



**WATFORD
BOROUGH
COUNCIL**

DEVELOPMENT MANAGEMENT COMMITTEE

25 July 2018

7.00 pm

Town Hall

Contact

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Committee Membership

Councillor P Jeffree (Chair)

Councillor S Johnson (Vice-Chair)

Councillors N Bell, R Laird, M Mills, I Sharpe, R Smith, M Watkin and T Williams

Agenda

Part A – Open to the Public

1. **Apologies for absence/committee membership**
2. **Disclosure of interests**
3. **Minutes**

The [minutes](#) of the meeting held on 4 July 2018 to be submitted and signed.

CONDUCT OF THE MEETING

The committee will take items in the following order:

1. All items where people wish to speak and have registered with Democratic Services.
2. Any remaining items the committee agrees can be determined without further debate.
3. Those applications which the committee wishes to discuss in detail.
4. **18/00614/FULM - 56D, 56E, 58 and 58A, Vicarage Road (Pages 4 - 29)**

Proposed redevelopment of the site to provide a mixed use scheme comprising of 33 residential units (Class C3), flexible commercial floorspace (Class A1/A2/B1/D2) associated cycle parking, landscaping and associated works

5. **18/00579/FULM - Land at 87 Cassio Road (Pages 30 - 56)**

Demolition of temporary building and redevelopment to provide 25 residential apartments

- 6. 17/01511/FULM - Land to the south of Thomas Sawyer Way comprising the Waterside area and forming part of the Watford Riverwell development (Pages 57 - 101)**

Redevelopment of the site to provide 408 residential dwellings with associated landscaping, amenity space, access and parking

- 7. 18/00350/FULM - Land to the rear of Ye Corner (Pages 102 - 157)**

Demolition of existing buildings and redevelopment of site to create 19 residential units with associated works

- 8. 18/00362/FULM - 26-30, Aldenham Road (Pages 158 - 181)**

Demolish the existing commercial units and erect a 3-storey building for 10 residential flats

- 9. 18/00409/FULM Clarendon House, 33, Bridle Path (Pages 182 - 204)**

Demolition of existing office building and erection of a mixed-use building of part 4, part 9 and part 14 storeys comprising 41 no. residential apartments and 1,800sqm of office space

Agenda Item 4

PART A	
Report of: Head of Development Management	
Date of committee:	25th July 2018
Site address:	56D, 56E, 58 and 58A, Vicarage Road
Reference Number:	18/00614/FULM
Description of Development:	Proposed redevelopment of the site to provide a mixed use scheme comprising of 33 residential units (Class C3), flexible commercial floorspace (Class A1/A2/B1/D2) associated cycle parking, landscaping and associated works
Applicant:	GS8 Watford Limited
Date Received:	23rd May 2018
13 week date (major):	22nd August 2018
Ward:	Vicarage

1.0 Site and surroundings

- 1.1 The site is located on the southern side of Vicarage Road between Farraline Road/The Hornets to the east and Occupation Road to the west. It comprises the former Watford Printers building (58), a small retail unit (58A) and 2 small retail units (56D and 56E) that form part of a small parade of 5 single storey units. The site is approximately rectangular in shape with an area of 0.11 hectare. The site backs onto two storey residential properties in Clifton Road to the rear (south) and a car repair/MOT garage immediately to the west.
- 1.2 The main 2 storey building on the site, no. 58, is a locally listed building. Opposite the site is The Square Conservation Area which contains several locally listed buildings, including the Red Lion PH and stable block, and the war memorial and chapel within the Vicarage Road Cemetery. The 2 units at nos. 56D and 56E fall within the Vicarage Road local shopping frontage designation.
- 1.3 The wider area is very varied. To the east is the Vicarage Road local shopping frontage, which extends through to Merton Road/Wiggenhall Road, comprising single storey and 2 storey properties, with residential accommodation on the upper floors. Opposite the site is the Vicarage Road Cemetery which forms part of The Square Conservation Area. To the west is Vicarage Road Stadium and beyond this Watford General Hospital. The area to the south comprises residential streets of 2 storey Victorian terraced properties.

2.0 Proposed development

- 2.1 To demolish all the existing buildings on the site and erect a single building of 3, 4 and 5 storeys to provide commercial floorspace at ground floor (within Use Classes A1, A2, B1, D2) and 33 flats above. The commercial floorspace is shown as 3 units, reflecting the character of the local shopping frontage. The flats comprise 13 x 1 bed (39%), 17 x 2 bed (52%) and 3 x 3 bed (9%) units. Bin and cycle stores are shown at ground floor level.

3.0 Relevant planning history

- 3.1 The site has no recent planning history. The oldest building on the site, no.58, was originally known as Colney Butts House and formed part of an eighteenth century farm. It was sold to Watford Printers in 1924 with the large industrial extension added in the 1930s.

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 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.

Residential Design Guide
Watford Character of Area Study

4.3 National Planning Policy Framework

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

Achieving sustainable development

The presumption in favour of sustainable development

Core planning principles

Section 1 Building a strong, competitive economy

- Section 4 Promoting sustainable transport
- Section 6 Delivering a wide choice of high quality homes
- Section 7 Requiring good design
- Section 10 Meeting the challenge of climate change, flooding and coastal change
- Section 12 Conserving and enhancing the historic environment
- Decision taking

4.4 In January 2016 the Council received the South West Hertfordshire Strategic Housing Market Assessment and associated Economic Study 2016 (SHMA) which set out an Objectively Assessed Need (OAN) for housing in the Borough that exceeds the levels in the Core Strategy. The Court of Appeal has recently confirmed that a “realistic prospect” of a site coming forward within the required timeframe will be sufficient to meet the deliverability test set by national planning policy, thereby endorsing an earlier decision of Mr Justice Ouseley (St Modwen Developments Limited v Secretary of State for Communities and Local Government & Ors. Case Number: C1/2016/2001). Officers have undertaken a recent review of the housing supply having regard to these judgements and are of the view that the Council is able to demonstrate a 5 year supply based on the OAN. Accordingly, the Council’s housing policies can be considered up to date.

5.0 Consultations

5.1 Neighbour consultations

Letters were sent to 33 properties in Vicarage Road, Clifton Road, Oxford Street and Aynho Street. Letters of reply were received from 29 properties with 26 raising objections. These are summarised in the table below:

Representations	Officer’s response
Development too high and not in keeping with Victorian residential properties	See paragraph 6.3 of the report
Overlooking and loss of privacy to residential properties to rear in Clifton Road from windows and balconies	See paragraph 6.7 of the report
Loss of daylight and sunlight to residential properties to rear in Clifton Road	See paragraph 6.7 of the report
Loss of outlook to residential properties to rear in Clifton Road	See paragraph 6.7 of the report
No parking spaces will make parking in the area even more difficult after 6.30pm	See paragraph 6.8 of the report

Loss of the large mature tree adjoining Clifton Road gardens	This tree, at the rear of 56D Vicarage Road, is now to be retained
No affordable housing provision	See paragraph 6.6 of the report
Additional demand on local facilities – GPs, dentists and schools	The provision of these services are the responsibility of other providers
No servicing or drop off space for the development	See paragraph 6.8 of the report

5.2 One representation notes the historic importance of the building locally and the need for an historic building record to be made. One letter has been received specifically in support of the proposed use of part of the ground floor by Random Café, which has been included in the scheme during the application process.

5.3 The applicant has advised officers that since the application was submitted they have met with various local residents on 9 separate occasions to discuss the proposal. This has led to various changes to the proposal to further improve the relationship with properties in Clifton Road. Following these meetings, one objector has removed their objection to the scheme for the following reasons: provision of a green buffer zone, retention of the existing mature tree, CCTV to discourage dumping in the alleyway, obscured glass in the upper floor windows, CPZ extension.

In addition, support for the application has been received from 7 local businesses who consider the proposal will deliver much needed regeneration and enhance the street frontage.

5.4 **Statutory publicity**

The application was publicised by a site notice posted outside the site on 8th June 2018 and by advertisement in the Watford Observer published on 8th June 2018. The statutory notice period expired on 29th June 2018.

5.5 **Technical consultations**

The following responses have been received from technical consultees:

5.5.1 Hertfordshire County Council (Highways Authority)

No comments received.

5.5.2 Hertfordshire County Council (Lead Local Flood Authority)

An acceptable surface water drainage scheme has been submitted. No objection to the proposal.

5.5.3 Thames Water

No objection with regard to the waste water network or waste water process infrastructure capacity. Has not requested any conditions.

5.5.4 Environmental Health

After reviewing the information provided, I remain concerned that this building could be subjected to Odour and smoke from the low-level flue serving the neighbouring business.

Despite the windows being positioned away from the flue, they are in close proximity to the outlet and so it is likely that some of the discharge could find its way into the building and lead to a loss of amenity for residents. However, if they were able to keep their windows closed at all times, this issue could be overcome. Therefore, this could be dealt with a condition which required an appropriate and effective mechanical ventilation system, able to achieve a comfortable indoor temperature, in line with recognised standards and designed/compiled by a competent person such as a building services engineer – the condition would need to be discharged prior to work commencing. Such a system would also help overcome public exposure to air pollution linked to road traffic – the building is within Air Quality Management Area 2. Subsequently, any air intake for this system would need to be drawn in away from the road and flue.

Unfortunately, the acoustic report does not consider the potential noise impacts from the flue nor does it mention impulsive noise from the neighbouring garage – after recently visiting this premise, I noted the activity happening there had the potential to be an issue. Therefore, a revised acoustic report will be required and this could be done via condition. Furthermore, it would be appropriate to impose a condition which required the glazing selection to be approved by us prior to occupation.

5.5.5 Planning Policy

It is considered that the loss of the locally listed building is justified in this instance due to the quality of the proposed scheme and the additional benefit to the town through the housing provided. The LLB should be recorded prior to demolition. The scheme can be supported in terms of the design and quality of the environment produced.

5.5.6 Housing

The Housing team commented as follows on the submitted application:

The Housing Service does not support this application for planning as all 33 units have been proposed as market housing, with no provision of affordable housing. On a site of 33 units, in line with the Council's policy, we would expect 12 units (35%) affordable housing. The policy then requires the majority (85%) of those affordable housing units to be rented affordable housing (60% affordable rents and 15% social rents), then just 15% LCHO.

That would be:

8 x Affordable Rent, 2 x Social Rent, and 2 x LCHO

The households on our housing register are seeking assistance from the Council as they are homeless or in housing need i.e. living in inadequate housing. They are seeking housing assistance as they cannot find suitable and affordable housing on the private market. The proposed 33 market housing units will provide no assistance to those in housing need, who the Council has a duty to assist.

6.0 Appraisal

6.1 Main issues

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

- (a) Principle of the use
- (b) Scale and design
- (c) Impact on heritage assets
- (d) Quality of residential accommodation
- (e) Affordable housing provision
- (f) Impacts on surrounding properties
- (g) Transport, parking and servicing
- (h) Environmental considerations

6.2 (a) Principle of the use

The majority of the site has no specific land use designation. Only units 56D and 56E fall within the local shopping frontage. In this respect, the proposal will introduce an enhanced floorspace for commercial use at ground floor which will extend the local shopping frontage across most of the site. This will be a benefit to the shopping frontage and is welcomed.

6.2.1 Policy HS1 of the Core Strategy lists the criteria that will be taken into account in assessing the suitability of sites for residential use. In this case, the site is brownfield land, is close to a range of local facilities, is not at risk of flooding and has access to public transport. Although the site has some heritage significance this is not considered to outweigh the benefit of new residential development on the site (see Section 6.6 below). Overall, the proposal is in general accordance with Policy HS1 and the principle of residential development on the upper floors and to the rear of the site, whilst extending the local shopping frontage, is acceptable.

6.2.2 The proposed residential development would be in keeping with the residential character of the surrounding area to the south and to the north-west. The development provides a suitable mix of 1, 2 and 3 bed units and is compliant

with Policy HS2 of the Core Strategy. The principle of residential provision is therefore supported.

6.3 (b) Scale and design

The scale and design of the proposed buildings has been informed by the varied scale and design of buildings within the immediate locality, ranging from Victorian terraced housing to the modern appearance of Vicarage Road Stadium. Within the immediate street frontage, the single storey and 2 storey buildings within the local shopping frontage are in stark contrast to the scale, massing and appearance of the stadium. The proposed building has been designed to reflect this transition in scale with a 3 storey element at its eastern end, adjoining the buildings within the shopping parade, stepping up to 4 storeys across most of the site. Towards the western end, closest to the stadium, a recessed roof element increases the height to 5 storeys. This matches the height of the stadium façade on Vicarage Road.

6.3.1 The ground floor commercial units are defined by a strong horizontal feature in the form of a concrete band that separates the ground floor from the upper floors. This highlights the commercial 'base' of the building and gives it a strong presence at street level. To avoid the monolithic mass of the stadium, the upper residential floors are divided into 4 vertical elements punctuated by windows and separated by recessed balconies. This successfully breaks up the massing, adds interest to the façade and provides a strong vertical rhythm that is characteristic of the terraced housing in the area and the buildings within the shopping frontage. The main facing material is proposed to be brick, which is the characteristic material of the locality, with the recessed elements and roof element in timber cladding.

6.3.2 Overall, it is considered that the proposal provides a successful design response for this site with the building being a significant visual improvement to the site and a positive addition to the Vicarage Road streetscene. It reflects the changing scale of existing buildings within the immediate locality and provides a transition

6.4 (c) Impact on heritage assets

The only heritage asset directly affected by the proposal is the locally listed building at no. 58, which will be demolished. The reason for the local listing is given as:

Architectural interest:

A complex building with elements dating from three centuries. Part designed by the architect William H. Syme (F.R.I.B.A.), who was responsible for a number of other Locally and Nationally Listed Buildings in Watford.

Function & Historical interest:

The oldest part of the building was originally known as the Colney Butts House. Originally part of a farm and recorded as existing in the eighteenth century, this is one of the oldest houses that survive in Watford. Part of the two storey section was substantially extended during the mid-nineteenth century, when it still remained as a farmhouse. In 1910 the property was purchased as a home by the architect William Syme, who added the single storey element on the western side in 1911. The site was sold by Syme to the Watford Printers in 1924 and the extensive additions to the eastern side were added during the 1930s.

6.4.1 As a result of significant changes to the property over the past 2 centuries and in particular the extensions undertaken by Watford Printers in the 1930s, much of the interest of the building has been lost or eroded. Other unsympathetic alterations have included pebble dash render and uPVC windows. The industrial extensions on the eastern side of the building were built over the original garden area of the house which was completely lost. Consequently, the original context of the building has been lost, the building has little presence within the streetscene and is of limited architectural interest.

6.4.2 The value of the building as an undesignated heritage asset is therefore considered to be very limited and the loss of the building needs to be weighed against the benefits of the proposed development. In this respect, the proposal will extend and improve the local shopping frontage, significantly improve the appearance of the site, enhance the streetscene and provide 33 residential flats of 1, 2 and 3 bedrooms. Overall, it is considered that the benefits of the proposal significantly outweigh the loss of the locally listed building as an undesignated heritage asset.

6.4.3 The Square Conservation Area is opposite the site on the northern side of Vicarage Road and is a designated heritage asset. It also contains several locally listed buildings. The proposal will have no direct effect on the conservation area but will be seen as part of its setting, alongside Vicarage Road Stadium. The scale and design of the proposed building is considered to enhance the wider streetscene and will therefore enhance the setting of the conservation area. It is not considered the proposal will give rise to any harm.

6.5 (d) Quality of residential accommodation

To the rear of the building, where the land levels drop down towards the properties in Clifton Road, the proposal incorporates 7 no. 2 bed duplex units with small private garden areas. The upper floors, above the commercial units and duplex units, comprise a mix of 1, 2 and 3 bed flats. All of the residential units are accessed via a single entrance on Vicarage Road. All of the proposed residential units will meet or exceed the nationally described space standard for new residential dwellings and will have good levels of natural light, outlook and privacy. Whilst the duplex units have private gardens at lower ground level, the upper floor flats will all have access to private balconies.

6.5.1 A noise impact assessment has been submitted with the application to assess potential noise impacts from road traffic on Vicarage Road on the proposed units. The assessment also included a match day to assess noise from Vicarage Road Stadium. This has concluded that additional acoustic double glazing and acoustic ventilators will be required for the units facing Vicarage Road and the stadium in order to ensure acceptable internal noise levels are achieved in accordance with British Standard BS8233:2014. Also, in order to allow the flats to be adequately ventilated without the need to open windows, mechanical ventilation will also be required, to provide background and purge ventilation. These additional measures can be secured by condition.

6.6 (e) Affordable housing provision

Policy HS3 of the Core Strategy requires a 35% provision of affordable housing for all major developments, with this provision having a tenure split of 65% affordable rent, 20% social rent and 15% shared ownership. The application was accompanied by a viability appraisal which concluded the scheme was unable to make any affordable housing provision, either on-site or through a commuted sum. This appraisal was subject to a robust review by GL Hearn on behalf of the Council and this concluded that the scheme could support a commuted sum. This was principally due to an excessive existing benchmark land value being used by the applicant. Following further negotiations between GL Hearn and the applicant's consultant, it has been agreed that the development is able to support a maximum commuted sum of £350,000, with 50% to be paid on commencement and 50% on completion of the 18th unit. This equates to an affordable housing provision of 6% based upon the Council's adopted SPD on Commuted Sums for Affordable Housing Provision.

6.6.1 In this case, a commuted sum is considered to be the most appropriate form of provision. Given the relatively small size of the site, it is not practicable to provide a separate entrance and core for a small number of affordable units, which would also have a significant impact on the viability of the scheme. The commuted sum will enable the Council to use this money for the delivery of new affordable units elsewhere in the borough or to change the tenure of affordable housing units already being delivered, i.e. to change affordable rented units to social rented units in order to help meet the most urgent housing needs.

6.7 (f) Impacts on surrounding properties

6.7.1 The only residential properties adjoining the site and those likely to be directly affected are sited to the rear (south) of the site at nos. 20-30 (evens), Clifton Road. These properties are typical Victorian terraced houses with outriggers. The proposed scheme has been designed to achieve a minimum distance of 11m between the rear of the building and the site boundary and 27.5m between the rear facing windows and the nearest windows in the rear of these properties. This accords with the minimum guidelines in the Residential Design Guide and is,

consequently, sufficient to ensure acceptable levels of privacy are maintained to these properties. However, in response to pre-application discussions with officers and concerns raised by local residents, further measures to mitigate any overlooking and loss of privacy have been incorporated; these include slatted, angled balcony railings to a height of 1.7m to prevent direct views towards these properties, the incorporation of obscured glazing on the lower glazing of the rear windows, and the planting of a landscaped buffer incorporating substantial new trees. All of these measures will successfully mitigate any overlooking.

6.7.2 In respect of natural light, the scheme has been designed to accord with the 25° guideline of the British Research Establishment's document 'Site layout planning for daylight and sunlight: A guide to good practice'. This advises that if a 25° line in the vertical plane is taken from the mid-point of a window and is not breached by a proposed development, acceptable levels of daylight will be maintained to that window. In addition to this, a detailed analysis of daylight has been undertaken using proprietary software to demonstrate that only a small number of windows in the Clifton Road properties would experience a minor loss of daylight. Most of these are smaller secondary windows such as kitchens and bathrooms.

6.7.3 Sunlight to these properties will be unaffected. The windows in the front elevation of the properties face south over Clifton Road and away from the application site. The rear facing windows that face towards the site also face north so will receive limited direct sunlight and cannot be assessed. However, the garden areas will receive oblique sunlight from the east and west and this will be unaffected by the proposed building.

6.7.4 In terms of outlook, there is no objective test for compliance. However, compliance with the BRE's 25° guideline will generally ensure a proposal will not appear unduly overbearing and will maintain an acceptable level of outlook. Whilst the proposed building will be higher than the existing buildings on the site, it is not considered that it will appear unduly overbearing when viewed from the adjoining properties. Views of the building will also be softened by the proposed tree planting within the landscaped buffer.

6.7.5 Overall, it is considered the proposed building will not have any harmful impacts on the adjoining properties in Clifton Road.

6.8 (g) Transport, parking and servicing

The site is located on the edge of the wider town centre area and within the Vicarage Road local shopping frontage. It is served by various bus routes along Vicarage Road, principally the 10 bus service which runs every 10 minutes to the town centre and Watford Junction. The site is also within walking distance of the town centre and numerous additional bus services, the High Street Station and, slightly further away, Bushey Station. There are also various local services within

the local shopping frontage including a convenience store and ethnic food shops, barbers/hairdressers, opticians, cafes and take-aways.

6.8.1 The site is located within a controlled parking zone (CPZ) due to the close proximity to Vicarage Road Stadium and the town centre. This would allow a reduced level of parking provision or a car-free development on the site. In this case, as there is no opportunity to provide any on-site parking due to the constrained nature of the site, the development is proposed as car-free. The applicant has agreed that the development be excluded from the CPZ in order to ensure future residents will not be entitled to parking permits to park on the surrounding roads. This can be secured by a s.106 planning obligation in the normal way. As such, the proposal is fully supported as a car-free development will help minimise car ownership and encourage use of public transport, which is a key aspiration of the Council and supported by planning policy.

6.8.2 Furthermore, the applicant has also agreed to fund a survey of the local CPZ (Zone K) and a consultation with local residents regarding a potential extension of hours beyond 6.30pm. This has been agreed in response to requests from local residents during the applicant's consultation process and a petition signed by 133 local residents, which has been forwarded to officers.

6.8.3 A bin store and cycle store are provided at ground floor within the building to serve the residential flats with adequate capacity for the number of flats proposed. Due to the relatively small size of the proposed commercial units and their potential uses, no separate bin stores have been provided for the units, with any waste to be stored within the units themselves.

6.8.4 Servicing of the former printers and the majority of other units within this part of the shopping frontage has to take place directly from Vicarage Road. This will remain the case for the proposed commercial units and the residential flats. There are single yellow lines outside the site which allow limited servicing to take place and this is acceptable. There is no opportunity for on-site servicing to take place.

6.9 (g) Environmental considerations

6.9.1 i) Land contamination

No site investigation for land contamination has been submitted with the application. Given the previous use of the site as a printing works, contamination arising from the various chemicals used in the printing process over many years is highly likely. Appropriate conditions are therefore proposed to secure a site remediation scheme.

6.9.2 ii) Surface water drainage

A surface water drainage strategy has been submitted with the application. This proposes that all surface water from the site will be collected in underground

attenuation tanks within the rear garden areas with regulated flows into the public sewer. This has been agreed by Herts. County Council as the Lead Local Flood Authority and is acceptable.

6.9.3 iii) Sustainability

An Energy and Sustainability Statement has been submitted in respect of both the commercial and residential elements of the proposal. These detail how the proposed development will achieve a reduction in annual energy demand by 10% for the residential element and 10.3% for the commercial element through the potential to utilise a ground source heat pump system and solar photovoltaic panels on the roof of the building.

7.0 Community Infrastructure Levy and s.106 planning obligations

7.1 Community Infrastructure Levy (CIL)

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. The CIL charge covers a wide range of infrastructure as set out in the Council's Regulation 123 list, including highways and transport improvements, education provision, youth facilities, childcare facilities, children's play space, adult care services, open space and sports facilities. CIL is chargeable on the relevant net additional floorspace created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted. The CIL charge applicable to the proposed development is £0 for the commercial units and £120m² (excluding indexation) for the residential units.

7.2 S.106 planning obligation

Following the adoption of the Community Infrastructure Levy, 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. The proposed development is one where a commuted sum towards affordable housing provision is to be provided and this will need to be secured. The development will also need to be excluded from the local controlled parking zone.

8.0 Conclusion

8.1 The site is suitable as a windfall housing site as it comprises previously developed land, is close to public transport on Vicarage Road and within walking distance of the site, is close to local facilities in the local shopping frontage and a wide range of services within walking distance in the town centre, and is compatible with adjoining residential uses. The proposed 33 flats will make a significant contribution to the borough's housing supply while the commercial units will extend and enhance the local shopping frontage. Following a robust viability review, it has been agreed that a commuted sum of £350,000 can be

provided towards affordable housing provision within the borough.

- 8.2 The proposed development is considered to be an appropriate and acceptable response to the context of this site in respect of its scale, design and materials. It will enhance the streetscene in Vicarage Road and the setting of The Square Conservation Area. Although it will result in the loss of a locally listed building on the site, the harm arising is considered to be outweighed by the many benefits of the proposal.
- 8.3 The proposal will provide residential units of good quality and amenity and will not give rise to any significant harmful impacts to surrounding residential properties. The proposal is car-free which is acceptable in this sustainable and accessible location.
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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, pursuant to a planning obligation under s.106 of the Town and Country Planning Act 1990 having been completed to secure the following Heads of Terms, planning permission be granted subject to the conditions listed below:

Section 106 Heads of Terms

- i) To secure a financial payment to the Council of £350,000 towards the provision of affordable housing in the Borough of Watford;
- ii) To secure a financial payment to the Council of £2,000 towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude the site from the controlled parking zone, thereby preventing residents' parking permits being issued to this development;

- iii) To secure a financial payment to the Council of £31,200 towards survey work and a public consultation into the potential to extend the operating hours of the local controlled parking zone (Zone K);
- iv) A financial contribution of £6,000 to Hertfordshire County Council for monitoring of the Travel Plan for the site.

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:-

1715-LS-X-XX-DR-A-0100_P1
1715-LS-X-XX-DR-A-1000_P1
1715-LS-X-00-DR-A-1100_P4
1715-LS-X-05-DR-A-1100_P3
1715-LS-X-10-DR-A-1100_P3
1715-LS-X-20-DR-A-1100_P3
1715-LS-X-30-DR-A-1100_P3
1715-LS-X-40-DR-A-1100_P2
1715-LS-X-50-DR-A-1100_P3
1715-LS-X-XX-DR-A-1201_P2
1715-LS-X-XX-DR-A-1202_P3

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

3. No demolition of the existing buildings shall commence until a Historic Building Record of 58, Vicarage Road has been submitted to and approved in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition as the building is locally listed and will be lost as a result of the proposal and a record of the building is required before it is demolished, in accordance with Policy UD2 of the Watford Local Plan Core Strategy 2006-31 and the NPPF.

