, direct horizontal views from ground and first floor windows are unlikely to be affected. When the mast is in the lowered position, the antennas will be seen against the rear elevation of the house. The mast and antennas will also be seen in views from adjoining gardens towards the application property. Whilst the mast and antennas are larger than the aerials normally visible from residential properties, it is not considered that the proposal would have any significant adverse impact on the amenity of adjoining properties.

## **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. Liability to CIL does not arise in the case of this development.

### **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 planning obligation in this case.

## **8.0 CONCLUSION**

8.1 The proposed mast and antennas are associated with an amateur radio hobby. Although larger than the TV aerials normally seen on residential properties, the mast is slender and the antennas of a thin and lightweight design, similar to TV aerials. The mast is retractable to a height of 4m when not in use. Overall, it is not considered that the proposal would have any significant adverse impact on the character and appearance of the area or on the amenities of adjoining residential properties.

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## 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.

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## 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:-

S001, E001, P001

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

3. The antennas to be attached to the mast shall not exceed 3.4m in length and 2.7m in width.

Reason: To minimise the visual impact of the antennas on the character and appearance of the area and the views from adjoining properties.

4. The mast and antenna/s hereby approved shall be removed as soon as reasonably practicable after it is no longer required for electronic communications purposes.

Reason: To ensure the visual impact of the mast and antenna on the surrounding area is removed at the point that the equipment is no longer required and to keep the amount of telecommunications equipment to a minimum in accordance with Policy UD1 of the Watford Local Plan Core

Strategy 2006-31 and paragraph 43 of the National Planning Policy Framework.

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**Drawing numbers**

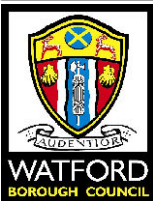
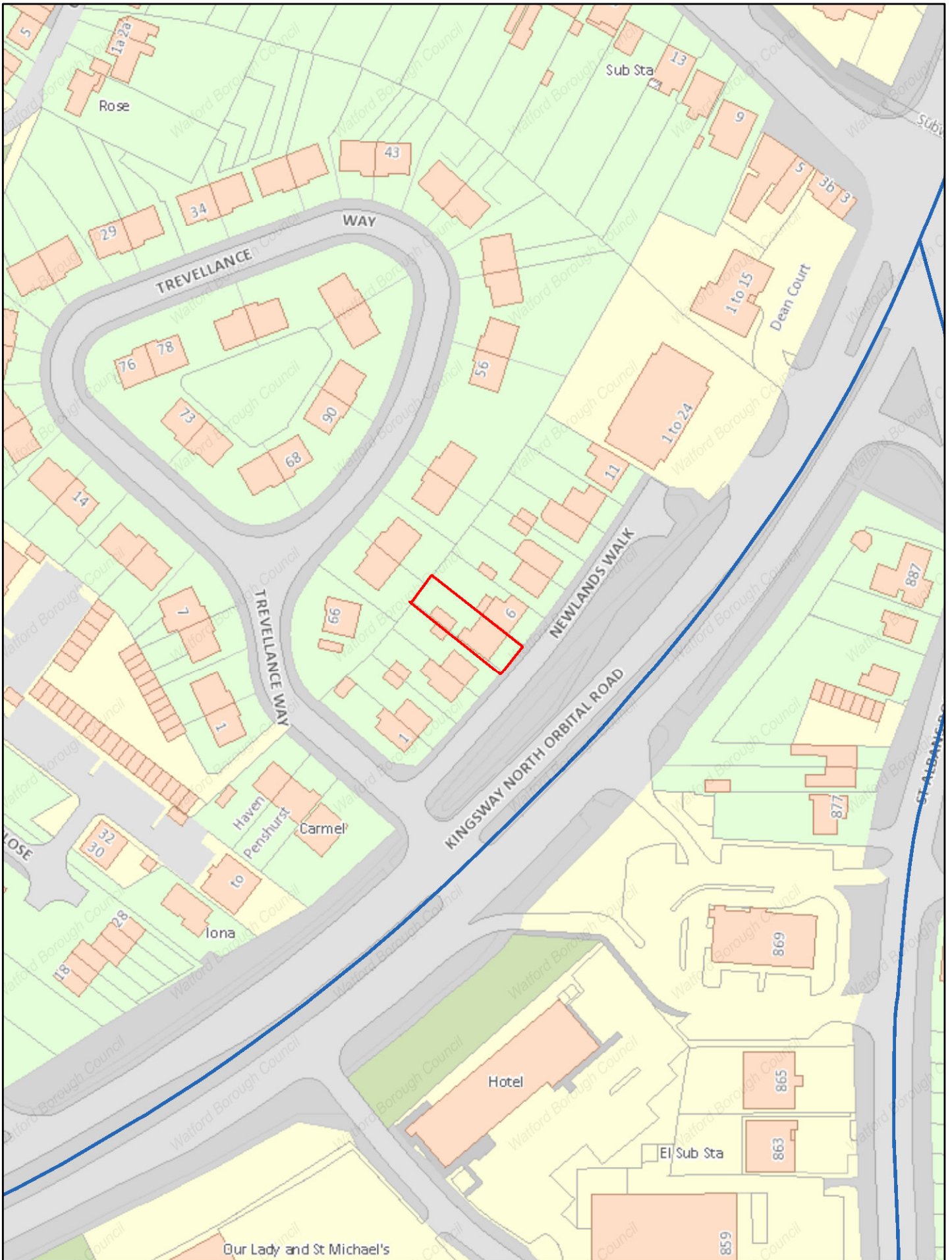
S001, E001, P001

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**Case Officer:** Paul Baxter

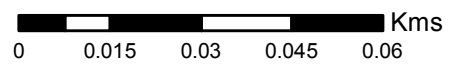
**Email:** paul.baxter@watford.gov.uk

**Tel:** 01923 278284



5 Newlands Walk

Date: 17/01/2017



Scale 1:1,250