4. No demolition of the existing buildings shall commence until details of the tree protection measures to protect the retained tree at the rear of 56E, Vicarage Road have been submitted to and approved in writing and these measures have been installed as approved. These measures shall be retained at all times during the demolition and construction of the development.

Reason: This is a pre-commencement condition in order to ensure the long term health and retention of the tree.

5. No demolition of the existing buildings or construction of the development shall commence until a detailed scheme to deal with the risks associated with the potential 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 which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site;
- ii) a site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
- iii) the results of the site investigation and risk assessment referred to in (ii) above 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) 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 in (iii) 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: This is a pre-commencement condition to ensure any contamination of the ground is identified and remediated in the interests of the health of the future occupiers of the site, in accordance with Policy SE24 of the Watford District Plan 2000. To ensure that the development is

not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution in line with paragraph 109 of the National Planning Policy Framework. To prevent deterioration of groundwater within the secondary and Principal aquifers present beneath the site. The submitted geo-environmental assessment has identified known and suspected contamination from current and historical land uses. The proposed development includes extensive groundworks and foundation works which will alter the current site conditions, resulting in the creation of new pollutant pathways. This will need to be addressed to better constrain the conceptual site model and provide greater detail to the risk assessment.

6. No construction works shall commence until a verification report demonstrating completion of the works set out in the approved remediation strategy (see Condition 3 above) 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.

Reason: This is a pre-commencement condition to verify that all contamination has been successfully removed from site following all remediation works and that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. In the interests of the health of the future occupiers of the site, in accordance with saved Policy SE24 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, in accordance with saved Policy SE24 of the Watford District Plan 2000.

8. The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Elliott Wood Partnership Ltd, job number 2170842, revision P2, dated May 2018:

- i) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 2.5 l/s during the 1 in 100 year event plus 40% of climate change event.
- ii) Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 44 m³ (or such storage volume agreed with the LLFA) of total storage volume in underground tank.
- iii) Discharge of surface water from the private drain into the Thames Water sewer network.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

9. No development (excluding demolition works) shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- i) Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
- ii) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: This is a pre-commencement condition in order to ensure adequate measures are incorporated into the design to prevent any increased risk of flooding, both on and off site.

10. No development (excluding demolition works) shall commence above ground level until a revised noise impact assessment has been submitted

to and approved in writing by the Local Planning Authority. The revised assessment shall take into account all noise sources including road traffic noise, Vicarage Road Stadium on a match day, the extract flue at the adjoining Kasturi take-away and the adjoining car repair garages. The revised assessment shall include a mitigation scheme for each of the residential dwellings and shall include the details and specifications of the sound reduction performance of all glazed and non-glazed elements of the building facades. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition to ensure appropriate noise mitigation measures are built into the development to ensure good indoor ambient noise levels are achieved in accordance with BS 8233:2014 for the future occupiers of the dwellings.

11. No development (excluding demolition works) shall commence above ground level until the specification of a mechanical air supply/extract system for each of the residential dwellings, based upon the revised noise impact assessment required under Condition 10, has been submitted to and approved in writing by the Local Planning Authority. The system must be capable of providing background and rapid ventilation for cooling with the windows of the respective dwellings remaining closed. The system must not compromise the sound insulation of the façades. No dwelling shall be occupied until the approved ventilation system has been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition to ensure appropriate ventilation measures are built into the development to ensure good indoor ambient noise levels are achieved in accordance with BS 8233:2014 for the future occupiers of the dwellings.

12. No development (excluding demolition works) shall commence above ground level until full details and samples of the materials to be used for the external surfaces of the building (including walls, roofs, windows, doors, balconies, privacy screens) have been submitted to and approved in writing by the Local Planning Authority. These should be based upon the details given in the Design and Access Statement (version P1 dated 18 May 2018) by Lynas Smith. The development shall only be constructed in the approved materials.

Reason: This is a pre-commencement condition to ensure high quality materials are used for the buildings in the interests of the visual appearance of the site and the character and appearance of the area, in

accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

13. No dwelling shall be occupied until a detailed soft landscaping scheme for all the land within the site, based upon the details given in the Design and Access Statement (version P1 dated 18 May 2018) by Lynas Smith, has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the biodiverse roof system. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of development. 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 the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

14. No dwelling shall be occupied until the bin store and the cycle store to serve the dwellings, as shown on the approved drawings, have been constructed and made available for use. These facilities shall be retained as approved at all times and shall be used for no other purpose.

Reason: To ensure that adequate facilities exist for residents of the proposed development, in accordance with Policies SE7 and T10 of the Watford District Plan 2000.

15. No dwelling shall be occupied until the following works have been completed in full:
- i) the formation of a vehicular crossover on Vicarage Road in front of the bin store to facilitate collection.
 - ii) the provision of 2 cycle stands (4 cycles) for short stay visitors.

Reason: In the interests of highway safety and convenience, in accordance with saved Policy T21 of the Watford District Plan 2000.

16. No dwelling shall be occupied in the respective blocks until details of a communal terrestrial television aerial(s) and satellite dish(es) for the block have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the building, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

17. No dwelling shall be occupied until a detailed Travel Plan has been submitted to and approved in writing by the Local Planning Authority, based upon the Residential Travel Plan dated May 2018 by Caneparo Associates. The approved plan shall be implemented in full.

Reason: To encourage and promote sustainable modes of travel to the residents of the development.

18. No dwelling shall be occupied until a detailed external lighting scheme for the development, based upon the details given in the Design and Access Statement (version P1 dated 18 May 2018) by Lynas Smith, has been submitted to and approved in writing by the Local Planning Authority and the lighting scheme has been installed in accordance with the approved details.

Reason: In the interests of the visual appearance of the site and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

19. For the avoidance of doubt, no communications development permitted by Classes A, B or C of Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) shall be undertaken on any of the buildings hereby approved.

Reason: In the interests of the character and appearance of the buildings, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

Informatives

1. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health & 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/neighbor_complaints_%E2%80%93_construction_noise.

2. This development may be considered a chargeable development for the purposes of the Community Infrastructure Regulations 2010 (as amended). The charge is non-negotiable and is calculated at the time planning permission is granted. The charge is based on the net increase of gross internal floor area of the proposed development.

A person or party must assume liability to pay the levy using the assumption of liability form 1 which should be sent to the CIL Officer, Regeneration and Development, Watford Borough Council, Town Hall, Watford, WD17 3EX or via email (semeta.bloomfield@watford.gov.uk).

If nobody assumes liability to pay the levy this will default to the land owner. A Liability Notice will be issued in due course. Failure to adhere to the Regulations and commencing work without notifying the Council could forfeit any rights you have to appeal or pay in instalments and may also incur fines/surcharges.

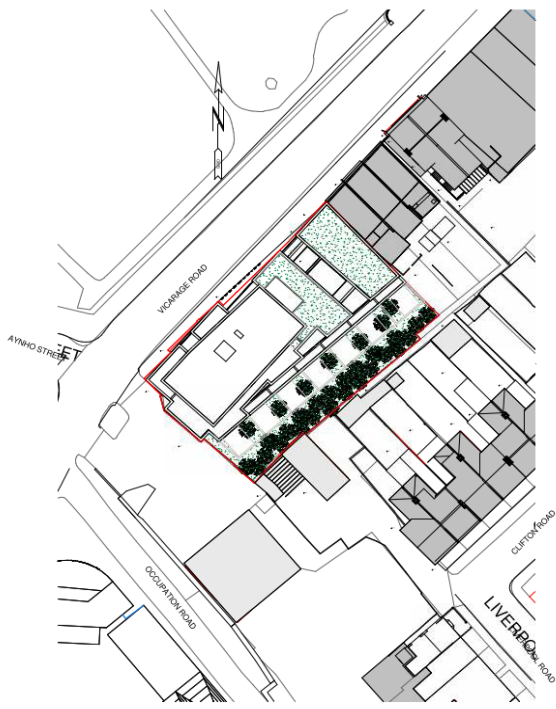
3. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure a financial contribution towards the provision of affordable housing, the exclusion of the development from the local controlled parking zone, and a monitoring fee for the Travel Plan.
4. All new developments 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 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.
5. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the

policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended. The Council entered into extensive pre-application discussions with the applicant and requested amendments during the consideration of the application.

6. All works required to be undertaken on the highway network will require an Agreement with the Highway Authority. Before commencing the development the applicant shall contact HCC Highways Development Management, County Hall, Pegs Lane, Hertford, SG13 8DN to obtain their permission and requirements. This is to ensure any work undertaken in the highway is constructed in accordance with the Highway Authority's specification and by a contractor who is authorised to work in the public highway.

Case Officer: Paul Baxter
Email: paul.baxter@watford.gov.uk
Tel: 01923 278284

1800614FULM - 56D, 56E, 58, 58A, Vicarage Road



P1 Issued for Planning 18.01.2018 CK * Landscaping is for illustrative purposes only
1800614FULM
Lynas Smith 2015
Original drawing is A3. Do not scale from this drawing.

56d, 56e, 58 & 58a Vicarage Road, Watford
Site Plan
1 : 500 @A3
1715-LS-X-XX-DR-A-1000



**LYNAS
SMITH**

1 - Aerial views

2.3 Existing Buildings on site

The site currently comprises a former
 printing works together with three
 attached shops, all vacant, having a
 total site area of circa 0.6ha (7.5,111
 sqm).

The printing works comprises a large
 workshop together with a 2-storey late
 Victorian building which has been locally
 listed.

The remaining three shops being locally
 listed, has little architectural value. A
 full Heritage Report has been prepared by
 AH Heritage that analyses the significance
 of the building. This document has been
 submitted with this application, and
 concludes that the buildings within
 the site, including the locally listed
 late Victorian building, are of no
 particular architectural or historical
 merit, and of negligible historical
 interest. They have been crudely altered.

North View on the right shows the poor
 relationship that the site currently
 has to both Vicarage Road and to the
 neighbouring properties to the east.



2 - Ground floor plan



3 - First floor plan



4 - Front elevation

Proposed Front Facade



5 - Street view 1



6 - Street view 2



7 - View from Clifton Road gardens



8 - Distances to Clifton Road properties

7.12 Rear Landscaping - Distances

The closest wall to the boundary at upper levels is at 12m from the boundary and this therefore results in a minimum distance of 20m from the rear of the neighbouring properties to the south, therefore 6m of an improvement of our desired 26m required distance.

The stepping of the façades has not only been designed for aesthetic reasoning but the brickwork also provides the opportunity for windows to be placed to the east and west side walls of these, rather than only on the south facade. This allows us to place large amounts of glazing, yet the rear facade does not imply this, as the windows here have been avoided and made smaller in order to respect the neighbouring properties.



Agenda Item 5

PART A	
Report of: Head of Development Management	
Date of committee:	25th July 2018
Site address:	Land at 87 Cassio Road Watford WD18 0QN
Reference Number:	18/00579/FULM
Description of Development:	Demolition of temporary building and redevelopment to provide 25 residential apartments
Applicant:	Gada Property Investments
Date Received:	11th May 2018
Statutory Target Date (agreed extension)	13th August 2018
Ward:	Vicarage

1.0 Site and Surroundings

- 1.1 The application site relates to a 0.11ha parcel of land which is located within designated Open Space, as shown on the “saved” Proposals Map of the Watford District Plan 2000 (WDP2000). The land has been subject of a series of temporary planning permissions from 1984 for a single storey modular building, which from 2002 has been to provide day care services for the homeless. The most recent temporary permission was granted in 2014 (ref: 14/00605/FUL) which grants temporary planning permission until 7 July 2024. The modular building is utilised by the NHS. The site largely consists of hard-surfacing, however there are rows of trees along the north-eastern and south-eastern boundaries.
- 1.2 The land is partitioned from West Herts Sports Ground by timber fences. The sports ground includes a clubhouse and car park, cricket pitch and tennis courts. The tennis courts are in very close proximity to the south-western boundary of the application site. There is netted fencing around the edge of the tennis courts to prevent balls escaping.
- 1.3 The site is served by a vehicular crossover onto Cassio Road, which provides access to on-site parking spaces. Cassio Road is classified as a Class A Principal Road (Main Distributor) in Hertfordshire County Council’s ‘Gazetteer of Hertfordshire Roads’.
- 1.4 The application site is in a sustainable location due to its proximity to services and passenger transport facilities in the town centre. It is also within the

Central/West Watford Controlled Parking Zone.

- 1.5 The existing building on site is not listed and the site is not located within a designated conservation area. No trees on site are protected by a tree preservation order.

2.0 Proposed Development

- 2.1 The application proposes the removal of the existing modular building and erection of a part 5 storey, part 4 storey building to provide 25 flats (6no. 1-bed and 19no. 2-bed).
- 2.2 The footprint of the building would be roughly 'L-shaped'. Two ground floor flats would have their own entrance from the street and there would be centrally positioned communal entrances to the front and rear. A communal garden area would be located to the rear, which would include a cycle store. A vehicular access to Cassio Road would be retained, which would provide access to a substation. No on-site parking spaces are proposed. The submitted block plan indicates that bin storage would be provided adjacent to the south-eastern boundary.
- 2.3 The submitted plans show that the external elevations would be finished in brickwork. The fourth floor is predominantly glazed and recessed from the brick external walls. The four storey element on the side towards No. 85 Cassio Road would have a metal mansard roof, which would include the third floor.
- 2.4 The existing trees along the front boundary would be removed. New planting is indicated on the submitted plans.

3.0 Relevant Planning History

- 3.1 The following planning history is relevant to this application:

17/01350/PREAPP – Pre-application proposal for 22 new apartments over 3.5/5 storeys with associated parking/refuse. The following pre-application advice was provided on 23rd October 2017.

- The application site is located within designated Open Space, as shown on the Proposals Map of the Watford District Plan 2000, therefore there is an objection to residential development on the site. There is currently a modular building on site, however this provides a community purpose by providing day care services for the homeless, which only has permission for a temporary period.

14/00605/FUL - Renewal of planning permission 10/00974/FUL for a single storey modular building for day care services for the homeless. Conditional planning permission. July 2014.

13/00637/FUL - Proposed single storey side extension forming two additional consultant rooms to modular buildings for GP Services for patients that are homeless, in local hostels and vulnerable patients and the relocation and installation of air conditioning units. Conditional planning permission. August 2013.

10/00974/FUL - Renewal of planning permission 08/00077/FUL for a single storey modular building for day care services for the homeless. Conditional planning permission. December 2010.

08/00077/FUL - Renewal of temporary planning permission for a single storey modular building for Day Care Services for the homeless. Conditional planning permission. May 2008.

05/00277/FUL - Renewal of temporary planning permission for the erection of a single storey modular building for Day Care Services for the homeless. Conditional planning permission. June 2005.

02/00462/FUL - Erection of a single storey modular building for Day Care Services for the homeless. Conditional planning permission. September 2002.

02/00051/FUL - Erection of single storey modular building. Refused planning permission. May 2002.

Reason:

- 1) The proposed development would involve the loss of an area of private open space/garden which contributes to the character of the area. Such a loss would be detrimental to the area and would be contrary to Policy SE19 and Policy L2 of the Policies U7 and L4 of the Watford District Plan 2000.

9/0338/97 – Change of use of land to car valeting service, Cassio Road entrance to sports cub.

Reasons:

- 1) The proposed development would involve the loss of an area of private open space/garden which contributes to the character of the area. Such as loss would be detrimental to the area and would be contrary to Policy SE19 and Policy L2 of the Watford District Local Plan 1993.
- 2) The proposed structures by nature of their design and location would not be sympathetic to the character of the area and would have an adverse effect on the street scene and contribute to light pollution contrary to Policy SE16 of the Watford District Local Plan 1993.

- 3) The proposal would introduce an element of traffic generation, noise, fumes and general disturbance contrary to Policies SE1, H8 and T3 of the Watford District Local Plan 1993.

9/175/94 – Temporary planning application (2 years) for use of the site for the erection of portable building and coach for soup support centre. Conditional planning permission. April 1994.

9/213/86 – Temporary accommodation for doctors’ practice. Conditional planning permission. April 1986.

9/422/84 – Temporary accommodation for doctors’ practice. Conditional planning permission. July 1984.

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 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.

- *Residential Design Guide*
- *Watford Character of Area Study*
- *Commuted Sums For The Provision Of Affordable Housing.*

4.3 Other relevant documents

Watford Borough Council’s Corporate Plan to 2020 sets out 5 corporate priorities to achieve the Council’s vision to create a town where all communities thrive and prosper, benefitting from strong economic growth and good quality local services and facilities. The Corporate Plan is a material consideration in the determination of the application.

4.4 National Planning Policy Framework

The National Planning Policy Framework sets out the Government’s planning policies for England. The following provisions are relevant to the determination

of this application, and must be taken into account as a material planning consideration:

Achieving sustainable development

The presumption in favour of sustainable development

Core planning principles

Section 1 Building a strong, competitive economy

Section 4 Promoting sustainable transport

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Section 8 Promoting healthy communities

Section 10 Meeting the challenge of climate change, flooding and coastal change

Section 11 Conserving and enhancing the natural environment

Section 12 Conserving and enhancing the historic environment

Decision taking

5.0 Consultations

5.1 Neighbour consultations

Letters were sent to properties in Cassio Road, Rosslyn Road, Marlborough Road, Whippendell Road and Upton Road on 14th May 2018

7 letters of objection and 38 letters of support were received.

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

Objections

Representations	Officer's response
<p>Concern about the loss to Watford of enormously important community health services for the homeless at a uniquely suitable site.</p> <p>Homelessness services are vital for the well-being of those who are homeless and for the community as a whole, but they cannot be sited anywhere: in particular it is important they are not close to residential areas where they could cause disruption. Situated as it is on the corner of a sports ground on a</p>	<p>It is noted that the existing community facility is of significant benefit to the local community, as detailed in the representation. There are clearly difficulties in finding appropriate sites due to the circumstances of the patients.</p> <p>Redevelopment of the site to provide upgraded community facilities would have considerably greater social benefits than the proposed housing scheme (which includes no on-site affordable provision). As noted in the</p>

relatively busy road there have never been significant problems as a result of Meadowell being there since 2003.

It is suitably close to the other homeless services in the town such as hostels such as the YMCA, and the emergency night accommodation and support centre operated by New Hope, as well as other important support services such as the Community Mental Health Team and the local drug and alcohol service (CGL).

It is ideal for such services to not be co-located with mainstream services. This site was specifically chosen back in 2002 for these reasons and there is no alternative site for such a service. I believe the service has been a great asset to the town and to the health of a very vulnerable section of its population, and the service has been grateful for long-term support from, and a good relationship with the West Herts Sports Ground as the landlord of the site over these past 15 years.

Patients can find it extremely difficult to engage with mainstream health services and can have behavioural problems which can be quite disruptive. The presence of a specialist primary care service for them for the last 15 years has been life-saving for many, and has also relieved significant pressure on all the other mainstream General Practices in the area.

Clearly the management of the West Herts Sports Club has a responsibility to steward its assets well and in this case realise the value of its land asset on this corner of its land for the future development and well-being of the club

representation, there are other sites in the borough that could accommodate additional housing without the loss of designated Open Space or community facilities.

<p>as a community facility, but as it is such a unique site in Watford in my opinion it would be better developed for specialist homeless services and not private housing.</p> <p>There is considerable interest on the part of relevant services in developing a joint facility for homeless people which would include health and support services as well as emergency and permanent accommodation. The economics of such a facility to provide the sports ground with an adequate return for its land should be fully examined.</p> <p>The housing development presently proposed could be developed in a number of different sites in Watford - it does not need to be on this particular site. By contrast homelessness services are very difficult to develop elsewhere and could ideally be developed on this site.</p>	
<p>This land has never had a permanent construction on it, as I understand the land was left in Trust to West Herts Sports club for the use of being an area for their members to take part in sport and the only buildings that could be constructed on it were for use of the West Herts Sports Club for sport activities. To let this chunk of the sports ground be developed and built on could be the first step in the whole much needed West Herts Sports ground being sold off and developed bit by bit!</p>	<p>The loss of designated Open Space is considered in paragraphs 6.2 – 6.7 of the report.</p>
<p>It would be naive to think that 25 properties wouldn't have a number of cars etc looking for parking every day. As this proposed development has no parking some will use the wider than</p>	<p>Parking is considered in paragraphs 6.24 – 6.26 of the report.</p>

<p>normal footpath outside this address as a car parking area. This already happens to a lesser extent and forces people to walk on the dual-carriageway where cars etc are travelling at speed. The police do not have enough officers to deal with parking issues and local parking officials do not have enough power to keep this area clear already.</p> <p>The refuge Lorries obviously can't back in or out on this property as it is on a dual-carriageway and any space designed for them to turn around on this property will be misused for parking by the residents.</p>	
<p>There is an issue with some noise in the area already where noise is bouncing around and amplified due to the structures already in the area.</p>	<p>It is not considered that the proposal would cause a material increase in noise and disturbance to neighbouring residential properties.</p>
<p>The land should be classed as Greenbelt with a number of established trees over 100 years old. There has already been a number destroyed and to lose more just adds to the deforestation of our town.</p> <p>These trees may be protected, but in the past some developers have just paid the small fines and cut down trees.</p>	<p>It is noted that the proposal would result in the loss of trees along the north-eastern boundary and there would be an increase in built form on the site.</p>

Support comments

Representations	Officer's response
<p>The proposal will provide much needed funds towards the enhancement of facilities at the Sports Club. This will provide great facilities to encourage young local children to further participate in sports.</p> <p>The subject land has not been used by</p>	<p>This is considered in paragraphs 6.2 – 6.7 of the report.</p>

<p>the Sports Club for many years and is surplus to the Clubs future requirements as far as sports facilities are concerned. The development of this redundant piece of land for housing is therefore a good idea and will help sustain the Sports Club for many years.</p>	
<p>The existing buildings on the site do not add to the character of the area and redevelopment would help improve the appearance of this part of the town.</p>	<p>The design of the proposed building is acceptable.</p>

5.3 **Statutory publicity**

A notice was published in the Watford Observer on 18th May 2018.

A notice was posted outside the application site on 25th May 2018.

5.4 **Technical consultations**

The following responses have been received from technical consultees:

NHS Herts Valleys Clinical Commissioning Group

You will be aware that this proposal has an impact on existing NHS services, the Meadowell Clinic which is based in a temporary building on the parcel of land and the subject of this planning application. These are specialised GP services for a particularly vulnerable part of our community, most of whom are homeless and struggle with mental health, alcohol and substance misuse problems. As the health commissioner, HVCCG has the responsibility to ensure that all patients, regardless of their background, have an access to good quality medical services that best suit their needs. The quality, functionality and location of the healthcare estate significantly impacts on the CCG's ability to deliver its strategy and ensure adequate provision of services.

The Meadowell Clinic has been operating from their current site for approximately 15 years and is very conveniently based in close proximity to other supporting services, which this patient cohort attends, often on a daily basis, e.g. day centre, night shelter, hostel, mental health services etc. These patients generally do not have access to transport and it is therefore essential that services such as that of Meadowell's, are located within a walking distance of co-dependent services.

For many years, and intensively over the past nine months HVCCG (with assistance from Watford BC) have been searching for a suitable site to relocate the Meadowell Clinic, however without any success. This demonstrates how

unique and conveniently suited their existing site is. It is our great concern, that by not being able to secure alternative premises, HVCCG may need to make a decision, which it has worked so hard to avoid, to disperse the list into nearby, mainstream General Practice premises, as Meadowell's patients have every right to access NHS services. We are fully aware that this would be a very undesirable outcome and we are concerned that, due to Meadowell's patients (understandable) reluctance to engage with mainstream services, it may potentially be detrimental to some of the people affected by this decision.

In addition to the surrounding GP practices not being as well equipped to serve this patient cohort, we also envisage premises capacity issues long term. The WBC's Local Plan includes significant residential development in the nearby Watford Junction and Health Campus area, which will result in considerable impact on local NHS services, including GP's. The loss of the Meadowell site will cause significant further impact, and it is important that we all work collectively to plan for safe, assessable NHS services.

We understand that the Sports Club wishes to sell the Meadowell site to generate a sale receipt that enables to develop and improve its facilities. HVCCG fully recognises the benefit of sport and well-being, but Watford is well served with sports facilities, which include the pool at the recently completed sports centre. 87 Cassio Road site has not been used for sport for as long as Meadowell has been based there, and indeed for many years prior to that. It had been concluded that it was too small for tennis courts. Given the options for sport versus no alternative option for this much needed NHS service, we ask WBC to consider refusing consent to this application.

We strongly believe that consideration should be given to developing a permanent facility for the vulnerable homeless population, which would incorporate the existing GP specialised service as well as variety of support services on the Meadowell site which could also allow for affordable homes, or assisted living units. The need is demonstrated in this letter and acknowledged by the wider community. We appreciate that this will take time and are aware that WBC are now bound by time to decide upon the application under its statutory mandate. However, if there is any way in which additional time can be granted to consider the holistic benefit, HVCCG and its member General Practice members would very much like to work with WBC and the wider community to develop a health and social care project, which includes affordable residential units. We see the value of this and ask that WBC consider this application and that our proposal is considered favourably.

Sport England

1. I understand the tennis club have permission for, and intend to implement in the near future (when funding is secured), the installation of

floodlights of courts 8, 9 and 10 which are nearest to the proposed site. The LTA and Sport England would want the local authority to be satisfied that the proximity of housing to the 3 floodlit courts would not result in any light pollution issues which might constrain their use for playing tennis (e.g. no restriction on the hours of use for example).

2. The housing is within the 80m buffer zone of the cricket wicket which gives rise to a potential risk of ball strike. The ECB recommends that any development within this buffer should be the subject of a Labosport Ball Strike Risk Assessment to identify the scale of the risk and if necessary recommend mitigation to reduce that risk prior to planning permission being granted. Whilst only a small part of the development falls within this buffer it may be necessary to either pull the housing back a bit so it falls outside this buffer or to erect a fence/ball netting to prevent balls from hitting windows, parked cars or residents in the garden/outdoor space. Not only can this cause damage to property or injury to new residents if this occurs but also if an insurance claim is made the costs to the club to insure the site significantly increase. Also should fencing/ball stop netting be required it should be provided by and maintained by the developer so as not to burden the club with additional costs. Labosport are the only organisation currently approved by the ECB to undertake these assessments.

The following response was subsequently received on 5 July 2018 following the submission of a Labosport Ball Strike Risk Assessment:

I have shared the Labosport report with the ECB, they have reviewed it and advise that they accept the findings of the report that mitigation is not required if development proceeds as currently proposed.

Sport England therefore confirms that the risk of ball strike has been adequately addressed.

Therefore, subject to the Council being satisfied that there would be no conflict between the proposed site and the floodlighting of the tennis courts in terms of light pollution risk then Sport England withdraws its holding objection.

Hertfordshire County Council (Highway Authority)

No objection subject to conditions.

The Highway Authority would like further assurance on what physical measures will be put in place to prevent indiscriminate parking along this access road (be it off the highway) and in front of the cycle stores. It seems that whilst the application submission goes to great length to state that the development will be car free, there is every likelihood that without strong, robust measures to physically prevent resident parking on site, this may take place or at a later date

the applicant or owner of the land applies to have this condition changed to allow for residents parking.

Hertfordshire County Council (Lead Local Flood Authority)

Object to submitted drainage scheme (Surface Water Drainage Strategy prepared by Ambiental Environmental Assessments Ltd., reference 3814 SWDS dated April 2018 version Draft v1.0)

Hertfordshire County Council (Development Services)

No comments.

Hertfordshire County Council (Ecology)

No objection.

Hertfordshire County Council (Minerals and Waste)

No objection.

Hertfordshire Constabulary Crime Prevention Design Service

No response.

Housing

On a site of 25 units, in line with Council policy, we would expect 9 units (35%) affordable housing.

The policy then requires the majority (85%) of those affordable housing units to be rented affordable housing (60% affordable rents and 15% social rents), then just 15% LCHO.

That would be:

6 x Affordable Rent, 2 x Social Rent, and 1 X LCHO

The households on our housing register are seeking assistance from the Council as they are homeless or in housing need i.e. living in inadequate housing. They are seeking housing assistance as they cannot find suitable and affordable housing on the private market. The proposed market housing units will provide no assistance to those in housing need to who the Council has a duty to assist.

We understand that the design of this scheme makes a separate provision of affordable housing units difficult. To that end, and although Housing would

prefer an onsite provision of affordable housing, a commuted sum payment in line with the Council's policy and calculation method would be agreeable.

Environmental Services

No response.

Environmental Heath

No response.

Contaminated Land Officer

No objection.

Thames Water

No objection.

Planning Policy

No response.

Arboricultural Officer

The proposals indicate a loss of nine trees. These trees would be adversely affected and cannot be practically retained, of these nine trees eight are adjacent to Cassio Road and are of a category C or lower and therefore i have no objection to their removal.

I would however like to see that the replacement trees are of an adequate size as to have an instant impact in replacing some of the screening and amenity value that will be lost.

6.0 Appraisal

6.1 Main issues

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

- (a) Principle of land use
- (b) Relationship between the sports ground and proposed housing
- (c) Housing
- (d) Impact on the character and appearance of the area
- (e) Quality of the new accommodation provided
- (f) Impact on amenity of adjoining residential properties
- (g) Access, servicing and parking
- (h) Sustainable surface water drainage

6.2 (a) Principle of land use

The application site relates to a 0.11ha parcel of land which is located within designated Open Space, as shown on the “saved” Proposals Map of the WDP2000. The land has been the subject of a series of temporary planning permissions from 1984 for a single storey modular building, which from 2002 has been to provide day care services for the homeless. The most recent temporary permission was granted in 2014 (ref: 14/00605/FUL) which grants temporary planning permission until 7 July 2024. The modular building is utilised by the NHS.

6.3 Policy GI1 of the Watford Local Plan Core Strategy (CS) (which has replaced Policies L1 – L6 of the WDP2000, as shown in Appendix D of the CS) states *“The Council will seek a net gain in the quality and quantity of green infrastructure...”* and *“In some instances an improvement in the overall quality of green infrastructure may make it acceptable for minor open space loss...”*.

6.4 Paragraph 73 of the NPPF highlights that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Paragraph 74 states *“existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- *An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss”.*

6.5 In this case, the proposed development would result in the permanent loss of designated Open Space and there would be no improvement to the overall quality of green infrastructure, which is contrary to Policies GI1 and HS1 of the CS and paragraph 74 of the NPPF. Drawing No. 1012 – 104 Rev A identifies potential development projects at West Herts Sport Ground, including: a new 5 a-side all weather football pitch; new cricket nets; new car parking with lighting to provide circa 60 new parking spaces; new barrier entry system; new build offices/meeting & store rooms; new build functions facility; upgrade CCTV; expansion of fitness facilities; new grounds staff sheds; additional floodlights to 3no. all-weather tennis courts; upgrade of sports maintenance equipment; and new boundary fencing. The potential projects have not been included in the planning application and there have been no previous planning permissions, therefore there has been no consultation or assessment as to whether the projects are acceptable. The replacement of green space with a car park (shown

as A3 in Project A), in particular, would be detrimental to green infrastructure. As such, no weight can be given to the 'potential development projects' and therefore there are no improvements to green infrastructure proposed under the current application that could be secured through a Section 106 Agreement to mitigate the loss of designated Open Space, which is contrary to Policies GI1 and HS1 of the CS and paragraph 74 of the NPPF.

- 6.6 The application site is currently used to provide day care services for the homeless and therefore provides a community facility. There have been a series of temporary planning permissions for the existing use and the most recent permission expires in 2024. The representation from the NHS Herts Valleys Clinical Commissioning Group sets out the important function that the existing facility has for homeless people in the community, the suitability of the existing site for the use and the difficulties in finding an appropriate alternative site. It is noted that the loss of the existing community facility would be likely to have a negative impact on homeless users of the service and may have an impact on GP practices who may not be as well equipped to accommodate the needs of the patients. As such, the temporary use of the land within designated Open Space for day care services for the homeless has substantial social benefits and meets Priority 3 of the Watford Corporate Plan to 2020 to provide for vulnerable and disadvantaged communities.
- 6.7 By contrast, the proposed development would result in the permanent loss of designated Open Space which is not mitigated through improvements to the quality of green infrastructure. The proposal provides limited benefits through the supply of a relatively small amount of additional housing, which clearly does not outweigh the environmental and social harm caused by the loss of designated Open Space or the temporary community facility.
- 6.8 (b) Relationship between the sports ground and proposed housing
Sport England has raised two issues for consideration relating to the impact of tennis court floodlights on the proposed residential accommodation and the potential for a cricket ball strike.
- 6.9 Tennis court floodlights:
West Herts Sports Ground previously had planning permission in May 2014 (ref: 14/00385/FUL) for re-surfacing of the 3 tennis courts closest to the application site and installation of floodlights. Condition 4 of the planning permission stated *"The tennis courts and associated floodlights hereby approved shall not be used outside the hours of 7.00am to 10pm Monday to Friday and 8am to 10pm on Saturdays, Sundays and public holidays, unless otherwise agreed in writing by the Local Planning Authority"*, which was in order to protect the amenities of neighbouring residential properties. Details of the proposed floodlights were shown in the submitted report prepared by Chiltern Sports Contractors Limited (Document Ref. 4921 - 18th October 2013). The report showed that the tennis

court would be illuminated by 12no. 6.7m high columns. Section 3.1 of the report shows the light overspill Iso contour, which shows that there would be some light overspill outside the tennis courts. The habitable windows in the rear wing of the proposed building would be in very close proximity to the tennis courts and would be within the light overspill Iso contour lines shown in Section 3.1 of the report submitted with planning application 14/00385/FUL.

6.10 The floodlights approved under planning application 14/00385/FUL have not been installed. Any floodlights installed on the tennis courts would be likely to cause light pollution to the habitable windows in the rear wing of the proposed building, which would harm the residential amenities of future occupants. As such, the proposed residential development would be likely to restrict the future provision of floodlights on the tennis courts and constrain their use for playing tennis, which would be detrimental to the recreational use of the designated Open Space.

6.11 Cricket ball strike:

The applicant has sought to address Sport England's concerns by commissioning a Labosport Boundary Risk Assessment (Report Number LSUK.18-0585 Revision 1.0 dated 25/06/2018). The Assessment identifies that the shortest distance from the edge of the cricket square to the eastern boundary is 71m. The ball trajectory calculations show that amateur cricket players would very rarely be able to hit cricket balls beyond a distance of 71m. The report suggests that only professional First Class International cricketers would be able to hit at distances beyond the boundary due to their ability to hit a cricket ball at higher velocity. However, although unlikely, it is still possible that an amateur player could hit a 'freak' shot and reach the boundary. In this context, it is considered appropriate that mitigation in the form of 1-2m high ball stop netting could be installed in order to reduce the risk of a ball strike. It is not considered that solid fencing would be appropriate due to the close proximity of habitable windows to the boundary and the consequent impact on the outlook from habitable rooms. Details of a mitigation system could be secured by a suitably worded condition.

6.12 (c) Housing

Policy HS1 of the CS provides a list of factors that will go against residential allocation that will also be considered in determining applications on windfall sites, which, among other things, includes existing employment land, open space or other community facilities for which there is still an identified need. As discussed in paragraphs 6.4 – 6.6 of the report, the proposal would result in the permanent loss of designated Open Space, currently used as a temporary community facility, which weighs against the provision of housing on the site.

6.13 The proposed development would make a relatively small contribution towards the housing target in the borough, which should be afforded limited weight in

favour of the proposal. The design of the development does not allow for the provision of on-site affordable housing, which limits the benefits of the scheme.

- 6.14 Policy HS3 of the CS states that a rate of 35% affordable housing will be sought on major applications of 10 residential units and above or sites of more than 0.5ha, which should consist of social rent (20%), affordable rent (65%) and intermediate housing (15%). The Housing department notes that the design of the scheme makes it difficult to provide on-site affordable housing and therefore, whilst Housing would prefer on-site provision, a commuted sum payment in line with the *Commuted Sums for the Provision of Affordable Housing Supplementary Planning Document ("Commuted Sums SPD")* would be acceptable. Using the formula in the Commuted Sums SPD the proposed development would attract an affordable housing contribution of £2,124,655. A Unilateral Undertaking has not been completed to secure a financial contribution towards the provision of affordable housing, therefore the proposal is contrary to Policy HS3 of the CS.
- 6.15 (d) Impact on the character and appearance of the area
Paragraph 17 of the National Planning Policy Framework details a set of core planning principles that should underpin decision-taking. It states, among other things, that planning decisions should always seek to secure high quality design. Paragraph 56 highlights that good design is a key aspect of sustainable development. Policy UD1 of the Watford Local Plan 2006-31 states, among other things, that new development should respect and enhance the local character of the area in which it is located.
- 6.16 Paragraph 60 of the NPPF states that planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles, however it is proper to seek to promote or reinforce local distinctiveness.
- 6.17 The submitted plans show that the external elevations of the proposed building would be finished in brickwork. The fourth floor is predominantly glazed and recessed from the brick external walls, which limits the bulk of the building. The four storey element on the side towards No. 85 Cassio Road would have a metal mansard roof, which would include the third floor. The massing and appearance of the front elevation is considered to be acceptable and it would make an appropriate transition to the nearby two storey Victorian houses in Cassio Road.
- 6.18 The design and appearance of the south-eastern elevation (facing No. 85 Cassio Road) and the south-western elevation (facing West Herts Sports Ground) is less successful due to the bulk of the walls closest to the boundaries. Some effort has been made to break up the bulk by using different external materials, however it does not create a particularly attractive appearance. Notwithstanding this, it is

not considered that a reason for refusal on these grounds could be substantiated. Conditions requiring the submission of details of the proposed external materials and detailed plans of the external elevations should be attached to any grant of planning permission to ensure that an acceptable appearance is achieved.

6.19 (e) Quality of the new accommodation provided

The floor areas and room sizes of the proposed dwellings accord with the minimum space standards in paragraphs 7.3.6 – 7.3.8 of the RDG. Furthermore, the habitable rooms would have sufficient levels of light.

6.20 The application site is located adjacent to a busy Class A Principal Road and there are a number of single-aspect units that have habitable windows close to the road. A condition should be attached to any grant of planning permission to require the submission of a Noise Impact Assessment for approval to include noise surveys and any required mitigation measures to achieve the internal noise levels contained in BS 8233:2014 and appropriate ventilation.

6.21 A communal garden would be provided to the rear of the building. In addition the two flats on the fourth floor would have their own roof terrace. It is considered that the amount of communal garden space is acceptable.

6.22 (f) Impact on amenity of adjoining residential properties

The proposed building is positioned to the north of the neighbouring houses in Cassio Road and would not cause a significant loss of light or outlook to the main habitable windows and gardens of the neighbouring properties. Furthermore, the habitable windows facing the side boundary with No. 85 Cassio Road would maintain a sizeable distance to the boundary and would not cause a significant level of overlooking into the neighbouring property. As such, the proposal would not cause a significant loss of amenity to neighbouring residential properties.

6.23 (g) Access, servicing and parking

The Highway Authority has raised no objection in respect of the impact on the local highway network or highway safety.

6.24 *“Saved Policy T26 of the WDP 2000 states “Car free residential development will be considered in suitable locations which are highly accessible by passenger transport, close to amenities and services, subject to the provision of satisfactory site covenants, on-street parking controls and measures to control displaced parking in adjacent areas”. The supporting text of Policy T26 states “The Council recognises the potential for occupiers of car free development to own cars and create a nuisance by parking in other residential areas. To this end, the Council will seek to ensure that on-site covenant and planning obligations are binding on occupiers of the residential dwellings, as well as developers. Occupiers of such dwellings will not be entitled to residents’ on-street parking permits”.*

- 6.25 The application site is in a sustainable location close to the services and passenger transport facilities in the town centre, therefore a car-free development is acceptable in principle, subject to the provision of satisfactory on-street parking controls. The application site is located in the Central/West Watford Controlled Parking Zone where there is high demand for on-street parking. Therefore, in accordance with “Saved” Policies T24 and T26 of the WDP 2000, it is necessary to complete a Unilateral Undertaking to remove permit entitlement for future occupants of the proposed dwellings. This is to ensure that future occupants of the proposed development would not exacerbate demand for on-street parking in an area that already experiences parking problems. A Unilateral Undertaking has not been completed, therefore the proposal is contrary to Policies T24 and T26 of the WDP2000.
- 6.26 Furthermore, the Highway Authority has noted that without appropriate physical measures being put in place, there is likely to be indiscriminate parking on the access road and hard-surfacing within the application site. This would be likely to cause danger on the adjacent Class A Principal Road due to vehicles manoeuvring into and out of the site (which may be by reversing without adequate manoeuvring space within the site) via the existing vehicular crossover adjacent to a road bend. As such, the application fails to demonstrate that adequate measures could be put in place to prevent indiscriminate parking within the site which would be harmful to highway safety. The proposal is therefore contrary to Policies T21, T24 and T26 of the WDP2000.
- 6.27 The submitted plans indicate that the dwellings would have cycle parking facilities, which accords with the sustainable transport objectives in “Saved” Policy T10 of the Watford District Plan 2000.
- 6.28 A condition could be attached to any grant of planning permission to require details of the siting, size and design of the bin storage facilities to be submitted to and approved in writing by the Local Planning Authority.
- 6.29 (h)Sustainable surface water drainage
In April 2015, the Government enacted legislation requiring all major developments to make provision for the sustainable management of surface water within application sites. The County Council as the Lead Local Flood Authority (LLFA) was also made a statutory consultee on all major applications for surface water drainage. The applicant has provided insufficient detail to demonstrate that there is a feasible drainage scheme for the site that can be implemented, as detailed by the consultation response from the LLFA dated 8 June 2018. The proposed development therefore fails to manage flood risks and is therefore contrary to Policy SD2 of the Watford Local Plan Core Strategy and Section 10 of the National Planning Policy Framework.

7.0 Community Infrastructure Levy and Planning Obligation

7.1 Community Infrastructure Levy (CIL)

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

The CIL charge applicable to the proposed development is £120 per sqm.

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.

In this case, the development requires a Unilateral Undertaking to secure the provision of affordable housing, the removal of entitlement to parking permits in Controlled Parking Zones and the provision of fire hydrants. This requirement meets the tests in Regulation 122 of the Community Infrastructure Regulations 2010. A Unilateral Undertaking has not been completed by the applicant.

8.0 Conclusion

8.1 In the short term (up until 2024) the proposal would result in the loss of a community facility which is currently operated and required by the NHS to meet the health needs of vulnerable people. The loss of the facility would be contrary to "saved" Policies CS3 and CS9 of the Watford District Plan 2000, Priority 3 (Provide for our vulnerable and disadvantaged communities) of the Watford Borough Council Corporate Plan to 2020, and the social objectives set out in paragraph 7 and Section 8 of the National Planning Policy Framework. In the longer term the proposal would result in the permanent loss of designated Open Space (as shown on the "saved" Proposals Map of the Watford District Plan 2000). The proposed development includes no measures to improve the overall quality of green infrastructure and the social and environmental harm caused by the loss of Open Space clearly outweighs the benefits of providing additional housing. The proposal is therefore contrary to Policies GI1 and HS1 of the Watford Local Plan Core Strategy 2006-31 and paragraph 74 of the National Planning Policy Framework.

- 8.2 Furthermore, the proposed development, by virtue of the very close proximity of the habitable windows in the rear wing of the building to boundary, would be likely to restrict the future provision of floodlights on the tennis courts and constrain their use for playing tennis, which would be detrimental to the recreational use of the designated Open Space. The proposal also fails to demonstrate that adequate measures could be put in place to prevent indiscriminate parking within the application site. Moreover, it has not been demonstrated that there is a feasible drainage scheme for the site that can be implemented.
- 8.3 As such, the proposal is not in accordance with the Development Plan and does not constitute ‘sustainable development’. Therefore, it is recommended that the application should be refused permission.
-

9.0 Human Rights Implications

- 9.1 The refusal of planning permission will have an impact on the human rights of the applicant to develop the land. However, this is considered justified in order to accord with the policies of the development plan and in the wider public interest.
-

10.0 Recommendation

That planning permission be refused for the reasons listed below:

1. In the short term (up until 2024) the proposal would result in the loss of a community facility which is currently operated and required by the NHS to meet the health needs of vulnerable people. The loss of the facility would be contrary to “saved” Policies CS3 and CS9 of the Watford District Plan 2000, Priority 3 (Provide for our vulnerable and disadvantaged communities) of the Watford Borough Council Corporate Plan to 2020, and the social objectives set out in paragraph 7 and Section 8 of the National Planning Policy Framework. In the longer term the proposal would result in the permanent loss of designated Open Space (as shown on the “saved” Proposals Map of the Watford District Plan 2000). The proposed development includes no measures to improve the overall quality of green infrastructure and the social and environmental harm caused by the loss of Open Space clearly outweighs the benefits of providing additional housing. The proposal is therefore contrary to Policies GI1 and HS1 of the Watford Local Plan Core Strategy 2006-31 and paragraph 74 of the National Planning Policy Framework.

2. The proposed development, by virtue of the very close proximity of the habitable windows in the rear wing of the building to boundary, would be likely to restrict the future provision of floodlights on the tennis courts and constrain their use for playing tennis, which would be detrimental to the recreational use of the designated Open Space. The proposal is therefore contrary to Policy GI4 of the Watford Local Plan Core Strategy 2006-31 and Section 8 of the National Planning Policy Framework.
3. In the absence of a Unilateral Undertaking for the provision of affordable housing, the removal of permit entitlement in the Controlled Parking Zone for future occupiers of the development, and the provision of fire hydrants to serve the development, the proposal is contrary to Policies HS3 and INF1 of the Watford Local Plan Core Strategy 2006-31 and "saved" Policies T24 and T26 of the Watford District Plan 2000.
4. The application fails to demonstrate that adequate measures could be put in place to prevent indiscriminate parking within the application site which would be harmful to highway safety and the quality of the residential environment. The proposal is therefore contrary to "saved" Policies T21, T24 and T26 of the Watford District Plan 2000.
5. The application fails to demonstrate that there is a feasible drainage scheme for the site that can be implemented. The proposed development therefore fails to manage flood risks and is therefore contrary to Policy SD2 of the Watford Local Plan Core Strategy and Section 10 of the National Planning Policy Framework.

Informatives

1. In dealing with this application, Watford Borough Council has considered, in a positive and proactive manner, whether the planning objections to this proposal could be satisfactorily resolved within the statutory period for determining the application, having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended. However, for the reasons set out in this decision notice, the proposal is not considered to achieve an acceptable and sustainable development.

Drawing numbers

1012-001

1012-101 Rev B

1012-102 Rev B

1012-103
1012-104
1012-300 Rev A
1012-501 Rev A
1012-502
1012-503

Case Officer: Chris Osgathorp
Email: chris.osgathorp@watford.gov.uk
Tel: 01923 278968

Land at 87 Cassio Road 18/00579/FULM

The Meadowell Centre, 87, Cassio Road, Watford, Hertfordshire, WD18 0QN



1 - Aerial view



2 - Street view



3 - Site block plan



4 - Second floor plan



5 - Proposed street view



6 - Proposed view from playing fields



7 - Overall site masterplan



PART A	
Report of: Head of Development Management	
Date of committee:	25 July 2018
Site address:	Land to the south of Thomas Sawyer Way comprising the Waterside area and forming part of the Watford Riverwell development (formerly known as Watford Health Campus)
Reference Number:	17/01511/FULM
Description of Development:	Redevelopment of the site to provide 408 residential dwellings with associated landscaping, amenity space, access and parking
Applicant:	Watford Health Campus Partnership LLP
Date Received:	30th October 2017
13 week date (major):	19th February 2018
Agreed extended deadline:	25th July 2018
Wards:	Oxhey, Vicarage & Holywell

1.0 Site and surroundings

- 1.1 This application relates to an irregular-shaped parcel of land measuring approximately 3.1 hectares in area and located to the south of Thomas Sawyer Way. It comprises the ‘Waterside’ zone of the Watford Riverwell development area and is currently being subjected to enabling works in order to prepare it for residential development.
- 1.2 The site has been cleared but had previously been occupied by commercial uses forming the Cardiff Road Industrial Estate and a car park associated with the hospital. It was served by a section of Cardiff Road which has now also been removed. A wooded area within its western part has been retained.
- 1.3 At present, the site contains some spoil heaps from recent demolition works. Two bunded oil tanks are also sited in the eastern part of the site. It is understood that these were built in the 1970s for the off-site power station and were infilled at the time of decommissioning in the 1990s.
- 1.4 A tributary of the River Colne runs through the southern part of the site. The disused Croxley branch railway also runs to the south of the site.
- 1.5 Access to the site is gained via the southern spur of the adjacent roundabout forming part of the recently constructed Thomas Sawyer Way which runs along

the northern edge of the site. Either side of the southern spur of the roundabout, and located within the site, are two swales.

- 1.6 The site does not encompass any listed buildings and is not located within a Conservation Area.

2.0 Proposed development

- 2.1 Full planning permission is sought for the redevelopment of the site to provide 408 residential dwellings with associated landscaping, amenity space, access and parking.
- 2.2 The new dwellings will be created by way of three blocks of flats ranging in height between 6 and 11 storeys – referred to as Blocks “D”, “E” and “F” on the submitted plans (see proposed site layout in Appendix 1).
- 2.3 Block D will be the easternmost of the three blocks. It will cover a roughly L-shaped footprint and will comprise 11 storeys with 90 apartments. It will be situated to the southeast of the roundabout serving the site.
- 2.4 Blocks E and F will be sited to the west of Block D and to the southwest of the roundabout. These blocks will be connected at ground floor level.
- 2.5 Block E will comprise 144 apartments and will be configured in a U shape (incorporating projecting elements that extend to the south) around a central courtyard. Its height will range between 7 and 11 storeys.
- 2.6 Block F will comprise 174 apartments and will also be configured in a U shape around a central courtyard. Its height will range between 6 and 10 storeys.
- 2.7 Car parking will be accommodated at ground floor level within the buildings across Blocks D, E and F. There will also be some external parking provided to the south and east of Block D and to the north and west of Block F.
- 2.8 A total of 213 car parking spaces are to be provided on site which equates to 0.5 spaces per dwelling. Additionally, secure and weatherproof cycle parking is to be provided by way of stores incorporated into the ground floor levels of the buildings.
- 2.9 Residents will benefit from having access to communal amenity space that is to be provided around the buildings themselves and also on the ‘Colne Island’ area – which exists to the south of the River Colne and to the north of the railway line – access to which will be gained via two bridges.

3.0 Relevant planning history

- 3.1 The parcel of land to which this application relates forms part of the wider Watford Health Campus site. The redevelopment of the Watford Health Campus site (or parts of) has been under consideration for a number of years and has an extensive planning history. The most relevant aspects of this are set out below.
- 3.2 In On the 6th January 2015.an application for the new Health Campus masterplan was approved:

Ref. 14/00511/OUTM – Hybrid planning application for the development of a mixed-use health campus accessed from the approved Access Road comprising:

1. Outline element for the construction of new hospital/healthcare accommodation, together with business, retail, office, food and drink, hotel, and leisure uses, and up to 681 new dwellings, safeguarding of land for the expansion of Laurance Haines primary school, new public spaces, play space and landscaping, associated car parking, access roads, footways and cycleways.
 2. Detailed element (business area south) for the construction of three industrial business units together associated vehicle and cycle parking, site landscaping and the creation of a new wildlife area.
- 3.3 A separate outline planning application was also submitted in April 2014 for the Farm Terrace Allotments site, however this was held in abeyance and not determined.
- 3.4 A proposal for 95 flats with associated landscaping, amenity space, access and parking on the land immediately to the northwest of the application site (former Willow Lane allotments – outlined with a blue line on the Site Location Plan) was granted planning permission by the Development Management Committee on 5th July 2017 subject to the completion of a s.106 planning obligation (Ref. 17/00178/FULM). The s.106 agreement was completed and the planning permission issued in November 2017.
- 3.5 An application seeking full planning permission for enabling works to prepare the site for its future development including soil remediation and obstruction removal. (Ref. 17/01162/FULM) was granted planning permission in January 2018.
- 3.6 The land immediately to the west of the site has received planning permission for a 253 bed residential care home (Ref: 17/01543/FULM).

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 **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.

Watford Residential Design Guide
Watford Character of Area Study

4.3 **National Planning Policy Framework**

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

Achieving sustainable development

The presumption in favour of sustainable development

Core planning principles

Section 1 Building a strong, competitive economy

Section 4 Promoting sustainable transport

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Section 10 Meeting the challenge of climate change, flooding and coastal change

Section 11 Conserving and enhancing the natural environment

Section 12 Conserving and enhancing the historic environment

Decision taking

5.0 **Consultations**

5.1 **Neighbour consultations**

5.2 Letters were sent to 131 properties surrounding the site.

5.3 Two responses were received. The objections raised and the officer’s response is

provided in the table below:

Observations	Officer comments
Concerns regarding height of proposed buildings.	This is discussed in the 'Design, scale and impact on visual amenity' section of the report below.
Generation of a huge number of local trips that will put pressure on the road network. In particular the poorly designed junction with Wiggshall Road that already creates numerous conflicts with vehicles ignoring left and right hand turns.	The impacts of the development on the local highway network is discussed in the 'Access, parking and transportation' section of the report below.
Risk of flooding to development and adjacent areas and neighbouring properties.	This is discussed in the 'Flood risk and drainage' section below.
Parking on the key access hospital access will be compromised as the site will generate a lot of on street parking in the evenings on Thomas Sawyer Way.	Thomas Sawyer Way benefits from double yellow lines that will prevent on street parking.

5.4 **Statutory publicity**

The application was publicised by site notices and a notice published in the Watford Observer. The site notice period and the newspaper notice period expired on 1st December 2017.

5.5 **Technical consultations**

The following responses have been received from technical consultees:

5.6 Environment Agency

Comments dated the 15th February 2018 confirmed the Environment Agency have no objection subject to condition.

5.7 Local Highway Authority (Hertfordshire County Council Highways)

Comments dated the 2nd March 2018 indicated that County Highways are satisfied with the revised highways modelling and have no objections on traffic impacts grounds.

5.8 National Grid

No objection.

5.9 Arboricultural Officer

No objection.

5.10 Contaminated Land Officer

No objection subject to a condition being imposed to ensure the submission of a verification report (that demonstrates the effectiveness of the remediation set out within the remediation strategy) and a condition to ensure that in the event that any contamination is found during the works that this is reported and necessary remediation is agreed, carried out and verified.

5.11 Environmental Health

No objection and recommends a condition to secure the submission and approval of a construction management plan.

5.12 Waste & Recycling Team

No objection.

5.13 Hertfordshire Ecology

No objection subject to conditions to secure a landscape/ecology management plan and additional proposals to offset the disturbance and enhance the habitat resource within the existing river corridor.

The applicants' ecology consultant provided a response to these comments on the 2nd February (which related to the wider site – this application & Waterside). The response covered various points, but most notably confirms that the site was previously brownfield and industrial with low vegetation cover and that they consider there will be no net loss of biodiversity when the proposals are considered. The proposals create/retain 2.4ha of natural habitat including 232 individual trees and 1 tree group, this being a new increase of approx. 0.4ha of natural habitat and an additional 168 trees and 1 tree group and ecological enhancement concentrated along the river corridor.

5.14 Herts & Middlesex Wildlife Trust

No objection.

5.15 Lead Local Flood Authority

No objection subject to conditions to ensure that the development is carried out in accordance with the surface water drainage assessment and to secure a detailed surface water drainage scheme.

5.16 Hertfordshire County Council Waste & Minerals Team

No objection. The Waste & Minerals Team recommends that a site waste management plan be submitted, approved and implemented should permission be granted.

5.17 Hertfordshire County Council Historic Environment (archaeology)

No objection subject to conditions to secure an archaeological investigation and assessment.

Officer Comment – the comments of the County Council are noted, however remediation and enabling works have already been carried out on the site which included digging out across the entirety of the site to 2m in depth. The enabling works were undertaken in accordance with planning permission 17/01162/FULM. The applicant has queried the need for further works, however the County Council have advised that ground disturbance for the residential development is likely to exceed or differ in depth or extent to that of the enabling works. Therefore a condition is necessary.

5.18 Transport for London

No objection subject to conditions to ensure that there is no conflict with the delivery of the Metropolitan Line Extension.

5.19 Thames Water

No objection subject to conditions to secure a drainage strategy and details of piling.

5.20 Hertfordshire Constabulary Crime Prevention Design Service

No objection.

5.21 Planning Policy – Urban Design Manager

Background:

This scheme is part of the wider Health Campus redevelopment and has been the subject of extensive pre-application discussion including consideration by Design South East through the design review panel process. There are some initial concepts which have not been taken forward due to viability issues and there are considerable challenges in dealing with this site successfully.

Relevant Policies:

NPPF: Paras 7, 11, 17, 56, 61, 64

Local plan – Core Strategy Policies SS1, SPA3, UD1, GI1, GI3

SPD – Cycle Standards

Key Issues:

Main issues discussed here are whether the proposed scheme represents good quality design and whether it provides a good quality of environment for future residents.

Discussion:

NPPF Para 56: *“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”*

NPPF para 61: *“Although visual appearance and architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”*

The development of this site presents some significant challenges:

- Presence of an elevated access road along the northern edge of the site which segregates it from the remainder of the health campus redevelopment area;
- Constraints and opportunities presented by the River Colne;
- Changes in topography between this part of the site and the adjoining development areas.
- Connections to areas beyond the site.
- The quantum of development necessary to generate a viable scheme.

Early discussions with the design team considered these challenges and reviewed different solutions which could be used to overcome some of the challenges and issues raised in the early discussions. Early options, which included the option to rebuild the embankment to the road and allow the residential blocks to front onto Tom Sawyer Way could not be taken forward for various reasons. This was proposed in an effort to deal with the severance issue through seeking to create a street with active frontage on both sides of Tom Sawyer Way. Once it was established that this was not a viable approach, other solutions to improve pedestrian access across Tom Sawyer Way were considered by the Design Review Panel, but ultimately due to the obstacles provided by the embankment and Thomas Sawyer Way other options were preferred. The preferred solution is to focus activity on access points connecting to both the roundabouts – one is pedestrian only access at the Willow Lane end and the other is for all modes to the main roundabout linking the site to the northern part of the Health Campus area. ***There are still concerns regarding the attractiveness of this roundabout to pedestrians and, as the various parts of***

the Health Campus are developed, measures to improve the pedestrian crossing points and ensure that the experience encourages pedestrian use should be added to the roundabout. Measures proposed should also include provision for cyclists to safely negotiate, what will in time become, a busy traffic dominated junction.

In dealing with the location of the buildings and the road within the site area, various options were considered. The preferred option sets the buildings back as far as possible from the river allowing space for a shared space zone alongside the river. This maximises the opportunity to create an attractive riverside public realm with incidental spaces for residents to sit and enjoy views of the river corridor. This approach requires a good quality and well planned public realm; the landscape proposals, which have been submitted as part of this application rather than conditioned for a later date, show how this will be achieved. Generally, the landscape proposals are of high quality and will deliver a good quality and usable public realm where pedestrians, cyclists and vehicles will be able to move safely in the same space. Care has been taken to create good quality incidental spaces for relaxation and play. However, there are a couple of areas within the scheme where there are some concerns:

- ***long term management of the island area to ensure that the area does not become a focus for anti-social behaviour***
- ***the area in front of the podium for block F – there are no steps from this area to the podium and no entrances apart from the cycle store entrance, so there are concerns regarding the level of activity and hence safety and security of the space. Ideally steps from this area to the podium should be included in the scheme. However, if this is not practical going forward an effective management regime should be able to reduce the risk of the area becoming a focus for anti-social behaviour after dark.*** Conditions should be used to ensure that the proposed landscape plan does not become downgraded due to cost issues as the project is developed.

The swale areas either side of the access road have been improved so they will no longer be just an engineering solution but will become an attractive entrance point to the site and will provide a good quality outlook for residents who overlook them. ***Note that the red line for the site excludes these areas and the ground floor plan cross references to another plan (WRL-OUT-RX-EW-DR-7500); drawings of this area are also included in the D&A statement; we need to ensure that the designs for these areas are included in the application as the existing swales are purely an engineering solution and fail to provide a good quality environment.***

Further landscaped areas are proposed as podiums at first floor level above the car park. Two of these are within the “u” shape of blocks E and F and will provide residents with some semi private amenity and opportunities for play

areas. ***Two of the three podium areas have access via a staircase from the public realm area along the riverside which will improve the activity levels in these areas and hence safety and security; this should be considered for the third podium area within block F. Access from these areas to the residential blocks is controlled by security gates.***

There is a clear hierarchy of spaces with most units having private balcony/patio areas as well as the shared amenity areas. Efforts have been made to provide good quality outlook across the river area for a majority of the units.

Appearance:

Massing of the blocks has been the subject of much discussion and several iterations have been considered to arrive at what is considered to be a good balance for the site. The preferred option is oriented to provide a good outlook to the river and maximise views to the landscaped area. The elevations are broken up using a strong vertical rhythm for the arrangement of the windows and balconies. The large buildings have distinct sections for which there is a consistent approach through the scheme providing coherence and contributing to a sense of place. Efforts have been made to ensure that the ground floor interface is active where it meets the public realm; ***the weakest part is block D which has no residential units on the ground floor and the pedestrian entrance is tucked away in a corner; this was raised during the pre-application discussions but no units have been incorporated into the ground floor. Concerns are that this will become a dead area with little passive surveillance; the ground floor is used for all the services and parking – the return, which projects towards the access road, could be used as residential units with ground floor amenity which would improve the passive surveillance. Relocating the plant would mean a reduction in car parking; access to the bin and cycle stores is not overlooked and could be improved***

The materials palette has been worked on to remove the render elements which were a significant element in the earlier iterations of the scheme. The palette is now simplified to a limited number of brick shades; coloured bricks are used within the entrance areas from the podium areas.

There is good use of recessed balconies overlooking the river areas; projecting balconies have been used as well, care will be needed to manage these so that they do not become scruffy and detract from the overall appearance of the buildings. On the upper floors many apartments have access to roof terraces.

There is one part of block F on the north elevation to Tom Sawyer way where there is a large area with no windows or other form of articulation; it is considered that additional windows should be added to the units on floors 7-9 which would improve the external appearance of the section and provide additional light to the rooms.

In general, it is considered that the approach can be successful and will deliver a good number of residential units in a well designed and landscaped area. With appropriate management and attention to detail it is expected that the scheme will be successful and will result in an acceptable quality of place for residents.

It is recommended that conditions are used to require details of features such as window and door reveals, reveals for the inset brick panels; balcony design; car park/podium walls onto public realm and for all materials to be agreed. We would recommend that proposals to sign off details and materials are submitted at the same time so that the scheme can be fully understood. We should also like see more details for the cycle storage to ensure that it complies with the standards in the SPD.

Officer Comment – A number of the Design Officers comments are noted. The scheme has evolved substantially over the design process and through design review. It has not been possible to accommodate all of the requests made by the design officer and some are aspects of conscious decisions whereby different professionals may have differing views. It is noted that articulation has been addressed to block F to address this concern which relates to an element of the building which will be visible. In relation to the issues relating to the swales, embankment landscaping and environment around the roundabout. It is noted that the vision includes improvements to these; however these areas are not in the control of the applicant and cannot be subject to conditions without prejudicing the delivery of the other regeneration benefits. It is also noted that the design of the road and embankment were originally approved and the Local Authority must have felt they were appropriate at the time. The intention is that these areas be addressed, but this will require further dialogue with the Highway Authority and will likely be done as part of the next phase or a separate application.

The aspirations of the Design Officer to achieve good design are noted and to be welcomed. On balance I must conclude that taking into consideration all material planning considerations it is considered that the scheme does overall achieve a high quality design and the balance lies substantially in favour of approving the proposals.

5.22 Natural England

No objection.

5.23 Hertfordshire County Council Developer Services

No objection.

5.24 Hertfordshire County Council (fire hydrants)

No objection subject to fire hydrant provision.

5.25 Head of Housing

We have compared the affordable housing proposed below to what policy requires.

	Affordable Rent	Shared Ownership	Market Housing	Totals
1 bed	23	16	93	132
2 bed 3p	6	7	43	56
2 bed4p	32	18	141	191
3 bed	16	0	13	29
Total	77	41	290	408
	65%	35%		
	29% (30% Hab Rooms)			

A site of 408 units would require 143 units of affordable housing (35%):

93 x affordable rented

29 x social rented

21 x LCHO

The application has 25 fewer affordable housing units than required by the affordable housing policy and no social rented units .

It is appreciated that the applicant has submitted a viability report to justify the lower number of affordable housing properties being offered.

It is welcomed that the majority of the affordable housing rented units are much needed family sized accommodation.

It is expected that greater numbers of family sized affordable housing units including social rented units will be able to be developed on later phases of this project.

6.0 Appraisal

6.1 Main issues

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

- (a) Principle of development
- (b) Design, scale and impact on visual amenity
- (c) Quality of residential accommodation
- (d) Affordable housing provision and housing mix
- (e) Impacts on surrounding properties
- (f) Landscaping and impacts on trees
- (g) Access, parking and transportation
- (h) Flood risk and drainage
- (i) Sustainability
- (j) Other environmental considerations
- (k) Section 106 and Community Infrastructure Levy (CIL)

6.2 (a) Principle of use

Background information

- 6.2.1 The application site forms part of the wider Watford Health Campus masterplan area and benefits from outline planning permission for residential development – granted in January 2015 under application reference 14/00511/OUTM. It encompasses part of the area identified as the ‘Riverside’ area on the masterplan. More recently, this area has been referred to as the ‘Waterside’ area.
- 6.2.2 The details approved under permission 14/00511/OUTM had indicated that 460 residential units would be provided within this Riverside/Waterside area – which also encompasses the land immediately to the west of the application site (which is subject to the 253 unit residential care community development proposed under application 17/01543/FULM).
- 6.2.3 Under the current proposal to which this application relates, 408 units are proposed.
- 6.2.4 While the proposed scheme will be of a different form and layout to that originally envisaged under the masterplan, it will, nevertheless, continue to provide residential development in this area and remains consistent with the masterplan in this respect.

Land use allocation

- 6.2.5 The site lies within an area designated as an Employment Area on the Proposals Map of the Watford District Plan 2000. Part of the site (its northwestern part) is also shown to fall into an area identified as being allotment land on the Proposals Map of the Watford District Plan 2000. Both the allotment and employment uses have now ceased and the site currently comprises a cleared area.
- 6.2.6 The site forms part of the Watford Health Campus Special Policy Area as set out within the Watford Local Plan Core Strategy 2006-31 (see below) and has therefore been earmarked for redevelopment. The use of the site to provide residential development has already been established and accepted in principle under the masterplan.

Watford Health Campus Special Policy Area

- 6.2.7 Policy SPA3 (Health Campus) of the Watford Local Plan Core Strategy 2006-31 has as its objective:
- 6.2.8 “To deliver a major mixed use development project providing a new quarter for west Watford which seeks to provide new housing, jobs and community facilities with the catalyst of a significantly enhanced new acute hospital. This new quarter will be integrated seamlessly with the existing surrounding neighbourhoods, will enhance the local services and amenities for the existing local communities in west Watford and is expected to provide in the order of 1,000 to 1,900 new jobs.”
- 6.2.9 The policy also sets out the requirements for the Health Campus SPA as follows:
- Improved major acute hospital providing new facilities for patients and staff.
 - Residential development (at least 500 new homes) including affordable housing.
 - Commercial office development.
 - Local centre shops and community facilities.
 - Leisure facilities including the support of Watford Football Club as an important local asset.
 - New combined heat and power plant.
 - New road access arrangements to alleviate congestion on Vicarage Road and site circulation improvements to assist walking and cycling.
 - Traffic signalling improvements to Junction 5 of the M1 motorway.
 - Improved quality and quantity of green infrastructure.
 - A primary school.

6.2.10 The new development should also be of high quality design, making the most of opportunities for energy conservation, renewable energy provision and water recycling; maintain and add to open space for recreational and biodiversity purposes; provide local employment opportunities and affordable and key worker housing; and be designed to reduce flood risk.

6.2.11 The principle of developing this site, as part of the wider Watford Health Campus project, was accepted under the previous hybrid application 14/00511/OUTM as already mentioned. The current proposal reflects the original objectives of the hybrid application in that the site will be used to accommodate new residential units. The works proposed under this application do not compromise the objectives of the original scheme or Policy SPA3 and the proposal will help to bring forward a residential phase of the Health Campus development following the recent completion of the new link road.

6.3 (b) Design, scale and impact on visual amenity

6.3.1 Policy UD1 of the Watford Local Plan Core Strategy 2006-31 seeks to ensure that all new development is based on an understanding of the local characteristics of the surrounding area. At a national level, the government's planning guidance places a strong emphasis towards the creation of high quality environments through good design. Section 7 of the NPPF states that planning decisions should aim to ensure that developments "will function well and add to the overall quality of the area" and "are visually attractive as a result of good architecture and appropriate landscaping". Section 7.1.2 of the RDG advises that "New development must create a place of distinction by building on local identity" and further advises that "Where positive aspects of local character are more limited, development needs to begin to set a standard for the area by creating a distinctive place in its own right".

Existing character of area

6.3.2 The application site itself is undeveloped and falls outside of the character areas identified by the Watford Character of Area Study. It largely comprises cleared, former industrial land. The hospital complex to the north, which has been developed in a rather piecemeal fashion, lies on higher ground than the subject site and dominates its surroundings.

6.3.3 The nearest residential properties include those located within the Stripling Way estate (some 120 metres west of the site) and those on Riverside Road forming part of the estate known as The Rookery (some 170 metres south of the site). Other nearby residential properties include those located within Rose Gardens and Willow Lane to the northwest of the site. The surrounding residential development is varied. The site is separated from the Stripling Way estate and The Rookery area by way of the disused railway line and its associated

embankment and also the river and some open space in the case of the latter. The site is also separated from the Rose Gardens and Willow Lane properties by a wooded area.

6.3.4 The development of this vacant site provides an opportunity for new character and identity to be created. The proposal forms part of the Riverwell scheme, where it is accepted that density levels will be higher than those currently found in the areas adjoining the site. It must therefore be accepted that this necessitates a different building form and a change in approach to scale and massing. The architect has adopted a contemporary design approach that will introduce a new style of architecture to the area and it is felt that the site lends itself to this. The design and appearance of the new buildings will remain in keeping with the architecture of those blocks forming the first phase of residential development in the Woodlands area to the northeast of the site.

Scale and massing

6.3.5 The new buildings will range in height between 6 and 11 storeys and will therefore be significantly taller than the surrounding two storey residential properties. However, the new buildings will be separated a sufficient distance from the nearest two storey properties, ensuring that they have no overbearing or imposing impacts on them. The new buildings will be sited on lower ground than the imposing hospital and football stadium complexes and will not appear unduly prominent in this context.

6.3.6 Views towards the site from various nearby vantage points have been considered within the Environmental Statement (Section 9). It is considered that the effects of the development on visual amenity will largely be limited to the immediate surroundings of the site. The footprint of the proposed built form is less than a quarter of the overall site area and new tree and shrub planting will be provided to help soften the transition between this new 'urban edge' and the undeveloped area to the southwest. It is acknowledged that the area will have changed from one which had comprised low-rise industrial uses to higher rise built development. However, the new buildings will be seen in the context of the wider existing built form around it and from the south against the backdrop of the hospital and football ground buildings. Consequently, it is not considered that the scheme will have any significant detrimental impact on visual amenity.

6.3.7 The proposed buildings will incorporate features to help 'break up' their massing and create visual interest including the use of articulated elements, contrasting materials, a combination of recessed and protruding balconies and variation in window size openings.

External materials

6.3.8 The materials are shown indicatively on the documents submitted with the application and include buff, red and grey coloured bricks for the main elevations. Some brightly coloured bricks will be used around entrances to improve their legibility and add interest. Grey aluminium panelling will also be added to parts of the elevations. This will complement the window frames that will also incorporate a grey finish.

6.3.9 Overall, it is considered that the proposed scale, design and form will offer a robust elevational treatment for the buildings and will achieve a high quality appearance.

6.4 (c) Quality of residential accommodation

6.4.1 All of the proposed units within the development have been designed to achieve the minimum internal floorspace recommendations set out within the Council's guidance and officers consider that the buildings and units have been laid out so as to achieve appropriate privacy for their occupiers.

6.4.2 A daylight and sunlight report has been submitted which demonstrates that 93% of the rooms would meet recommendation with relation to the Average Daylight Factor and 81% with fully Daylight Distribution compliance. These levels are high and demonstrate that the units will generally achieve very good levels of daylight and sunlight.

6.4.3 In addition the units will benefit from good provision of both private and public amenity space which will be well lit as set out in the landscaping section of this report and will sit within a well-designed and pleasant site. Overall, the scheme would give rise to good quality residential accommodation for future occupiers.

6.5 (d) Affordable housing provision and housing mix

6.5.1 The application has been subject to extensive discussions in relation to affordable housing which have been ongoing for a number of months.

6.5.2 It is accepted in principal that the site does have a number of exceptional costs, such as bearing the cost of Thomas Sawyer Way, remediation arising from the former use and the need for works to the watercourse. However, it has still been important for the Officers to have extensive dialogue with the applicant in order to ensure that affordable provision has been maximised and that the offer made best meets the needs of Boroughs current housing needs.

6.5.3 Following these discussions the current offer of affordable housing is to provide 77 affordable rented units and 41 shared ownership units. However, it should be

noted that this offer favours larger family units such that there are 54 affordable rented units providing accommodation which could be used for families and 18 shared ownership units which could be used for families.

6.5.4 The affordable housing offer equates to 29% provision by unit or 30% provision by habitable room.

6.5.5 This offer has been subjected to a robust review of viability with a report being submitted by the applicant and considered by the Council's Consultant. This has confirmed that taking into account the various factors this is the maximum provision of affordable housing that can be made on this site at this time.

6.5.6 In this case there are two additional factors to consider. The development is large and will take place over a number of years, this means there is the potential for changes over time which could positively or negatively impact on the viability situation. In addition the viability discussions have ensured that all possibilities and variables have been maximised, to ensure optimum delivery, leading to an appraisal which is very sensitive to change.

6.5.7 The factors mean there is a risk that changes in circumstance could render the development unviable and ultimately prevent the delivery of the regeneration and housing benefits that it will provide, but it also provides a potential opportunity to increase provision in the future should changes be positive. For these reasons officers are recommending a viability review clause to both mitigate the risk to the regeneration project and ensure the opportunity of a greater contribution.

6.5.8 Subject to an appropriate legal agreement the affordable housing proposals are considered acceptable.

6.6 (d) Impacts on surrounding properties and uses

6.6.1 The development site is well separated from the nearest existing residential properties with block H being over 100m from no. 56 Willow Lane.

6.6.2 The closest consented residential development will be the 253 bed care home approved under application 17/01543/FULM. These proposals were designed alongside each other and in the relationship considered under the care home application whereby it was considered both developments would have an acceptable relationship.

6.6.3 To the east of the site separated from Trade City by the railway line and there are no concerns regarding this relationship. Thomas Sawyer Way and its embankment, separate this site from the Northern Zone of the wider sites.

Given this separation there are no concerns relating to the potential relationship of the development with future phases.

6.6.4 Overall, it is considered that the proposal would not have any unacceptable impacts on surrounding properties or uses.

6.7 (f) Landscaping and impacts on trees

6.7.1 The design and layout of the scheme has been informed by a landscape strategy which divides the site in seven landscape areas which include:

i) Site Entrance – with a formal setting of trees to create a sense of arrival and frame the buildings.

ii) Residential Piazza – a small hard surfacing area at the entrance to the site

iii) Promenade – a shared space for pedestrians and reduced cars to ensure a quieter area and allow a softening of the site towards the riverside.

iv) Communal and Podium Gardens – providing internal courtyards with perimeter blocks to provide amenity for residents and increase visual amenity.

v) Willow Lane Link – a landscaped pedestrian link between this site and the Woodland Development/Thomas Sawyer Way which includes a viewing platform and casual seating.

vi) Colne Island – a new publicly accessible open space created alongside the riverbank with two access points, and a play area. Creating a space where future residents and the wider community can enjoy soft landscaping, play and physical activity.

vii) Homezone Street and Parking – quieter areas towards the edges of the site allowing access and parking for new residents in a safe environment for residents.

6.7.2 Overall the proposals provide over 6,484 sq.m. of communal and private amenity space and the submitted lighting reports indicate that over 98% of the courtyard areas would get at least 2 hours of sunlight on the 21st March in excess of the BRE Guidelines.

6.7.3 The provision of an attractive promenade alongside the River Colne, in addition the creation of a publicly accessible open space with a walkable routes and play space, would both serve to create attractive environments which will encourage exercise and walking, providing health and wellbeing benefits for the residents and the wider community. The softening of the landscaping adjacent to the river enables the creation of a planting zone to have regard to the ecological value of

the watercourse and provide for biodiversity.

6.7.4 Overall, the landscape strategy has been well considered. It will provide a variety of different landscape spaces accommodating a variety of different outdoor uses while also providing for variation in the spaces on a journey through the site and creating walkable link which will encourage more healthy journeys through the site and the use of the public space.

6.7.5 The Council's arboricultural officer has no objections to the proposal and the landscaping is considered to be well thought out with regard to the various benefits it can provide to ecology, health and wellbeing and the amenity of future residents/the local community.

6.8 (g) Access, parking and transportation

6.8.1 The site will be accessed by vehicles from the existing roundabout at Thomas Sawyer Way, which was built for this purpose. Pedestrian Access to the site will be from three locations; the roundabout on Thomas Sawyer Way which will provide a link between this site and the northern zones/hospital; a link to Thomas Sawyer Way/Willow Lane to the north west which will link the development and open space to existing communities; and a pedestrian/cycling route linking the development to the south of the railway line which will link the development, open space and hospital to existing communities. The details of the southern route were principally considered under application 17/01543/FULM.

6.8.2 While earlier versions of the masterplan sought an additional pedestrian route between this site and the northern zone/hospital. This proved impractical due to the levels changes around Thomas Sawyer Way. As part of the design review process it was determined it would be better to focus attention on the existing access point rather than provide a further substantially compromised access. Further improvements to the roundabout on Thomas Sawyer Way to improve the pedestrian environment are intended to be provided in future phases relating to the northern zone.

6.8.3 The 408 units will be served by 213 car parking spaces and 447 cycle parking spaces. The 213 car parking spaces would include disabled parking spaces and electric vehicle charging points.

6.8.4 The level of car parking proposed at 0.5 spaces per unit is in line with the Council's adopted guidance and is considered appropriate for the site, in particular having regard to the site proximity to facilities nearby including local parades, the town centre, public open space and public transport. It is also well aligned with the objective of promoting walking which is supported by the provision of attractive walkable routes and links within the site. The proposed

development will include a car club space and a travel plan to further encourage sustainable travel.

6.8.5 At the request of County Highways updates to the original Traffic Assessment were prepared to address a number of detailed points and to consider the impacts of the proposal in a 'no MLX' scenario. Comments received on the 2nd March 2018 indicate that County Highways are satisfied with the revised highways modelling and have no objections on traffic impacts grounds.

6.8.6 Overall, the development is considered acceptable with regard to transport and access.

6.9 (h) Flood risk and drainage

6.9.1 The application has been accompanied by a Flood Risk Assessment and a Drainage Strategy which address both the application site, and the wider site, these documents and have been updated to address issues raised by consultees during the processing of the application. Having reviewed the revised documents both the Environment Agency and the Lead Local Flood Authority are satisfied that the proposals include appropriate consideration and mitigation for drainage and flooding issues. Subject to appropriate conditions the proposal is therefore acceptable in these respects.

6.10 (i) Sustainability

6.10.1 The application is accompanied by a Sustainability Statement and Energy Strategy, which demonstrate additional measures which have been introduced to improve sustainability and improve energy efficiency above the building regulations requirements.

6.11 (j) Other environmental considerations

6.11.1 The application is accompanied by an Environmental Impact Assessment which considers the development proposals cumulatively with the 'Mayfield' phase and other committed developments against key environmental considerations including, but not limited to Ecology and nature conservation, Landscape effects and visual amenity, Archaeology, Air quality, and Noise & vibration. In general the Statement considers the key matters and concludes that, subject to mitigation, the proposals will not have unacceptable adverse impacts in relation to the relevant areas.

6.12 (k) Section 106 and Community Infrastructure Levy (CIL)

6.12.1 The development site lies within one of the Major Developed Areas identified in the Council's Charging Schedule and as such is exempt from CIL on the basis that

the development will mitigate its individual impacts through a bespoke S106 agreement.

6.12.2 The development forms part of what was originally known as the Health Campus Site and the need for S106 contributions to mitigate the harm of the overall development was subject to detailed consideration and secured under planning permission 14/00511/OUTM. It is therefore appropriate that the current proposal secure the appropriate share of contributions originally set out as they relate proportionally to the smaller site area.

6.12.3 Having regard to this history the S106 will secure the following:

1. Fire Hydrants, if required, in accordance with County Requirement.
2. Affordable Housing and Viability Review. The affordable housing set out in the report will be secured. Given the long development time associated with the development and the assumptions in the Viability Assessment it is appropriate that the clause include provision for a review.
3. Primary Education Contribution. Contributions of:
£343,778 prior to the Implementation of Block E;
£622,885 prior to the Implementation of Block F; and
£202,424 prior to the Implementation of Block
4. Secondary Education Contributions of:
£51,959 prior to the Implementation of Block E;
£60,587 prior to the Implementation of Block F; and
£32,501 prior to the Implementation of Block D
5. Highway Works. Much of the original highways works have been undertaken, however traffic signal installation at M1 junction 5 interchange MOVA with UTC override is outstanding and to be secured.
6. Travel Plan. To ensure measures are in place to encourage sustainable travel.
7. River Management Works. The original outline consent secured river management works as required, and still required, by the Environment Agency. These are to be secured under the current permission.
8. Restrictions on Further Planning Applications/Obligations – Due to pooling contributions in relevant planning legislation a restriction is included to ensure the development of the wider site does not require more than 5 separate legal agreements.

6.12.4 The aforementioned requirements of the S106 are consistent with the requirements set out through the history of the site and adequate to mitigate

the wider impacts of the proposed development.

7.0 Human Rights implications

7.1 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.

8.0 Recommendation

That planning permission be granted subject to a legal agreement and conditions set out below.

8.1 Legal Agreement

A S106 Legal Agreement shall be entered into securing the following Heads of Terms:

1. Fire Hydrants, if required, in accordance with County Requirement.
2. Affordable Housing and Viability Review.
 - a. The development will achieve the level and mix of affordable housing set out in the table below unless alternative provision is justified as a result of a full re-evaluation of the viability of the site.
 - b. If there is a gap of 12 months or more between the grant of planning permission and the commencement of the first residential block a re-appraisal will be undertaken.
 - c. A further re-appraisal will be undertaken prior to the commencement of each of the subsequent residential blocks, unless otherwise agreed in writing by the Local Planning Authority.
 - d. In the event that there is a re-appraisal the development shall provide the maximum amount of affordable housing demonstrated to be viable up to a cap of the policy requirement of 35% (to be achieved either on site or on site with off-site contributions).
 - e. A dispute mechanism will be included in the agreement.

	Affordable Rent	Shared Ownership
1 bed	23	16
2 bed 3p	6	7
2 bed4p	32	18
3 bed	16	0
Total	77	41
	65%	35%
	29% (30% Hab Rooms)	

3. Primary Education Contribution. Contributions of:
 - £343,778 prior to the Implementation of Block E;
 - £622,885 prior to the Implementation of Block F; and
 - £202,424 prior to the Implementation of Block
4. Secondary Education Contribution
 - £51,959 prior to the Implementation of Block E;
 - £60,587 prior to the Implementation of Block F; and
 - £32,501 prior to the Implementation of Block D
5. Highway Works. Much of the original highways works have been undertaken, however traffic signal installation at M1 junction 5 interchange MOVA with UTC override is outstanding and to be secured.
6. Travel Plan. To ensure measures are in place to encourage sustainable travel.
7. River Management Works. The original outline consent secured river management works as required, and still required, by the Environment Agency. These are to be secured under the current permission.
8. Restrictions on Further Planning Applications/Obligations – Due to pooling contributions in relevant planning legislation a restriction is included to ensure the development of the wider site does not require more than 5 separate legal agreements.

8.2 Conditions

Time Limit

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.

Approved Drawings

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

RWL-LHA-RX-00-DR-A-0001 5
RWL-LHA-RX-01-DR-A-0002 2
RWL-LHA-RX-00-DR-A-0003 06
RWL-LHA-RX-01-DR-A-0004 04
RWL-LHA-RX-RL-DR-A-0005 04
RWL-LHA-RX-ZZ-DR-A-0006 02
RWL-LHA-RX-ZZ-DR-A-0007 01
RWL-LHA-ZZ-00-DR-A-0001 01
RWL-LHA-ZZ-XX-DR-A-0002 01
RWL-LHA-RD-ZZ-DR-A-0001 01
RWL-LHA-RD-ZZ-DR-A-0002 00
RWL-LHA-RD-ZZ-DR-A-0002a 00
RWL-LHA-RD-ZZ-DR-A-0002b 00
RWL-LHA-RD-ZZ-DR-A-0003 00
RWL-LHA-RD-ZZ-DR-A-0004 00
RWL-LHA-RD-ZZ-DR-A-0005 00
RWL-LHA-RD-ZZ-DR-A-0006 00
RWL-LHA-RE-ZZ-DR-A-0001 00
RWL-LHA-RE-ZZ-DR-A-0002 01
RWL-LHA-RE-ZZ-DR-A-0003 00
RWL-LHA-RE-ZZ-DR-A-0004 01
RWL-LHA-RE-ZZ-DR-A-0005 00
RWL-LHA-RE-ZZ-DR-A-0006 00
RWL-LHA-RE-ZZ-DR-A-0007 01
RWL-LHA-RE-ZZ-DR-A-0008 00
RWL-LHA-RE-ZZ-DR-A-0009 01
RWL-LHA-RF-ZZ-DR-A-0001 00
RWL-LHA-RF-ZZ-DR-A-0002 00
RWL-LHA-RF-ZZ-DR-A-0003 00
RWL-LHA-RF-ZZ-DR-A-0004 01
RWL-LHA-RF-ZZ-DR-A-0005 01
RWL-LHA-RF-ZZ-DR-A-0006 00
RWL-LHA-RF-ZZ-DR-A-0007 01
RWL-LHA-RF-ZZ-DR-A-0008 00
RWL-LHA-RF-ZZ-DR-A-0009 01
RWL-LHA-RX-ZZ-DR-A-010 00

RWL-LHA-RX-ZZ-DR-A-011 00
RWL-LHA-RX-XX-RP-A-0001 01
RWL-LHA-RX-XX-SH-A-0001 08
RWL-LHA-RX-XX-SH-A-0002 06
RWL-LHA-RX-XX-SH-A-0003

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

Phasing

3. Prior to the commencement of any development, other than works on the access road or open space, a phasing plan shall be submitted to, and approved in writing by, the Local Planning Authority. The phasing plan shall clearly show which areas/parts of the development will be undertaken in each phase and the order in which they shall commence.

Reason: To establish a phasing plan, such that the discharge of other conditions on this consent can be appropriately timed and not unnecessarily delay commencement of various phases of the development. In accordance with good practice and the request of the applicant.

External Materials and Finishes

4. No phase of the development other than works on the access road and open space shall commence until details of the materials to be used for all the external finishes of the buildings in that phase (including all walls, roofs, doors, windows, balconies, rainwater and foul drainage goods and details of the reveal treatment to be applied around windows and doors) have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

Reason: In the interests of the visual appearance of the site and the character and appearance of the area, in accordance with the provisions of the Residential Design Guide (RDG), Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and Section 7 of the National Planning Policy Framework (NPPF).

External Lighting

5. No phase of the development shall be occupied until a scheme detailing the external lighting to be installed within that phase (including free standing light fixtures and any external lighting attached to the buildings)

has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed prior to the first occupation of the development in accordance with the specifications and locations set out in the scheme, and shall be maintained thereafter in accordance with the approved scheme. Under no circumstances should any other external lighting be installed without the prior written approval of the Local Planning Authority.

Reason: To ensure that any external lighting safeguards the security and amenities of residents, respects the character and appearance of the area and is sensitive to wildlife in accordance with Policies GI3 and UD1 of the Watford Local Plan Core Strategy 2006-31.

Surface Water Management

6. The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Waterman Infrastructure & Environment Limited (document reference WIE11284-101-R-10-3-1-App, dated 27 October 2017) and the following mitigation measures detailed within the assessment;
 - a) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 10.2 l/s during the 1 in 100 year event plus 40% of climate change event.
 - b) Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a total storage volume in porous paving sub-base, filter trench and bio-retention area.

- c) Discharge of surface water from the proposed development drainage system into the River Colne.

The mitigation measures required to serve each phase of the development shall be fully implemented prior to occupation of that phase or in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding by ensuring the satisfactory disposal and storage of surface water from the site, in accordance with saved Policy SE27 of the Watford District Plan 2000, Policies SD1 and SD2 of the Watford Local Plan Core Strategy 2006-31 and Section 10 of the National Planning Policy Framework (NPPF).

- 7. No phase of the development other than works on the access road and open space shall take place until a detailed surface water drainage scheme for that phase, based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy scheme should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event.

It should be noted that the scheme for each phase needs to have regard to the wider drainage strategy for that site and it may be necessary for details to demonstrate how the proposal for each phase will link with this.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

- a) Final detailed surface water drainage strategy layout including all SuDS features (permeable paving included) with their connections into the private surface water sewer system and final inlet and outlet levels.
- b) Detailed engineered drawings of the proposed SuDS features including their size, volume, depth, any inlet and outlet features including any connecting pipe runs and final modelling reflecting the detailed design of the proposed drainage strategy.

- c) Routes of exceedance for rainfall events that exceed the 1 in 100 year plus climate change event including its extents, depths and volumes.
- d) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To reduce the risk of flooding by ensuring the satisfactory disposal and storage of surface water from the site, in accordance with saved Policy SE27 of the Watford District Plan 2000, Policies SD1 and SD2 of the Watford Local Plan Core Strategy 2006-31 and Section 10 of the National Planning Policy Framework (NPPF).

Piling and Foundations

- 8. No piling or other foundation designs using penetrative methods shall take place until a method statement (detailing the depth and type of piling and/or foundations to be undertaken and the methodology by which such piling/foundations will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, measures to prevent harm to groundwater resources and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

Reason: To safeguard underground sewerage utility infrastructure and to ensure that the proposed foundation works do not harm groundwater resources in accordance with saved Policy SE28 of the Watford District Plan 2000, Policy SD1 of the Watford Local Plan Core Strategy 2006-31 and Section 11 of the National Planning Policy Framework (NPPF).

Refuse, Recycling and Cycle Storage

- 9. No phase of the development shall be occupied until the refuse, recycling and cycle storage to serve that phase of the development, as shown on the approved drawings, has been constructed and made available for use. These facilities shall be retained as approved at all times.

Reason: To ensure that adequate facilities exist for residents of the proposed development and in the interests of visual amenity, in accordance with saved Policies SE7 and T10 of the Watford District Plan 2000 and Policies SD4 and UD1 of the Watford Local Plan Core Strategy 2006-31.

Hard and Soft Landscaping and Children's Play Space

10. The hard and soft landscaping (including the childrens playspace) on Colne Island shall be carried out in accordance with the details shown on the approved drawings prior to the occupation of any part of the development. Other hard and soft landscaping shall be carried out in accordance with the details shown on the approved drawings prior to the occupation of any unit within that phase. The proposed planting shall be completed not later than the first available planting and seeding season after the relevant trigger set out above.

For the purposes of this condition a planting season is the period from 1 October in any one year to 31 March in the following year. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved in writing by the Local Planning Authority.

Reasons In the interests of the visual appearance of the site and to ensure that suitable play facilities are provided for children in accordance with saved Policies L9 and SE36 of the Watford District Plan 2000 and Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

Means of Enclosure

11. Notwithstanding the information already submitted, none of the units in any phase shall be occupied until details of the siting, height, type, materials and finish of all fencing, walls, gates or other means of enclosure around the boundaries of the site and within the site for that phase have been submitted to, and approved in writing by, the Local Planning Authority. All fencing, walls, gates or other means of enclosure shall be provided in accordance with the approved details prior to the first occupation of any part of the development and shall be maintained as such at all times thereafter. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no gates or means of enclosure, other than those approved under this condition, shall be erected or installed on the site without the prior written approval of the Local Planning Authority.

Reasons In the interests of visual amenity, to ensure that suitable levels of privacy are provided for future occupiers of the development and neighbours, and to minimise danger, obstruction and inconvenience to users of the adjacent highway, in accordance with the provisions of the

Residential Design Guide (RDG), saved Policies T21 and T24 of the Watford District Plan 2000 and Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

Parking, driveway and manoeuvring layout

12. No unit within any phase of the development shall be occupied until the access road, on-site parking and manoeuvring areas to serve that phase have been laid out and constructed in accordance with the approved drawings and made available for use. These facilities shall be retained as approved at all times.

Reasons To ensure that adequate facilities are provided for the occupants of the development and to ensure that the adjoining highway is not obstructed, in accordance with saved Policies T21 and T24 of the Watford District Plan 2000.

No use of flat roofs

13. No parts of the flat roofs of the development, with the exception of those areas marked as terraces on the drawings hereby approved, shall be used as terraces, balconies or other open amenity spaces.

Reasons To prevent overlooking and consequent loss of privacy to the occupiers of the development pursuant to the provisions of the Residential Design Guide (RDG) and paragraph 17 of the National Planning Policy Framework (NPPF).

Levels

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

Reasons To ensure that the proposed buildings and any other changes in level on the site maintain a satisfactory relationship between the development and existing properties so as to safeguard the character and appearance of the area and the privacy and amenities of neighbouring properties in accordance with the objectives of Policies UD1 and SS1 of the Watford Local Plan Core Strategy 2006-31 and paragraph 17 of the National Planning Policy Framework (NPPF). Details of all the levels have

not been specified within the application submission and these details need to be agreed with the Local Planning Authority before any works commence.

Tree Protection Measures

15. The tree protection measures set out within the Arboricultural Impact Assessment (Report No: RT-MME-125046-02 Rev A Date: September 2017) shall be carried out.

Reasons To safeguard the health and long term retention of the existing trees and shrubs which represent an important visual and ecological asset, in accordance with saved Policies SE37 and SE39 of the Watford District Plan 2000 and Policies UD1 and GI3 of the Watford Local Plan Core Strategy 2006-31.

Archaeology

16. With the exception of the road and landscaping, no phase of the development shall commence until an Archaeological Written Scheme of Investigation for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include an assessment of archaeological significance and research questions; and:
 1. The programme and methodology of site investigation and recording;
 2. The programme and methodology of site investigation and recording as suggested by the archaeological evaluation;
 3. The programme for post investigation assessment;
 4. Provision to be made for analysis of the site investigation and recording;
 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
 6. Provision to be made for archive deposition of the analysis and records of the site investigation;
 7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

The development shall only take place in accordance with the programme of archaeological works set out in the approved Written Scheme of Investigation. No part of the development shall be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme

of Investigation and the provision made for analysis and publication where appropriate.

Reasons To ensure that any archaeological remains on the site can be evaluated and recorded, in accordance with Policy UD2 of the Watford Local Plan Core Strategy

Satellite Dishes and Aerials

17. No phase of the development shall be occupied until details of a communal terrestrial television aerial(s) and satellite dish(es) for that phase have been submitted to and approved in writing by the Local Planning Authority. No aerials or satellite dishes, other than those approved by this condition, shall be installed within the site.

Reasons To prevent visual cluttering and to ensure that a high quality environment is achieved, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

18. No phase of the development shall be occupied take place until a landscape management plan, for Colne Island, the buffer zone and that phase has been submitted, and approved in writing by, the Local Planning Authority. The plan shall include long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas including the buffer zone. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The buffer zone element shall be free from built development including lighting, domestic gardens and formal landscaping; and will form a vital part of green infrastructure provision. The schemes shall include:

- plans showing the extent and layout of the buffer zone.
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.
- details of the proposed native planting scheme
- details of any new habitat created on site
- details of establishment and maintenance regimes
- details of treatment of site boundaries and/or buffers around water bodies, including any fencing.

Reasons Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected, particularly for riverside developments. An appropriately planned and managed landscape

scheme, including the buffer zone will improve the river habitat continuity and affords species a wider and therefore more robust and sustainable range of linked habitats. Which in turn will bolster the resilience of local and migrating wildlife to disturbance. The National Planning Policy Framework (NPPF), paragraph 109 recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. The Natural Environment and Rural Communities Act which requires Local Authorities to have regard to nature conservation and article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the river basin management plan.

19. No works on the pedestrian footbridge shall commence until the details of the footbridge has been submitted to, and approved in writing by, the local planning authority. No unit within the development shall be occupied until the footbridge has been completed and brought into use. The scheme shall be implemented as approved.

Reasons This condition is necessary to ensure the bridge is designed to maintain a continuous river corridor and provide for movement of wildlife.

20. If, during development, contamination not previously identified is found to be present at the site then no further development of that phase (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reasons To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 109 of the National Planning Policy Framework. The contamination currently identified should have been addressed under the enabling works planning conditions 127430/02 but ground is variable, so additional contamination may be discovered over the course of the construction activities.

21. Each 'phase' is in reference to the Site Zoning Plan in the Geo-Environmental Risk Assessment. 'Contamination not previously identified' includes:
- contaminants at concentrations higher than previously identified in this area of the site.
 - contaminants not previously identified in this area of the site.
 - contaminants in groundwater, surface water or in/on/under the land.
22. Prior to each phase of development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy, and the effectiveness of the remediation shall be 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.

Reasons This condition requires a verification report of any remediation measures taken to address 'contamination not previously identified' as per the above planning condition. This is to ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 109 of the National Planning Policy Framework.

23. A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

Reasons To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 109 of the National Planning Policy Framework. The submitted planning application indicates that boreholes have been and will need to be installed at the development site to *investigate land and groundwater quality and potentially for geotechnical investigations*. If these boreholes are not decommissioned correctly they can provide preferential pathways for contaminant movement which poses a risk to groundwater quality.

24. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reasons Deep foundations and piling can provide preferential pathways for contaminant movement which poses a risk to groundwater quality. Groundwater is particularly sensitive in this location because the proposed development site is within Source Protection Zone 1 relating to the deep chalk aquifer.

25. Piling for the development hereby permitted may not commence until a groundwater monitoring and maintenance plan in respect of potential contamination mobilised by piling activities, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reasons To ensure that piling on the site does not pose any further risk to the deep water environment by managing any contamination issues and completing all necessary long-term remediation measures. The information required by this condition is intended to be complementary to the long-term groundwater monitoring condition on the enabling works planning application.

26. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reasons To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 109 of the National Planning Policy Framework. The previous use of the proposed development site presents a risk of contamination that could be mobilised by surface water infiltration from a sustainable drainage system (SuDS) leading to pollution of controlled waters

Contamination

27. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a

verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reasons To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

28. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

Reasons To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

TFL

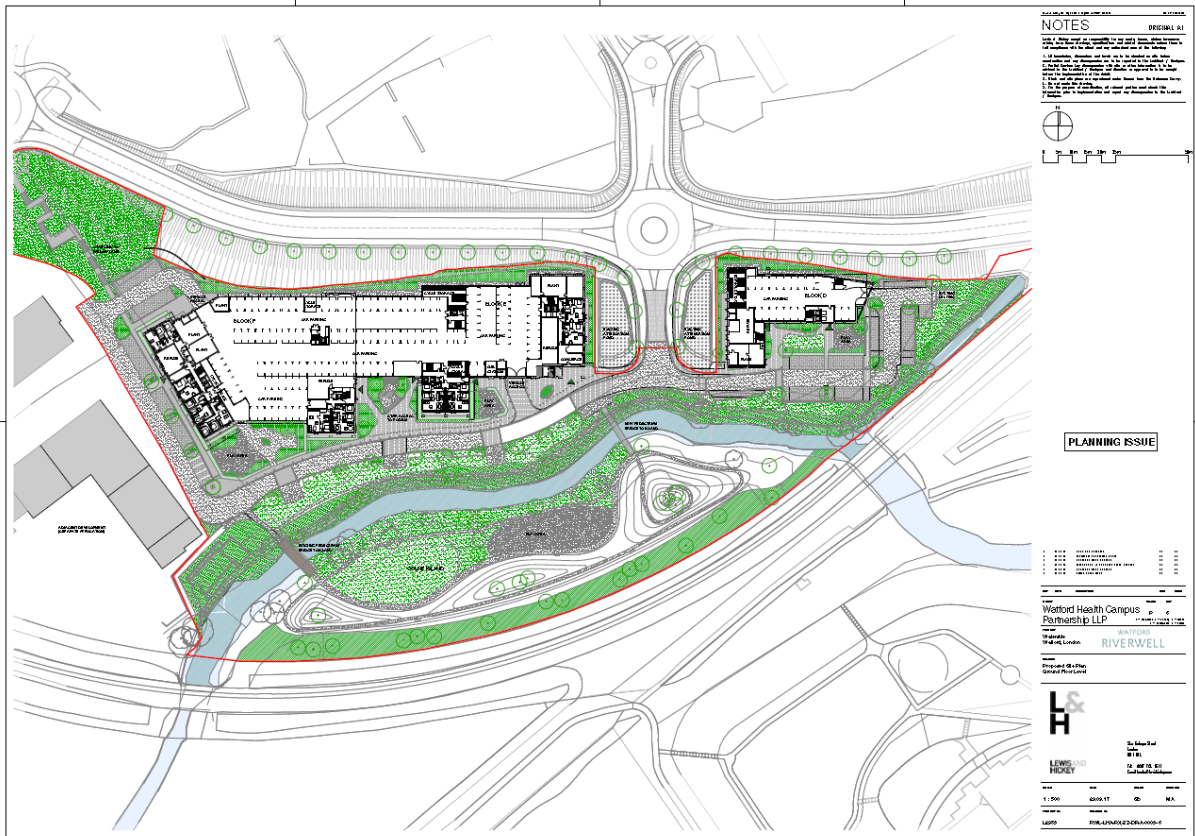
29. No phase of the development shall take place until a scheme of appropriate safeguards for the MLX have been submitted to and approved in writing by the Local Planning Authority. The safeguards will ensure there is no conflict with the Croxley Rail Link Order 2013, no negative impact on the construction programme for the MLX, no negative impacts on the subsequent operation of the MLX as a live railway and address any construction safety issues associated with the railway.

Reasons To ensure the appropriate safeguarding of proposed and existing infrastructure.

Drawing numbers

See condition 2.

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Tel: 01923 278283



180206 Watford Riverwell_rendered masterplan



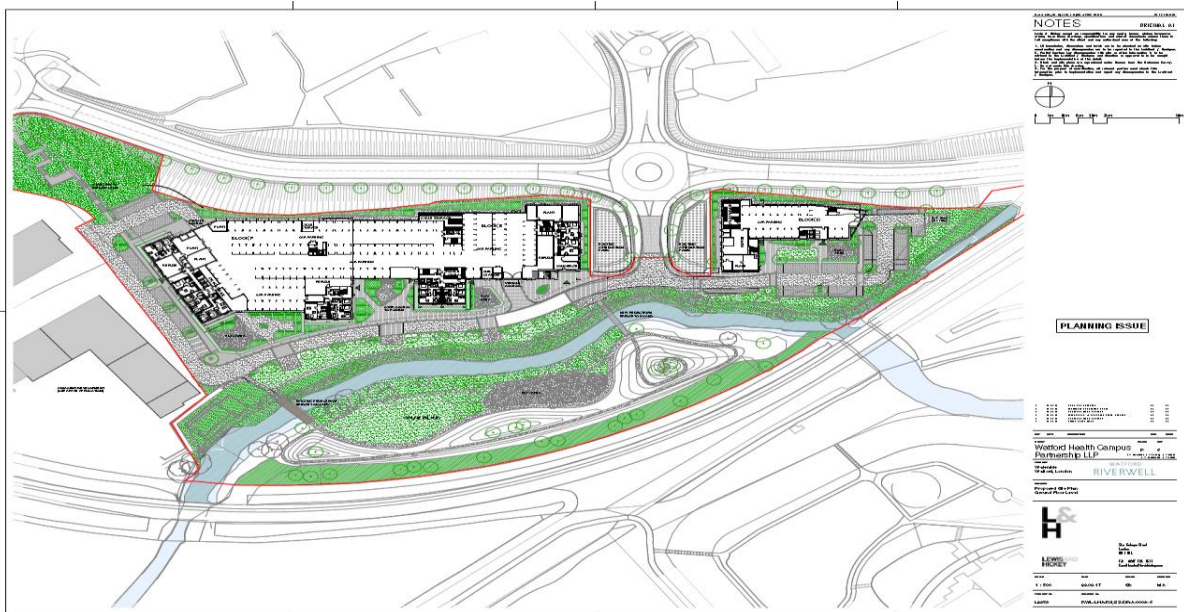
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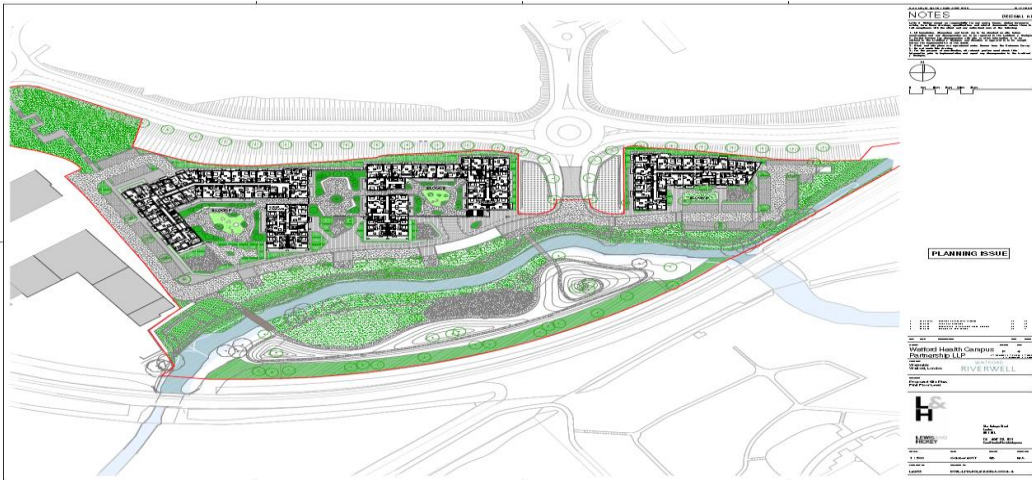
CGIs



RWL-LHA-RX-ZZ-DR-A-0003 - PROPOSED SITE PLAN



RWL-LHA-RX-ZZ-DR-A-0004 - PROPOSED FIRST FLOOR SITE PLAN_Rev.04



RWL-LHA-RX-ZZ-DR-A-0005 - PROPOSED ROOF PLAN



RWL-LHA-RX-ZZ-DR-A-0006 - PROPOSED CONTEXT ELEVATIONS - NORTH AND SOUTH_Rev.01



RWL-LHA-RX-ZZ-DR-A-0007 - PROPOSED CONTEXT ELEVATIONS - EAST AND WEST



RWL-LHA-RX-ZZ-DR-A-0010 - PERFORATED BRICK DETAIL



V01_River crop



V01_Riverside_Aerial_v2



V02_Riverside_Ground_v2



View 01



View 02



View 03



Agenda Item 7

PART A	
Report of: Head of Development Management	
Date of committee:	25th July 2018
Site address:	Land to the rear of Ye Corner Watford WD19 4BS
Reference Number:	18/00350/FULM
Description of Development:	Demolition of existing buildings and redevelopment of site to create 19 residential units with associated works
Applicant:	Ye Corner Limited
Date Received:	16th March 2018
13 week date (major):	5th July 2018
Agreed extended deadline:	15th August 2018
Ward:	Oxhey

Preamble

Recent planning permission has been granted for the redevelopment of the site to provide 15 dwelling units, servicing arrangement and associated landscaping.

The current proposal seeks to increase the number of dwelling units to 19. Therefore, the main considerations are whether the addition of a floor to some of the blocks to provide the additional four units causes harm to the heritage assets, alters the view regarding the design quality, or whether will have an adverse impact upon the amenities of the adjoining occupiers or the impact upon the highways condition.

1.0 Site and surroundings

- 1.1 The application site comprises an irregular-shaped parcel of land, covering an area of 0.16 hectares, located to the northwest of the junction where Chalk Hill meets Aldenham Road, and situated behind numbers 1-11 Ye Corner and numbers 44 and 46 Aldenham Road.
- 1.2 Within the site, there is a two storey, brick-built building and single storey workshop buildings constructed using various materials including corrugated metal.
- 1.3 The properties immediately to the south and east of the site which front Chalk Hill and Aldenham Road respectively form a parade of shops. This parade consists of a pair of two storey, semi-detached properties known as 44 and 46 Aldenham Road, a terrace of three storey buildings (nos 1-8 Ye Corner), a

separate terrace of three storey properties (9-11 Ye Corner) and a two storey building (12 Ye Corner) which is attached to the western side of the aforementioned terrace. All of these neighbouring properties incorporate a commercial unit at street level with residential accommodation on the upper floors, with the exception of the premises at 12 Ye Corner which is wholly occupied by a business use (over two floors). Some of these properties also incorporate residential units that sit behind their commercial units including properties at nos 2 and 9 Ye Corner.

- 1.4 Vehicular access to the site is provided by entrances on both the Chalk Hill and Aldenham Road frontages. The Chalk Hill access passes through a narrow gap in the parade between nos 8 and 9 Ye Corner. This entrance used to serve those businesses that occupied the workshops within the main part of the site. It also serves the rear entrances of some of the properties that front Chalk Hill and Aldenham Road. The Aldenham Road access serves the businesses occupying those buildings along the northern edge of the site and also a residential dwelling, known as 48 Aldenham Road, which lies to the north of the site.
- 1.5 There is a change in levels across the site with the access road along its northern edge occupying an elevated position when compared to the main part of the site to the south.
- 1.6 The site is located approximately 1.2 kilometres from Watford Town Centre and less than 250 metres from Bushey Railway Station.
- 1.7 The site is located outside of the Oxhey Conservation Area which lies to the east. It also does not encompass any listed buildings. However, 14-16 Chalk Hill – located 30 metres to the west of the site, is a Grade II listed building. The nearby buildings at 18 Chalk Hill – to the west of the site, and 48 Aldenham Road – to the north, are locally listed.
- 1.8 The site and surrounding in terms of their physical aspects have not changed since the application was approved. However, whilst the approved scheme was considered by the committee, all buildings were occupied by businesses providing range of motor vehicles relates services such as repairs, servicing and tyre fitting, but currently the site is vacant.

2.0 Proposed development

- 2.1 The application seeks full planning permission for the demolition of the existing buildings and the redevelopment of the site to create 19 residential units with associated works.
- 2.2 The 19 residential units will be provided by way of buildings of different heights; one block will part three storeys and four stories, two blocks will be three

storeys and one block will be only two storeys high. The proposal will provide a total of 16 two bedroom flats and 3 one bed flats. The additional flats in respect of the scheme will be all two bedroom units.

- 2.3 The proposed buildings will front a central courtyard area that will be occupied by two loading/delivery bays and a hard-surfaced turning area to allow vehicles using the loading bays to manoeuvre on-site. The courtyard area will also comprise cycle storage, bin storage, communal amenity space and soft landscaping.
- 2.4 An additional bin store will be housed adjacent to Unit 12 (and to the rear of the properties known as 44 and 46 Aldenham Road) and this will be accessed from the Aldenham Road access. Two car parking spaces will be provided adjacent to Unit 12 (and to the rear of 46 Aldenham Road), also served by the Aldenham Road access, and these will serve existing leaseholders.
- 2.5 The two blocks will be separated by a gap of 1.7 metres. This gap will provide a walkway and steps to allow access through the site – between the main central courtyard area and the elevated service road which runs along the northern edge of the site.
- 2.6 Those ground floor flats labeled as Units 1-3 on the submitted drawings will benefit from having direct access to their own private amenity areas.
- 2.7 The proposal will not provide any on-site affordable housing, however, the current scheme offers a financial contribution in lieu this. The extant approved scheme neither provides any on-site affordable housing, nor any financial contributions.

3.0 Relevant planning history

- 3.1 A pre-application enquiry was received in September 2016 for the demolition of the existing commercial buildings and the redevelopment of the site to create new residential units (Ref. 16/01367/PREAPP). The Local Planning Authority responded to this enquiry in November 2016 and advised that the principle of a car-free residential development in this location was acceptable. However, it was felt that the pre-application submission did not demonstrate that a suitable living environment would be achieved for the future occupiers of the development without compromising the amenities of the occupiers of neighbouring properties and did not suitably address access constraints. The applicant was encouraged to enter into pre-application discussions with the Local Highway Authority.
- 3.2 On 28th February 2018 conditional planning permission was granted for the demolition of the existing buildings and redevelopment of the site to create 15

residential units. The permission includes the provision of blocks of up to three storeys high blocks around a central court yard. The planning permission was also subject to legal agreement to secure a review mechanism to revisit actual build costs and values when the development is approaching completion to establish whether a contribution towards affordable housing provision can be made.

3.3 Since the grant of conditional planning permission, the applicant has been seeking to discharge the conditions. So far one condition been discharged and three are pending considerations;

- Details submitted for Condition 29 (Ref;18/00458/DISCON) -Constructive Evaluation Project plan (condition discharged 05.06.2018)
- Details submitted for Condition 24 (Ref; 18/00677/DISCON) -Ground Contamination- (pending consideration)
- Details submitted for condition 6 (Ref; 18/00678/DISCON) -surface water drainage- (pending considerations)
- Details submitted for conditions 17 and 18 (Ref; 18/00692/DISCON) (Tree protection) (pending considerations)

4.0 Planning policies

Development plan

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

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

4.2 The *Watford Local Plan Part 2: Publication Version* was published in July 2016. This has been subject to 3 rounds of public consultation – Nov-Dec 2013, Dec 2014-Feb 2015 and Dec 2015-Feb 2016. It contains development management policies and site allocations. The emerging polices and site allocations in this document can be given limited weight at this time.

4.3 Supplementary Planning Documents

The following Supplementary Planning Documents are relevant to the determination of this application:

4.4 National Planning Policy Framework

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

Achieving sustainable development

The presumption in favour of sustainable development

Core planning principles

Section 1 Building a strong, competitive economy

Section 4 Promoting sustainable transport

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Section 10 Meeting the challenge of climate change, flooding and coastal change

Section 11 Conserving and enhancing the natural environment

Section 12 Conserving and enhancing the historic environment

Decision taking

- 4.5 In January 2016 the Council received the South West Hertfordshire Strategic Housing Market Assessment and associated Economic Study 2016 (SHMA) which set out an Objectively Assessed Need (OAN) for housing in the Borough that exceeds the levels in the Core Strategy. The Court of Appeal has recently confirmed that a "realistic prospect" of a site coming forward within the required timeframe will be sufficient to meet the deliverability test set by national planning policy, thereby endorsing an earlier decision of Mr Justice Ouseley (*St. Modwen Developments Limited v Secretary of State for Communities and Local Government & Ors. Case Number: C1/2016/2001*). Officers have undertaken a recent review of the housing supply having regard to these judgements and are of the view that the Council is able to demonstrate a 5 year supply based on the OAN. Accordingly, the Council's housing policies can be considered up to date. The issue with the supply of housing figure may have to be altered due to the emerging National Planning Policy Framework, which suggests an alternative approach to calculation housing need supply.

5.0 Consultations

5.1 Neighbour consultations

- 5.2 The council notified 175 properties surrounding the application site. The

application was also publicised by a notice published in the Watford Observer on 13.04.2018 which expired on 04.05.2018. 4 objections have been received. The main objections to the current scheme relates to the concerns with respect to pressure on car parking in the surrounding street, congestion, the potential problem with respect to fire-engine being able to enter the site and the loss of privacy.

- 5.3 The concerns of the objectors have been summarised below and fully considered in the body of the report. It should be noted that with respect to the approved scheme, 22 objections were received. The objections were on far more wide ranging grounds than the objections that have been aired with respect to the current scheme.

Representations	Officer's response
Loss of privacy to neighbouring properties.	See section 6.7 of the report.
Construction lorries, ambulances will not be able to enter the site.	Any site under construction will bring about its own challenges due to site constraints and locational issues which would have to be addressed by the developers. However, planning permission could not be refused on such issues. The site could be accessed by ambulances. The issue with fire engine is addressed at section 5.4.2
Site could not be accessed by a fire appliance and is high risk in event of fire.	See section 5.4.2 of the report.
Loss of light to neighbouring properties.	See section 6.7 of the report.
Impact on outlook of neighbouring properties.	See section 6.7 of the report.
Exacerbate traffic, congestion and on-street parking on surrounding roads.	See section 6.9 of the report.
Inadequate access causing danger to road users.	See section 6.9 of the report.
Inadequate car parking.	See section 6.9 of the report.
Concerns with siting and scale of proposal.	See section 6.3 of the report.

5.4 Statutory publicity

5.5 Technical consultations

The responses received from technical consultees are set out below. Some of the matters raised by consultees have required an officer response. In such cases,

the officer has either provided comments (in brackets) in the section below or the matters are discussed further in the 'Appraisal' section of the report.

5.5.1 Local Highway Authority (Hertfordshire County Council)

Herts Highways officer have explained that subject to suitable condition, they will not intend to raise any objection to the proposal with respect to Highways issues.

5.5.2 Fire & Rescue Service

They have not responded to the current scheme, however, the following comments were discussed with respect to the approved scheme;

- *The Fire & Rescue Service no longer responds to planning application consultations – as per their written advice to Local Planning Authorities dated 31st August 2017. This is because it is the role of the Local Highway Authority (as a statutory consultee) to ask for the involvement of a fire and rescue service regarding access issues as it is recognised that by meeting the need of the fire and rescue service the access requirements for all emergency service are met. Notwithstanding the above, a representative from the Fire & Rescue Service has provided comments on the proposal advising that an appliance would not be able to access the site. However, they have further advised that if the fire crews were able to park on the main roads and access on foot from there, only units 3 and 9 would be beyond the 45m requirement and therefore they are likely to require a rising main in the premises beyond the reach of 45m.*
- *So far as water supply is concerned, the Fire & Rescue Service would require that the development is within 100m of an existing hydrant or that hydrants are provided within 90m of the entry point to any building on site without a rising main.*
- ***{Officer comment:** The developer will need to satisfy current Building Regulations which include making sure those developments meet the relevant fire protection/safety standards. The planning system cannot be relied upon to deal with matters that are otherwise covered by a separate regime or approval process (in this case Building Regulations) and therefore there are no planning grounds to refuse the application based on the lack of access into the site for fire appliances. In any case, preliminary comments have been obtained from Hertfordshire Fire & Rescue Service which indicate that the proposed layout is likely to be acceptable from a fire-fighting point of view with the installation of a riser(s) within the site. Such measures would be secured under the Building Regulations approval process.*

- *It should also be noted that the existing access points are to remain unaltered and, at present, the site cannot accommodate fire appliances despite there being industrial activities taking place within it. It is reasonable to assume that the established uses on the site (or future occupiers of the units), particularly those associated with the motor trade, could rely on the storage of oil or other flammable substances. The existing buildings also do not appear to have been built to modern standards which pose a risk in itself. The introduction of new residential accommodation here, that incorporates modern fire protection measures including the installation of new riser(s) within the site, has the potential to improve levels of safety for residents.}*

The issues with respect to fire engine and access will remain acceptable as before and therefore will not require any further consideration.

5.5.3 Arboricultural Officer

The Arboricultural Officer has not responded to the current scheme however, with respect to the approved scheme it was confirmed that no trees protected by a Tree Preservation Order will be affected and has no objection to the development subject to suggested conditions to secure a landscaping scheme, a detailed schedule of tree work and details of the no-dig construction method to be used for the works in the southwestern corner of the site near to a neighbouring group of trees. The current scheme will not affect the layout or siting of the blocks, therefore, the position with respect to the trees will not alter.

5.5.4 Hertfordshire Constabulary

The “Designing Out Crime Officer” has criticised that the design and access statement which fails to address any crime prevention measures. The Herts Constabulary adviser questions who will be responsible for the maintenance of the green roofs. Also it is implied that the entrance could be gated and well lit to deter offenders as well as unauthorised vehicles having easy access and that the bin store is made secure and positioned away from the side of the building to prevent the bins being used for burglary or arson. It is also recommended that the development to be built to the physical security of Secured by Design part 2, which is the police approved minimum security standard.

(Officer comment): The entrance to the site from Chalk Hill will serve not only the new residential development but also the rear entrances/yard areas associated with those properties fronting Chalk Hill and Aldenham Road. Without the full agreement of all stakeholders, the Local Planning Authority would not wish to insist on a gate being installed across the access. It is felt that

natural surveillance of the site will be provided by both the new flats and the existing surrounding flats which will help to deter acts of crime. It should be noted that the applicant has already installed a temporary security gate to prevent illegal occupiers entering the site. The security gate code number has been made available to the residents with right of way. The applicant has advised a permanent security gate could be installed without prejudicing the right of entry to those with right of access. The security gate could be addressed through condition 12 which seeks approval for means of enclosure. The applicant has advised that the green roof will be managed by the management company responsible for the rest of the site.

(Officer comment) With regard to bin storage, further details of its exact size, siting and type are to be secured by condition. Both bin stores are located within close proximity to buildings and could, potentially, be used to access roofs and upper floor windows/balconies. However, the siting of the bin stores has been chosen to minimise their impact on visual amenity and to ensure that they are in locations that allows them to be conveniently accessed by the refuse collection teams and residents. Amending the siting of the stores is likely to result in them having a greater visual impact and could mean that they are less accessible. As above, it is felt that the surrounding units that overlook the bin storage areas will help to deter acts of crime.

Based on the advice provided, an informative will be added advising the applicant to take appropriate measures in improving the security for the future occupiers of the site and will be encouraged, to obtain Secured by Design certification but there is no planning policy that requires this.

5.5.5 Environmental Health

They have not responded to the current scheme. However they did not raised any objection subject to suggested condition requiring a mechanical ventilation system integrating cooling so as to protect residents from poor air quality and noise.

5.5.6 Hertfordshire County Council Minerals & Waste

Has requested a Site Waste Management Plan (SWMP) is secured for the development.

{**Officer comment:** A SWMP is not considered necessary for a scheme of this scale.}

5.5.7 Lead Local Flood Authority

No objection to the proposed surface water drainage scheme, subject to

appropriate conditions being imposed to secure the measures set out within the submitted Surface Water Drainage Strategy.

5.5.8 Contaminated Land Officer

No objection subject to conditions being imposed to reduce any potential for contamination risks.

5.5.9 Waste Team

No responses have been received with respect to the current scheme, however in respect of the approved scheme they confirmed that the proposed bin storage areas are acceptable in terms of capacity and siting (for collection).

5.5.10 Thames Water

No objection.

5.5.11 Hertfordshire County Council Developer Services

Has outlined the potential financial contributions to be provided towards local services which are to be collected through the Community Infrastructure Levy (CIL).

5.5.12 Environment Agency

The Environment Agency, subject to imposition of appropriate does not raise any objection to the current scheme. All the issues with respect to pollution issues were resolved prior to the previous application being approved.

5.5.13 Planning Policy – Design & Conservation

The Urban Design & Conservation Manager with respect to the approved scheme explained that the development offers a creative approach to design on a difficult site and considered that the scheme will have a positive impact the character of the area and that the significant of the heritage asset will be protected. With respect to the present scheme, the Conservation and Design manager has confirmed that the proposed addition of four new dwelling units will continue to be acceptable in design terms. The proposed development is also considered to have an acceptable impact upon the heritage asset and will preserve the setting of the adjacent listed buildings.

5.5.14 Hertfordshire County Council Fire Hydrants

Has suggested that fire hydrants are provided to serve the proposed buildings by

the developer through a Section 106 agreement.

6.0 Appraisal

6.1 Main issues

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

- (a) Principle of development
- (b) Design, scale and impact on visual amenity
- (c) Impacts on heritage assets
- (d) Quality of residential accommodation
- (e) Affordable housing provision and housing mix
- (f) Impacts on surrounding properties
- (g) Impacts on trees
- (h) Car parking, access and transportation
- (i) Section 106 and Community Infrastructure Levy (CIL)

6.2 (a) Principle of development

6.2.1 The issue with respect to the loss of employment site deliberated with respect to the approved scheme with the following considerations;

6.2.2 *Policy HS1 of the Watford Local Plan Core Strategy 2006-31 advises that factors that will support residential allocation in the site allocations document, and which will also be considered in determining applications on windfall sites, will include: consistency with the spatial strategy; previously developed land; proximity to neighbourhood centres; close to good public transport, walking and cycle network routes; location within the town centre or at other strategically located sites; water quality protection downstream of a site. The Policy further advises that factors that will go against residential allocation will include: not previously developed land; land at risk of flooding; existing employment land, open space or other community facilities for which there is still an identified need; land with high biodiversity, landscape or cultural heritage significance; no access to reliable integrated public transport links.*

6.2.3 *The proposal complies with the provisions of Policy HS1 in that the site occupies previously developed land which is close to good public transport routes and links, is not open space or a community facility for which there is a need, is not in an area at risk of flooding and does not have high biodiversity, landscape or cultural heritage significance. The site does, however, provide existing employment use through the commercial premises it contains.*

6.2.4 *The planning history for the site shows that it has been occupied by commercial uses for a number of years. Despite this history of commercial use, due to the*

relatively small size of the site, its restricted access and its location within a residential area, it is not a designated site for employment use.

- 6.2.5 *There is no adopted policy contained within the Development Plan which seeks to protect employment uses that are outside designated employment areas. Policy E6 of the Watford District Plan 2000 had previously set out criteria for protecting employment uses outside identified employment areas but this policy has not been saved and is not, therefore, applicable.*
- 6.2.6 *Policy EMP4 of the emerging Local Plan Part 2 seeks to protect employment space which exists outside of the designated employment areas unless there is evidence to show there is a surplus of B use class employment space or replacement provision is made within Watford, or the property has been vacant for at least 6 months and there is evidence to show it cannot be reused for employment use. The Policy further advises that where a loss of employment space is proposed in an area which is outside of the designated employment areas, such as this, then the development must remain compatible with adjoining uses.*
- 6.2.7 *The proposal does not appear to directly meet the criteria in the emerging policy and no evidence has been submitted to demonstrate that there is no demand for the existing employment space. Indeed, at the time of the officer site visit, all of the units appeared to be in occupation. Nevertheless, it must be acknowledged that only a limited amount of weight can be afforded to Policy EMP4 of the Local Plan Part 2, at present, as this policy has not been adopted.*
- 6.2.8 *In the absence of an up-to-date development plan policy in relation to employment uses outside designated employment areas, it is considered that the advice contained within the NPPF should take precedence. Paragraph 22 of the NPPF states that “Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose”. It further advises that “Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities”. In this case, it is apparent that the existing buildings are relatively low grade and some have been added to in a piecemeal fashion. As such, a redevelopment of the site would be required in order for any new employment use to become long-term. The site is relatively small and is located within a high density residential area. It is distant from any other main employment sites and access to the site is via narrow service roads only. For these reasons, there is little likelihood of the site being redeveloped for commercial use in the future and a commercial redevelopment of the site would not be considered the preferred solution.*

- 6.2.9 *Paragraph 51 of the NPPF advises that local planning authorities should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate. In this regard, the Strategic Housing Market Assessment (SHMA) clearly outlines the need for additional housing on a borough-wide scale and there are not considered to be any strong economic reasons why the residential redevelopment of the site would be inappropriate. The proposal, therefore, complies with the objectives of paragraph 51 of the NPPF in this regard.*
- 6.2.10 *Furthermore, it is considered that a residential use in this location would be more compatible with the surrounding residential properties when compared to those commercial uses that exist at present. The development would offer a significant improvement to the visual amenity of the area through the removal of the unsightly industrial buildings and the paraphernalia associated with these and the introduction of a new high quality building with green roofs and soft landscaping. In this respect there is a clear benefit in providing a residential use on this site.*
- 6.2.11 *Overall, and having regard to the objectives of the NPPF, it is felt that, on balance, the benefits of the proposed redevelopment of this site would outweigh the loss of the existing commercial uses. The loss of the employment use and the provision of housing would provide significant economic, social and environmental benefits in this case.*
- 6.2.12 The policy position with respect to land use issue has not changed. Further, in this instance, all businesses have ceased to operate and the site is currently vacant. Given the extant planning permission for the provision of housing on the site, it is highly unlikely that the site could be redeveloped for employment uses. Therefore, the proposal in land use term in principal is considered acceptable.

6.3 (b) Design, scale and impact on visual amenity

- 6.3.1 The design of the scheme was subject much to deliberations when the scheme was considered in respect of the approved 15 unit dwellings. In particular the following comments were reported to the committee;
- 6.3.2 *Policy UD1 of the Watford Local Plan Core Strategy 2006-31 seeks to ensure that all new development is based on an understanding of the local characteristics of the surrounding area. At a national level, the government's planning guidance places a strong emphasis on the creation of high quality environments through good design. Section 7 of the NPPF states that planning decisions should aim to ensure that developments "will function well and add to the overall quality of the area" and "are visually attractive as a result of good architecture and*

appropriate landscaping”.

- 6.3.3 *The area in which the application site is located can be regarded as being mixed in character – being surrounded by varying residential development, the commercial uses fronting Ye Corner and Aldenham Road and the rather piecemeal commercial development that has taken place within the site itself.*
- 6.3.4 *The proposed development would occupy a fairly secluded position behind the Chalk Hill and Aldenham Road building frontages. The development would have no strong visual presence on the surrounding public realm given that it would be largely screened from view from the surrounding streets by the buildings to the south and east.*
- 6.3.5 *At present, the site comprises a range of buildings in commercial use and a large expanse of hard surfacing. None of the buildings contained within the site have any historic or architectural significance. There are a number of vehicles parked on site and other unsightly paraphernalia associated with the commercial activities exists. Consequently, a fairly poor level of visual amenity is offered at present. The proposed scheme provides the opportunity for the visual amenity of the site to be considerably improved through a comprehensive redevelopment that will include the introduction of soft landscaping and tree planting.*
- 6.3.6 *Section 7.1.2 of the RDG advises that “Where positive aspects of local character are more limited, development needs to begin to set a standard for the area by creating a distinctive place in its own right”. In this particular case, the architect has adopted a contemporary design approach that will introduce a new style of architecture to the area to create a development which has the appearance of a modern mews set around a central courtyard. It is felt that the site lends itself to this approach because of its secluded position behind the main building frontages.*
- 6.3.7 *The submitted elevations show the principal material for the external walls of the building to be brick. The applicant has indicated that timber panelling and metal cladding will be applied to parts of the external elevations. The use of such materials is considered to be acceptable in principle as these could complement the brickwork and add visual interest. The exact type of materials to be used on the external surfaces of the buildings will be secured by condition so as to ensure that a high quality appearance is achieved.*
- 6.3.8 *The proposed landscaping includes new tree planting. Additionally, green roofs will be incorporated into the development. The new planting and the green roofs will ensure that an attractive environment is created and will provide an enhanced visual amenity for those properties that surround the site.*

6.3.9 With respect to the current scheme, the design approach has not altered and the additional floor has been sensitively incorporated into the scheme. The additional floor has been added making use of the profiled metal material used on sections of the approved scheme. Existing design features such as the strong balconies have been carried through to the additional floor and the layout internally with regular cores and direct access where possible from the external courtyard to the ground floor units makes for a well designed scheme. All flats are dual aspect which is supported and welcomed. The courtyard area functions well and the additional floor will not alter the appeal of this area to users.

6.4 (c) Impacts on heritage assets

6.4.1 This issue was thoroughly evaluated with respect to the approved scheme with officer report making the following observations;

6.4.2 *The site is located outside the Oxhey Conservation Area but is located within close proximity to two locally listed buildings; these being 18 Chalk Hill which lies 7 metres to the west of the site, and 48 Aldenham Road which lies 8 metres to the north. A Grade II statutory listed building, known as 14-16 Chalk Hill, is situated 23 metres southwest of the site.*

6.4.3 *The proposed scheme uses the level change along with its flat roof design to minimise its impacts on the locally listed buildings at 18 Chalk Hill and 48 Aldenham Road. It is considered that the greatest impact will be on the setting of 48 Aldenham Road as the new scheme will be viewed as one approaches this property. However, it is considered that the approach to this neighbouring property will be improved when compared to the current situation.*

6.4.4 *The local topography and the presence of trees in the area that lies between the subject site and the listed building at 14-16 and the locally listed building at 18 Chalk Hill mean that the proposed development is unlikely to have any significant impact on the setting of either of these buildings. The submitted drawings indicate that the tree belt (which includes some trees protected by a Tree Preservation Order) will be retained.*

6.4.5 *It is acknowledged that the existing commercial uses that occupy the site do not make a positive contribution to the setting of the nearby heritage assets. The scheme will allow the physical environment within the site and its relationship with its surroundings to be enhanced through the removal of the disorderly commercial development that exists at present and its replacement with a comprehensive form of high quality architecture and landscaping.*

6.4.6 The increased in the height of the scheme, will be most significant with respect to the relationship with the locally listed building at number 48 Aldenham Road. This will be a storey higher to the section of the scheme which is four storey at the rear lower ground floor and three storey adjoining the access route to the

property. The conservation manager has confirmed that the view and approach to No 48 will appear more contained but will not cause harm to the setting of the asset and is some distance from the asset and as such is not objected to.

6.4.7 It is therefore concluded that the additional floor to sections of the approved scheme to provide four additional units does not cause harm to the heritage assets and does not alter my view that this scheme is well designed and will provide a good quality living environment for residents.

6.5 (d) Quality of residential accommodation

The following were considered in respect of the approved scheme;

Internal space

6.5.1 *The proposal provides a mix of 1 bedroom and 2 bedroom units. All of the proposed 1 bedroom units will exceed the 50 square metre minimum floorspace standard for a 1 bedroom, 2 person dwelling. Additionally, all of the proposed 2 bedroom units will exceed the 61 square metre minimum floorspace standard for a 2 bedroom, 3 person dwelling. The units will benefit from layouts that will allow a typical arrangement of furniture and adequate circulation space. As such, it is considered that a suitable amount of internal space will be provided.*

Lighting and outlook

6.5.2 *Some of the flats will have a more limited level of amenity than others due to their position within the site and their relationship with the surrounding built form. Nevertheless, it is considered that a reasonable level of outlook will be offered from all of the proposed flats. Additionally, the submitted Daylight Report indicates that all of the units will benefit from daylight levels which are in excess of the Building Research Establishment target values (as set out in the BRE publication entitled 'Site Layout Planning for Daylight and Sunlight; A guide to good practice'). The majority of the flats will benefit from being dual aspect. Those which have only a single aspect will have a southerly orientation. It is felt that all of the proposed units will benefit from reasonable levels of sunlighting particularly given the site's built-up context.*

Privacy

6.5.3 *Given that the distances between the existing buildings and the proposed buildings will remain the same, the position with respect to privacy issue remains acceptable. With respect to overlooking among the proposed buildings, some mutual overlooking is to be expected in a high density development within an urban environment such as this. However, notwithstanding this, the scheme has been carefully designed to minimise any potential overlooking between*

properties and it is considered that future occupiers of the flats will benefit from suitable levels of privacy.

Amenity space

6.5.4 Section 7.3.23 of the RDG advises that “For flatted developments, communal open space provided for the exclusive use of occupants of the development may be acceptable as long as its location, size and shape enable it to be enjoyed by the occupants”. It further advises that “The minimum area for usable communal space is 50 square metres, plus 15 square metres per additional unit over two units”. Using this standard, the scheme would be required to have a minimum area of 245 square metres in communal open amenity space. The amount of communal open space to be provided will be below this standard at approximately 200 square metres but three out of the 15 units proposed will have their own private garden areas and seven of the units will have their own private balconies. It is felt that the level of amenity space is acceptable in this context.

Noise

6.5.5 The noise assessment submitted with the application identifies that the site is affected by noise mainly due to traffic on the surrounding roads. The site is also located approximately 100 metres east of the West Coast Mainline railway which also has the potential to result in noise disturbance to future occupiers of the development. In order to ensure that the occupiers of the new flats are protected from noise disturbance certain attenuation measures will need to be implemented including the installation of specified glazing. This can be secured by condition. The Environmental Health Department has also requested that a system for mechanical ventilation be installed, to allow the new flats to be adequately ventilated (both background ventilation and rapid ventilation for cooling and odour removal) without the need for windows to be open in the interests of protecting the future occupants from noise disturbance and potential poor air quality. This can also be secured by condition.

Refuse and recycling storage facilities

6.5.6 The Council’s Waste & Recycling Team has been consulted and has advised that the proposed refuse and recycling storage arrangement is acceptable. The proposed purpose-built stores will be conveniently located in terms of access for future occupiers of the development and refuse collection teams. It is felt that such provision will ensure that adequate refuse and recycling storage will be accommodated without causing harm to the amenities of future occupiers of the development or neighbours and without compromising the appearance of the site, the streetscene or the character of the area, in accordance with saved Policy

6.5.7 The layouts of the additional units are identical to those already approved in extant planning permission. Therefore, in terms of internal floor space, outlook, privacy and noise the quality of the additional units remain acceptable. There will be proportionally less amenity space per dwellings than approved scheme. However, three out of four proposed dwelling units will benefit from the private balcony space. A further daylight study reports reveals that all the proposed flats will have an acceptable level of natural daylight and will meet the BRE guidelines. It is considered that the proposal the proposed scheme on the whole will provide high quality residential accommodation.

6.6 (e) Affordable housing provision and housing mix

Affordable housing

6.6.1 Policy HS3 of the Core Strategy requires a 35% provision of affordable housing in all schemes of 10 units or more. In the case of the proposal, for 15 units, this would require the provision of 5 affordable units. This provision should have a tenure mix of 65% affordable rent, 20% social rent and 15% intermediate tenures. Only in exceptional circumstances will a lower level of provision be considered through submission of a development viability assessment.

6.6.2 With respect to the approved scheme, the viability assessment revealed that the scheme could not provide any affordable housing, nor would it be possible to provide any financial contribution in lieu of on-site provision. Nevertheless, the Council's consultant has recommended that a review of the viability of the development be undertaken towards the end of the project when actual build costs and sales values of the flats are known. This would allow payment to be made towards affordable housing provision where the viability of the development can be shown to have improved to provide a financial surplus.

6.6.3 With respect to the present scheme, the applicant's has agreed to make a financial contribution of £127,761. The final figure with respect to financial contribution has been subject to lengthy debate between the council's consultant and the applicant's Financial Viability Assessment (FVA) advisor. Initial FVA by the applicant estimated a figure of £48,000 financial contribution would enable the development to be viable. However, the Council's FVA adviser estimated the figure to be in the region of £165,000 could be secured towards the provision of affordable housing without affecting the viability of the scheme. However, upon further presentation of details with respect to cost plan by the applicant, and the re-examination by the council's FVA adviser, this figure was amended to the current FC of £127,761. Currently the legal agreement has yet to be prepared and signed. Hence, the Head of Development Management seeks

authority to refuse the scheme due to the lack of provision of an adequate contribution in the event that the legal agreement

Housing mix

6.6.4 Policy HS2 of the Watford Local Plan Core Strategy 2006-31 states that the Council will seek the provision of a mix of housing types, sizes and tenures at local level to meet the requirements of all sectors of the community. The application proposes a combination of one and two bedroom flats, which is considered to be an acceptable housing mix for a sustainable location such as this. The additional units will all be 4 bedroom dwelling units which appear to be a greater need for them locally.

6.7 (f) Impacts on surrounding properties

6.7.1 With regards to the impact of the amenities on the adjoining occupiers the following issues was considered in respect of the approved scheme;

6.7.2 It is considered that the proposed development will cause no significant harm to the amenities of any neighbouring occupiers or uses, in accordance with the provisions of the RDG, Policy SS1 of the Watford Local Plan Core Strategy 2006-31 and paragraph 17 of the NPPF.

6.7.3 The development will be visible from many of the surrounding properties but given its size and siting, it is considered that it will not have any overbearing impact on neighbouring properties and will not significantly affect their outlook.

6.7.4 The submitted daylight and sunlight assessment demonstrates that the scheme will result in no significant loss of natural light to the nearest residential properties including those that occupy the rear portions of the buildings fronting Aldenham Road and Chalk Hill including units at the rear of numbers 2 and 9 Ye Corner. Adequate levels of natural light and outlook will also be maintained for those units contained within the buildings on Aldenham Road and Chalk Hill owing to their separation from the new blocks.

6.7.5 The proposed development will have an acceptable relationship with the neighbouring properties to the north including 48 Aldenham Road and those within The Larches and will not result in any significant loss of light or outlook to these properties.

6.7.6 The proposed buildings will not cause any neighbouring properties to suffer from a significant heightened sense of enclosure or reduced outlook (this is helped somewhat by the fact that the proposed buildings will be sited on lower ground than those nearest properties at 48 Aldenham Road and The Larches).

- 6.7.7 Sections 7.3.16 – 7.3.20 of the RDG outline the privacy standards for new development. The RDG advises that “The separation distance between front elevations will be determined by the street layout and the size of the front gardens”. It further advises that “A minimum separation distance of 27.5 metres should be achieved between rear elevations of new houses and existing houses, when clear glass and directly facing habitable windows are at first floor level”. In this particular case, the development will introduce new residential units in an area where none exist at present. It is apparent that some of the windows and balconies of the new units will be sited less than 27.5 metres from the windows on the nearest residential properties to the south and east of the site. Drawing 106 Rev P3 submitted with the application illustrates, however, that reasonable separation will be provided between the windows contained within the new blocks and those on surrounding properties.
- 6.7.8 While some overlooking between the development and the surrounding properties may take place, this will not be to an extent that will cause any significant harm to the living conditions of neighbouring occupiers. In any case, some mutual overlooking is to be expected in urban environments such as this.
- 6.7.9 The blocks will feature windows and doors in their northeast-facing elevations. Those at ‘upper ground’ floor level will not offer any significant views into the neighbouring properties at 48 Aldenham Road or within The Larches. These openings will not offer significantly different vantage points to those that can be obtained from the existing windows or from the service road. Similarly, those windows at ‘upper ground’ level on the southeast-facing elevation of Unit 10 will also cause no significant overlooking by virtue of their relationship with the neighbouring properties.
- 6.7.10 The westernmost block within the proposed development will contain two first floor windows within its northeast-facing elevation. One of these windows will serve a stairwell and this could be fitted with obscure glazing and be fixed shut up to a height of 1.7m above the internal floor level so as to prevent any overlooking towards 48 Aldenham Road. Such measures can be secured by condition. The other window will serve a bedroom (within Unit 15). By reason of its orientation and position, this window will not directly face the property at 48 Aldenham Road or those nearest properties within The Larches and will not, therefore, result in any significant loss of privacy to the occupiers of these neighbouring properties. A distance of more than 27.5m will be maintained between the bedroom window on the northeast-facing elevation of Unit 15 and the nearest neighbouring properties to the north (No.s 12-22 The Larches).
- 6.7.11 The proposed additional units have been created by consideration with respect to the massing of the building and placing the proposed flats where they would have a minimal effect on the surrounds buildings and in particular the amenities of the adjoining occupiers and the local heritage buildings.

6.7.12 In terms of the privacy the distance between the existing building and proposed buildings will remain the same, therefore, there will be no significant loss of privacy.

6.7.13 There has been a further study with respect to the impact of the development upon the light on the surroundings buildings. The study clearly indicates that the proposed addition of height will have no significant impact upon the daylight to the adjoining occupiers.

6.7.14 The proposed units have been added to the north and west of the site. This approach will ensure that the impact upon the existing buildings on the East of the site will be minimised. The most significant impact will be with respect to the block nearest to the dwellings to the south of the site facing Chalk Hill. The proposal will increase the height of the development by another storey, whilst there will be no significant breach in terms of loss of privacy or daylight, the proposal will result in some loss of outlook. However, given the a minimum distance of 17m between the proposed block the existing windows to flats 9-11 Chalk Hill, the loss of outlook will not result in feel of enclosure to the occupiers of these properties and therefore the scheme will not significant affect the amenities of the occupiers of the flats.

6.7.15 On balance, it is considered that the new development will introduce a residential use which is more compatible with the surrounding residential properties when compared to the existing commercial uses. The new residential development has the potential to result in less disturbance to surrounding properties than current or future industrial uses and their associated activities could cause. Through careful design the proposal would avoid any significant impact upon the amenities of the adjoining occupiers.

6.8 (g) Impacts on trees

6.8.1 The site does not contain any significant trees. There is a belt of trees to the west of the site which includes a group that is protected by a Tree Preservation Order (Tree Preservation Order No. 33) but none of the protected trees will be affected by the development. Only a small group of trees is indicated for removal, however, these are not significant in the landscape and the new planting will offset their loss.

6.8.2 The Arboricultural Officer has recommended that a detailed schedule of tree works including the cutting back of any off-site trees be submitted and approved by the Local Planning Authority. However, there are no trees to be retained within the site and works to trees which fall outside of the application site could not be controlled by condition as these would be unenforceable.

6.9 (h) Car parking, access and transportation

Car parking

- 6.9.1 The proposed flats will be 'car-free' with none of them benefitting from any on-site parking. However, the site is well located for access to public transport, being very close to Bushey Station and bus stops. There are local shops in the immediate vicinity of the site, and the Lower High Street retail area and the town centre are both within walking distance. In this context, a higher density, car-free residential development is in accordance with national and local policy to encourage sustainable development and is considered acceptable in principle. The lack of on-site parking for the new flats will mean that the proposal will not add to existing high traffic flows and congestion on Aldenham Road and the nearby Bushey Arches gyratory.
- 6.9.2 Two parking spaces are to be provided within the site, located adjacent to Unit 12 (and to the rear of 46 Aldenham Road). The spaces will be accessed via the service road within the northern part of the site which draws off Aldenham Road. The information submitted with the application indicates that these spaces will be allocated to an existing leaseholder. Access into and out of these parking spaces will be fairly restricted given the limited amount of space in front of them (between 3.3 and 5 metres) to allow for manoeuvring. Notwithstanding this, it is apparent that this area is currently used to provide parking for up to three cars and it is felt that the proposal will not result in the situation being worsened in terms of highways impacts. It is further acknowledged that the existing parking area provided in this location measures only 3.9 metres deep at its eastern end (measured between the boundary with the access road and the brick wall that runs along the southern edge of the parking area). Incidentally, the proposed spaces will measure 5 metres deep, thereby allowing cars to be parked at a right angle to the service road without overhanging into the access road.

Impacts on surrounding highway network

- 6.9.3 It is acknowledged that the surrounding residential roads experience high levels of parking congestion at all times, from commuters during the daytime and local residents during the evening. However, the site is not within a controlled parking zone so it is not possible to restrict on-street parking by future occupiers of the development. The site is highly accessible and is an appropriate location for car-free development. For this reason, the proposal is considered acceptable.
- 6.9.4 The Local Highway Authority has been consulted and on both occasions (the approved and the present scheme) has confirmed that it does not consider that

the proposed development is likely to have an impact on the safety of the local highway network. It has raised no objection to the proposal subject to conditions being secured as discussed below.

- 6.9.5 The Local Highway Authority has recommended that conditions be imposed requiring that wheel cleaning facilities be provided for the duration of the construction works and that the applicant submits a Construction Traffic Plan detailing provision for on-site parking for construction workers. Issues arising from construction works are not material planning considerations and are covered by other legislation. As such, it is not considered appropriate to impose planning conditions relating to these matters. Nevertheless, informative notes will be added to the decision notice (see section 9 below) to provide advice to the applicant with regard to wheel washing, contractors' parking and their responsibilities for ensuring that the highway remains unobstructed wherever possible.
- 6.9.6 The Local Highway Authority has also requested a condition requiring the submission of a Service and Delivery Management Plan that shall incorporate the servicing arrangements for the use and adequate provision for the parking and manoeuvring of delivery vehicles within the site. Such detail is considered neither enforceable nor necessary for a scheme of this size, particularly as scaled plans, including turning diagrams, have already been provided as part of the application submission for the Local Highway Authority's consideration at the application stage.

Access

- 6.9.7 Vehicular access to the site will be gained via the existing entrances on the Chalk Hill and Aldenham Road frontages. There is no facility for service and delivery vehicles (that are larger than small vans) to access the site – as is the case at present.
- 6.9.8 Two loading/unloading bays and a turning area will be provided within the site and these will be accessed utilising the existing entrance on Chalk Hill. Swept path assessments have been provided which demonstrate that there is adequate space within the site to allow cars and small vans to be able to enter, manoeuvre and leave the site in a safe and convenient manner without compromising the safety and freeflow of the adjacent highway.
- 6.9.9 Visibility for vehicles entering and leaving the site is not ideal given the close proximity of the adjoining buildings either side of the access points. However, it has to be taken into account that the access points are existing features that will be retained in their current form. Due to the car free nature of the development and its sustainable location, it is felt that the level of trips generated by the proposed use would be low and the use of the access points would not be

significantly intensified. Consequently, it is deemed that the proposal will not have a material impact on the operation of the highway network.

6.9.10 The proposal seeks to incorporate two separate bin storage areas. One at the lower ground level to the south of the proposed westernmost block of flats and behind 11 Ye Corner (which would be accessed from the entrance on Chalk Hill) and the other on the upper ground level behind 44 & 46 Aldenham Road (which would be accessed from Aldenham Road). Collections from both bin storage areas would involve the refuse collection vehicles having to wait temporarily on the highway. Whilst this is not an ideal situation, it is apparent that this is what happens at present and the Local Highway Authority has not objected on these grounds. This arrangement has also been discussed with the Council's Waste and Recycling Team who have agreed to this in principle.

Cycle storage

6.9.11 The scheme incorporates a cycle storage area which will be large enough to meet the demands of the development. Further details of its exact siting, type, size and finish will be secured by condition and this will allow a suitable appearance to be achieved. There is no reason why such storage cannot be designed in a way to ensure that it is both secure and weatherproof in accordance with the requirements of saved Policy T10 of the Watford District Plan 2000.

6.10 (i) Section 106 planning obligations and Community Infrastructure Levy (CIL)

Community Infrastructure Levy (CIL)

6.11 The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. The CIL charge covers a wide range of infrastructure as set out in the Council's Regulation 123 list, including highways and transport improvements, education provision, youth facilities, childcare facilities, children's play space, adult care services, open space and sports facilities. CIL is chargeable on the relevant net additional floorspace created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted. The CIL charge applicable to the proposed development is £120m².

6.12 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.

6.13 A s.106 agreement will be used to secure financial contribution to the sum of £127,761 plus a review mechanism to revisit actual build costs and values when the development is approaching completion to establish if a contribution towards affordable housing provision can be made (as set out in paragraph

6.6.3). This requirement meets the tests in Regulation 122 of the Community Infrastructure Regulations 2010, and, consequently, this planning obligation can be taken into account as material planning consideration in the determination of the application.

- 6.14 Further there will be requirement for the provision, as necessary, of fire hydrants to serve the development in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.

7.0 Conclusion

- 7.1 This is a challenging site to bring forward for redevelopment due to the constraints from the surrounding uses, the change in levels, the nearby heritage assets and the limited access arrangements. However, the careful design and layout innovatively responds to the constraints of the site and the contemporary mews style approach is to be welcomed as this will create a high quality environment that offers a suitable relationship with its surroundings.
- 7.2 A car free development is considered to be suitable taking into account the site's sustainable location. The proposed residential flats will provide a good overall quality of accommodation for future residents without causing any considerable harm to neighbouring uses or occupiers, subject to appropriate conditions.
- 7.3 The present scheme will provide four additional housing, without any significant harm to the character of the area or the amenities of the adjoining occupiers. The additional four units will further boost the supply of housing in the local area. Further, unlike the previous scheme, the proposal will enable a financial contribution to the provision of affordable housing to the sum of £127,761, which is also welcomed.

8.0 Human Rights implications

- 8.1 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.

9.0 Recommendations

Recommendation 1

- 9.1 That, pursuant to a planning obligation under s.106 of the Town and Country Planning Act 1990 having been completed to secure the following Heads of Terms, planning permission be granted subject to the conditions listed below:

Section 106 Heads of Terms

- i) A financial contribution in lieu of the provision of on-site affordable housing to the sum of £127,761, in accordance with policy HS3 of Watford Local Plan Core Strategy 2006-2031. The agreement shall also secure a review mechanism of the viability of the scheme for a contribution up to a maximum total contribution of £600,916 towards the provision of affordable housing in the Borough of Watford, subject to the review demonstrating the improved viability of the development.
- ii) The provision, as necessary, of fire hydrants to serve the development in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.

Conditions

Time Limit

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.

Approved Drawings

2. The development hereby permitted shall be carried out in accordance with the following approved drawings:
 - 0617-000-P5 Location Plan
 - 0617-102-P7 Block Plan
 - 0617-103-P1 Block Plan
 - 0617-105-P7 Landscape Plan
 - 0617-106-P4 Separation Distance Plans
 - 0617-107-P4 Sweep Track Analysis – Van
 - 0617-108-P4 Sweep Track Analysis – Ambulance
 - 0617-110-P4 Lower Ground Floor Plan
 - 0617-111-P4 Ground Floor Plan
 - 0617-112-P5 First Floor Plan
 - 0617-113-P2 Second Floor Plan
 - 0617-114-P1 Roof Plan

- 0617-200-P5 Site Sections
- 0617-201-P3 Site Sections
- 0617-300-P4 Proposed Elevations
- 0617-301-P4 Proposed Elevations

Unless otherwise agreed in writing by the local planning authority

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

External Materials and Finishes

3. Notwithstanding the information already submitted, no construction works above damp proof course level shall commence until details of the materials to be used for all the external finishes of the buildings, including all walls, roofs, doors, windows, balconies, rainwater and foul drainage goods (including samples where considered necessary by the Local Planning Authority) and details of the reveal treatment to be applied around windows and doors have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

Reason: In the interests of the visual appearance of the site and the character and appearance of the area, in accordance with the provisions of the Residential Design Guide (RDG), Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and Section 7 of the National Planning Policy Framework (NPPF).

External Lighting

4. No dwelling shall be occupied until a scheme detailing the external lighting to be installed within the site (including free standing light fixtures and any external lighting attached to buildings) has been submitted to and approved in writing by the Local Planning Authority. All external lighting shall be installed prior to the first occupation of the development in accordance with the specifications and locations set out in the scheme, and shall be maintained thereafter in accordance with the approved scheme. Under no circumstances should any other external lighting be installed without the prior written approval of the Local Planning Authority.

Reason: To ensure that any external lighting safeguards the security and amenities of residents and respects the character and appearance of the area in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

Surface Water Management

5. The development permitted by this planning permission shall be carried out in accordance with the approved Surface Water Drainage Strategy prepared by Ambiental Technical Solutions – Reference 3136 SWDS, Version Draft v4.0 (dated April 2017) and the following mitigation measures detailed within the drainage strategy:
 - i). Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event;
 - ii). Implementing appropriate drainage strategy based on attenuation and discharge into Thames surface water sewer including SuDS features as indicated on drawing No. Lower Level, Revision 2 – Preliminary Surface Water Drainage Strategy Layout, dated 05/07/2017 and drawing No. Upper Level, Revision 2 – Preliminary Surface Water Drainage Layout, dated 05/07/2017;
 - iii). Limiting surface water discharge off the site at a maximum allowable rate of 5.0 l/s/ha for the 1 in 100 year plus 40% for climate change event;
 - iv). Clarification and indication in the drawing where exactly the filter drain connects with the existing infrastructure;
 - v). Incorporation of the upper parking site in the system and provision of updated calculation considering this area;
 - vi). Final detailed scheme with updated calculation including all site area.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding by ensuring the satisfactory disposal and storage of surface water from the site, in accordance with saved Policy SE27 of the Watford District Plan 2000, Policies SD1 and SD2 of the Watford Local Plan Core Strategy 2006-31 and Section 10 of the National Planning Policy Framework (NPPF).

6. No development shall take place until the final design of the drainage scheme for the site, based on the approved Surface Water Drainage

Strategy, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- i). Provision of a fully detailed drainage plan showing pipe diameters, pipe runs, outlet points and location of SuDS features and supporting calculations;
- ii). Detailed engineered drawings of the proposed SuDS features including their, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling;
- iii). Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To reduce the risk of flooding by ensuring the satisfactory disposal and storage of surface water from the site, in accordance with saved Policy SE27 of the Watford District Plan 2000, Policies SD1 and SD2 of the Watford Local Plan Core Strategy 2006-31 and Section 10 of the National Planning Policy Framework (NPPF).

Refuse, Recycling and Cycle Storage

7. Notwithstanding the information already submitted, no dwelling shall be occupied until details of the siting, type, size and finish of the refuse, recycling and cycle storage enclosures have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved refuse, recycling and cycle storage enclosures have been constructed and made available for use. These facilities shall be retained as approved at all times thereafter.

Reason: To ensure that adequate facilities exist for residents of the proposed development and in the interests of visual amenity, in accordance with saved Policies SE7 and T10 of the Watford District Plan 2000 and Policies SD4 and UD1 of the Watford Local Plan Core Strategy 2006-31.

Soft Landscaping

8. No dwelling shall be occupied until a detailed soft landscaping scheme for all the land within the site has been submitted to and approved in writing by the Local Planning Authority. This shall include details of new tree and shrub planting including their location, species, size (container size where applicable) and planting density. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of development. 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 amenities of residents and the visual appearance of the site and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

Hard Landscaping

9. No dwelling shall be occupied until a detailed hard landscaping scheme for all the land within the site has been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details.

Reason: In the interests of the amenities of residents and the visual appearance of the site and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

Extent of Hard Surfacing

10. No hard surfacing, other than that approved under Condition 9, shall be laid/installed within the site.

Reason: To prevent additional car parking taking place within the site which would have the potential to cause harm to the amenities of residents and in the interests of visual amenity, pursuant to saved Policy T21 of the Watford District Plan 2000 and Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

Amenity Space

11. No dwelling shall be occupied until the proposed private amenity areas, communal amenity space and soft landscaped areas have been laid out as shown on the approved drawings. These areas shall be retained as such at all times thereafter and shall not be used for car parking, manoeuvring or for any other purpose.

Reason: To ensure that unsatisfactory parking on-site does not occur and in the interests of the visual appearance of the site in accordance with saved Policy T21 of the Watford District Plan 2000 and Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

Means of Enclosure

12. Notwithstanding the information already submitted, no dwelling shall be occupied until details of the siting, height, type, materials and finish of all fencing, walls, gates or other means of enclosure around the boundaries of the site and within the site have been submitted to and approved in writing by the Local Planning Authority. All fencing, walls, gates or other means of enclosure shall be provided in accordance with the approved details prior to the first occupation of any part of the development and shall be maintained as such at all times thereafter. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no gates, walls or means of enclosure, other than those approved under this condition, shall be erected or installed on the site without the prior written approval of the Local Planning Authority.

Reason: In the interests of visual amenity, to ensure that suitable levels of privacy are provided for future occupiers of the development and neighbours, and to minimise danger, obstruction and inconvenience to users of the adjacent highway, in accordance with the provisions of the Residential Design Guide (RDG), saved Policies T21 and T24 of the Watford District Plan 2000 and Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

Parking, driveway and manoeuvring layout

13. No dwelling shall be occupied until the on-site loading/unloading bays and manoeuvring area have been laid out and constructed in accordance with the approved drawings (and those details approved under conditions 5, 6 and 9) and made available for use. These facilities shall be retained as approved at all times.

Reason: To ensure that adequate facilities are provided for the occupants of the development and to minimise disruption to the surrounding highway network in accordance with saved Policies T21 and T24 of the Watford District Plan 2000.

Levels

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

Reason: To ensure that the proposed buildings and any other changes in level on the site maintain a satisfactory relationship between the development and existing properties so as to safeguard the character and appearance of the area and the privacy and amenities of neighbouring properties in accordance with the objectives of Policies UD1 and SS1 of the Watford Local Plan Core Strategy 2006-31 and paragraph 17 of the National Planning Policy Framework (NPPF).

Obscure glazing

15. The proposed first floor window in the northeast-facing elevation of the westernmost building (serving the stairwell – as detailed on drawing number 112 Rev P4 – amended plan received 12.10.17) shall be permanently fixed closed below 1.7m internal floor level and shall be fitted with obscured glass at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that suitable levels of privacy are achieved for the occupiers of the neighbouring property to the north pursuant to the provisions of the Residential Design Guide (RDG) and paragraph 17 of the National Planning Policy Framework (NPPF).

No use of flat roofs

16. No parts of the flat roofs of the development shall be used as terraces, balconies or other open amenity spaces.

Reason: To ensure that suitable levels of privacy are achieved for the occupiers of the neighbouring properties pursuant to the provisions of the Residential Design Guide (RDG) and paragraph 17 of the National Planning Policy Framework (NPPF).

Tree Protection Measures

17. Details of a 'no-dig' method of construction for the proposed bin store and other works within the root protection zone of the group of trees referred to as Group "G1" within the submitted Arboricultural Statement, prepared by RJ Tree Services Ltd (Ref. ARBORSURVEY01_Ye Corner dated 06.02.17), and as detailed on the accompanying Arboricultural Survey & Constraints Plan 01, shall be submitted to and approved in writing by the Local Planning Authority before any excavations are carried out in this root protection zone. The development shall only be carried out in accordance with the details approved under this condition.

Reason: To ensure that the neighbouring trees which make a positive contribution to the visual amenity of the area are protected during construction works, in accordance with saved Policies SE37 and SE39 of the Watford District Plan 2000 and Policies UD1 and GI3 of the Watford Local Plan Core Strategy 2006-31.

18. No works associated with the development shall be carried out to existing trees within and/or surrounding the site until a detailed schedule of such works has been submitted to and approved in writing by the Local Planning Authority. The tree works shall only be carried out in accordance with the approved details.

Reason: To ensure that the neighbouring trees which make a positive contribution to the visual amenity of the area are protected during construction works, in accordance with saved Policies SE37 and SE39 of the Watford District Plan 2000 and Policies UD1 and GI3 of the Watford Local Plan Core Strategy 2006-31.

Satellite Dishes and Aerials

19. No dwelling shall be occupied until details of a communal terrestrial television aerial(s) and satellite dish(es) have been submitted to and approved in writing by the Local Planning Authority. No aerials or satellite dishes, other than those approved by this condition, shall be installed within the site.

Reason: To prevent visual cluttering and to ensure that a high quality environment is achieved, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

Fire Hydrants

20. No dwelling shall be occupied until a detailed scheme showing the provision of firehydrants serving the development (as incorporated into the provision of the mainswater services for the development whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus) has been submitted to and approved in writing by the Local Planning Authority. The approved fire hydrant provision shall be installed and made available for use prior to the first occupation of any dwelling forming part of the development and shall be maintained as such thereafter.

Reason: To ensure that suitable fire-fighting facilities are provided.

Noise and Air Quality Mitigation Measures

21. No construction works above damp proof course level shall commence until a noise mitigation scheme for each of the residential dwellings, based upon the recommendations of the Noise Assessment prepared by Moir Hands (Report No. 3249/25/17) dated 24th March 2017, has been submitted to and approved by the Local Planning Authority. The scheme shall include the details and specifications of the sound reduction performance of all glazed and non-glazed elements of the building facades and the performance of acoustic trickle vents for all bedroom windows. An updated noise assessment shall be submitted to demonstrate that the proposed measures achieve the required internal noise levels. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that suitable living conditions are provided for future occupiers of the development in accordance with BS 8233:2014 and the aims of saved Policy SE22 of the Watford District Plan 2000 and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

22. No construction works above damp proof course level shall commence until the specification of a mechanical air supply/extract system for each of the residential dwellings has been submitted to and approved in writing by the Local Planning Authority. The system must be capable of providing background and rapid ventilation for cooling with the windows of the respective dwelling remaining closed. The system must not compromise the sound insulation of the façades. Details of the siting of any air intake; extraction units; generators and other mechanical equipment serving this system that are likely to give rise to noise should be submitted, along with details of noise attenuation measures to be incorporated to ensure these units do not give rise to a noise nuisance. Noise from the external plant associated with this system, when

combined with any building services plant, must not exceed limit of 39dB(A) during the daytime and 27dB(a) night time, one metre from the nearest residential façades. In addition, when in operation, the sound pressure level within each flat shall not exceed the internal noise levels contained in BS8233:2014 1 metre from any associated inlet or outlet. No dwelling shall be occupied until the approved ventilation system has been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure good indoor ambient noise levels are achieved in accordance with BS 8233:2014 and the aims of saved Policy SE22 of the Watford District Plan 2000 and Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and to ensure that an acceptable level of air quality is achieved for future occupiers of the units in accordance with EU and national air quality limit values and in accordance with saved Policy SE22 of the Watford District Plan 2000.

23. No construction works above damp proof course level shall commence until a specification for the building services plant, to operate in combination to a noise emission limit of 39dB(A) during the daytime and 27dB(a) night time, one metre from the nearest residential façades, has been submitted to and approved in writing by the Local Planning Authority. Any building services plant must not compromise the sound insulation of the façades. The applicant shall submit details of the building services plant, up to date plans and an updated Noise Assessment demonstrating that these noise emissions limits are met by the proposed plant.

Reason: To ensure good indoor ambient noise levels are achieved for the occupiers of adjoining dwellings in accordance with BS 8233:2014 and saved Policy SE22 of the Watford District Plan 2000.

Contamination

24. Notwithstanding the information already submitted, no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This strategy shall include the following components:
- i). A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors; and

- potentially unacceptable risks arising from contamination at the site.
- ii). A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- iii). The results of the site investigation and the detailed risk assessment referred to in (ii) 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). 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 in (iii) 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: This is a pre-commencement condition to ensure any contamination of the ground is identified and remediated in the interests of the health of the future occupiers of the site, in accordance with saved Policy SE24 of the Watford District Plan 2000.

25. No construction works shall commence until a verification report demonstrating the completion of 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.

Reason: This is a pre-commencement condition 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, in accordance with saved Policy SE24 of the Watford District Plan 2000.

26. No development shall take place until a long-term monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning

Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To protect groundwater through ensuring that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with saved Policy SE24 of the Watford District Plan 2000 and paragraph 109 of the National Planning Policy Framework (NPPF).

27. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: In the interests of the health of the future occupiers of the site, in accordance with saved Policy SE24 of the Watford District Plan 2000.

28. No infiltration of surface water drainage into the ground is permitted other than with the prior written consent of the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants, in accordance with saved Policy SE24 of the Watford District Plan 2000 and paragraph 109 of the National Planning Policy Framework (NPPF).

29. No piling, deep foundations, investigation boreholes or other deep intrusive groundworks using penetrative methods shall be carried out until a method statement (detailing the depth and type of piling, boreholes, foundations or other groundworks to be undertaken and the methodology by which such works will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, measures to prevent harm to groundwater resources and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

Reason: To safeguard underground sewerage utility infrastructure and to ensure that the proposed foundation works do not harm groundwater

resources in accordance with saved Policy SE28 of the Watford District Plan 2000, Policy SD1 of the Watford Local Plan Core Strategy 2006-31 and Section 11 of the National Planning Policy Framework (NPPF).

30. Prior to any part of the development hereby approved being brought into use, a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The development shall be carried out only in accordance with the approved details.

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 109 of the National Planning Policy Framework (NPPF).

Informatives:

1. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Council entered into pre-application discussions with the applicant and requested amendments during the consideration of the application.
2. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health & 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/neighbor_complaints_%E2%80%93_construction_noise.

3. All new developments 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 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.
4. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
5. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
6. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website

<http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

7. You are advised that appropriate arrangement should be made within the site to provide for:
 - a.) Servicing and Delivery associated with the construction
 - b.) Parking for workers and contractors associated with the construction
 - c.) Wheel washing to prevent the spread of debris onto the public highway.

Failure to make such provisions may be contrary to the Highways Act and/or require a separate licence from the Local Highway Authority.

8. With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.
9. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.
10. There are public sewers crossing or close to the area in which the development is proposed. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extension to existing buildings. The applicant is advised to visit thameswater.co.uk/buildover for further details.
11. This development may be considered a chargeable development for the purposes of the Community Infrastructure Regulations 2010 (as

amended). The charge is non-negotiable and is calculated at the time planning permission is granted. The charge is based on the net increase of gross internal floor area of the proposed development.

A person or party must assume liability to pay the levy using the assumption of liability form 1 which should be sent to the CIL Officer, Regeneration and Development, Watford Borough Council, Town Hall, Watford, WD17 3EX or via email (semeta.bloomfield@watford.gov.uk).

If nobody assumes liability to pay the levy this will default to the land owner. A Liability Notice will be issued in due course. Failure to adhere to the Regulations and commencing work without notifying the Council could forfeit any rights you have to appeal or pay in instalments and may also incur fines/surcharges.

12. Information for developers and guidance documents in relation to land contamination can be found online at: https://www.watford.gov.uk/info/20011/business_and_licensing/349/contaminated_land and the contaminated land pages on gov.uk.
- 13 This planning permission is accompanied by a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure a review mechanism of the viability of the scheme for a contribution towards the provision of affordable housing in the Borough of Watford, subject to the review demonstrating the improved viability of the development
- 14 You are strongly advised to follow the Herts Constabulary advice with regards to adopting security measured in line with “Secured by Design part 2 physical securities” which will involve the following measures
 - Communal door sets; BS PAS24: 2016, or LPS.1175
 - Access Control block of flats; communal entrance doors to have an access control system Audio VI usual. Tradespersons release buttons are not permitted.
 - Postal delivery for communal dwellings (flats): Communal postal boxes within the communal entrances. (Preferred)
 - Individual front entrance doors of flats and houses; BS PAS 24:2016
 - Windows: Flats: Ground floor windows and those easily accessible certificated BS PAS 24:2016 or LPS 1175
 - French Doors for balconies: French doors if not at ground level, would not need to be the SBD standard of BS PAS 24:2016.
 - Dwelling security lighting (flats): communal entrance hall, lobby, landing corridors and stairwells
 - Lighting no ballard lighting as it is not functional, gets damaged easily

and promotes the fear of crime.

- Bin stores: Require a secure lock to stop arson and rough sleepers
- Bins Store – Secure lock with anchorage point.
- The police is also concern that cars or mopeds could enter the site, causing security or highway safety issues.

Recommendation (2)

In the event that no Section 106 planning obligation is completed by 31st March 2016 in respect of the Heads of Terms set out above, the Head of Regeneration and Development be authorised to refuse planning permission for this application for the following reasons:

The proposal fails to make provision for affordable housing and as such is contrary to Policy HS3 of the Watford Local Plan Core Strategy 2006-31.

Drawing numbers

- 0617-000-P5 Location Plan
- 0617-102-P7 Block Plan
- 0617-103-P1 Block Plan
- 0617-105-P7 Landscape Plan
- 0617-106-P4 Separation Distance Plans
- 0617-107-P4 Sweep Track Analysis – Van
- 0617-108-P4 Sweep Track Analysis – Ambulance
- 0617-110-P4 Lower Ground Floor Plan
- 0617-111-P4 Ground Floor Plan
- 0617-112-P5 First Floor Plan
- 0617-113-P2 Second Floor Plan
- 0617-114-P1 Roof Plan
- 0617-200-P5 Site Sections
- 0617-201-P3 Site Sections
- 0617-300-P4 Proposed Elevations
- 0617-301-P4 Proposed Elevations

The following lists all other documents submitted in support of the application:

- Arboricultural Survey
- Arboricultural Survey Plan
- Daylight and Sunlight Assessment
- Design and Access Statement
- Financial Viability Assessment
- Heritage Statement
- Highways and Transport Report
- Measured Building Survey
- Noise Impact Assessment
- Phase 1 Report Contamination

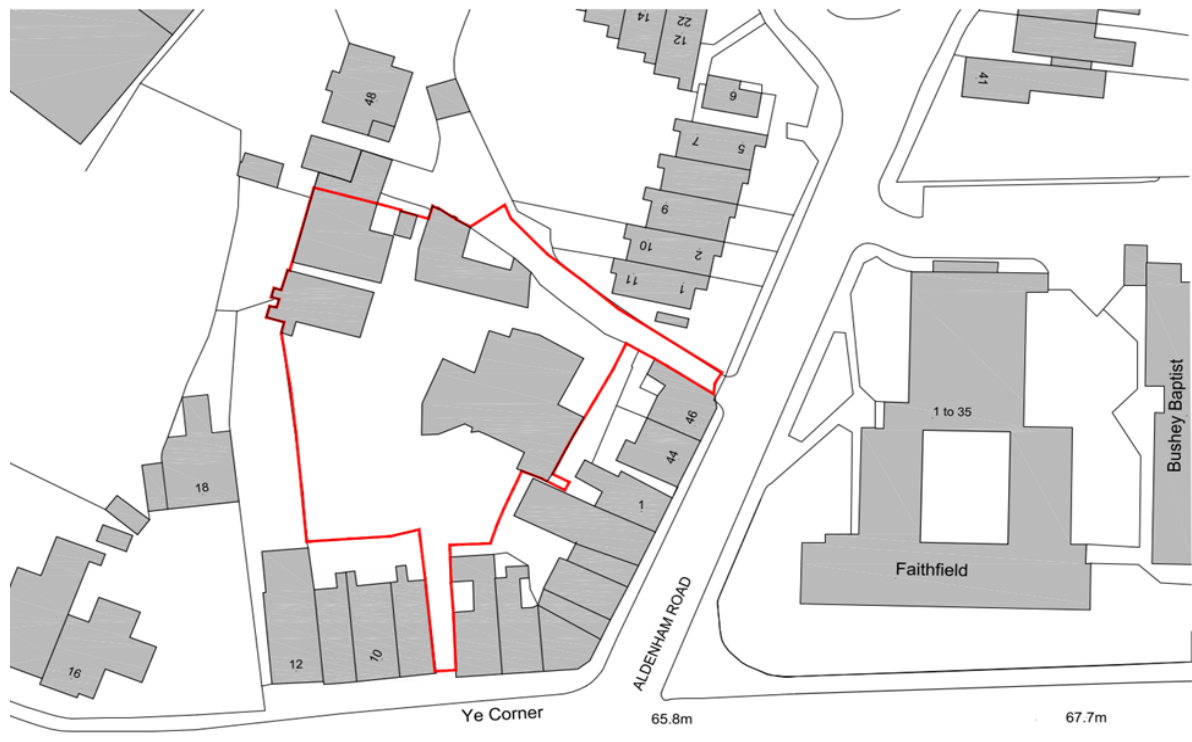
- Sustainability and Energy Statement
 - Surface Water Drainage Strategy
 - Topographical Survey
-

Case Officer: Habib Neshat

Email: habib.neshat@watford.gov.uk

Tel: 01923 278285

Ye Corner 18/00350/FULM



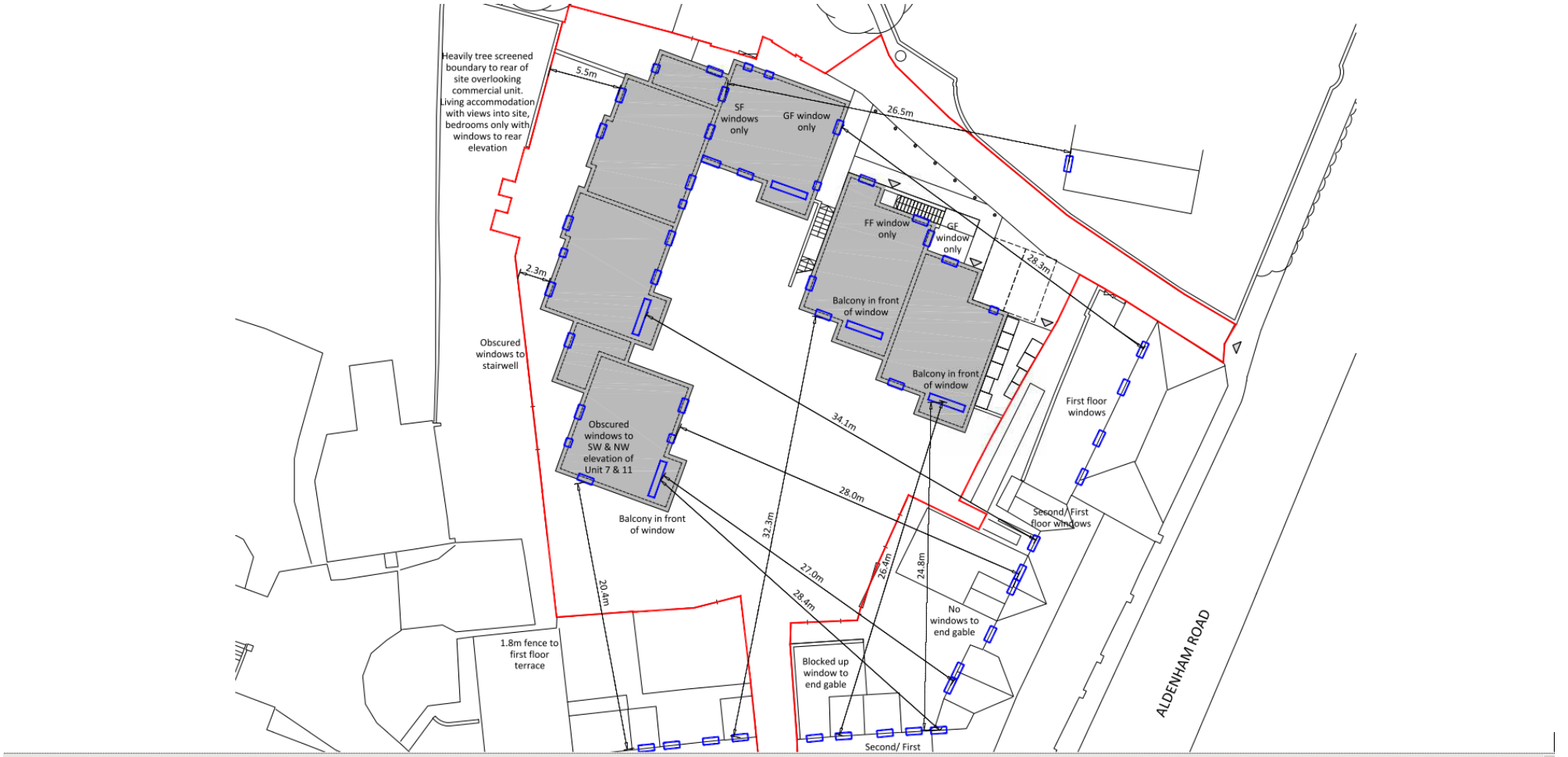
storey conjoined blocks and utilising the same footprint as the consented scheme.

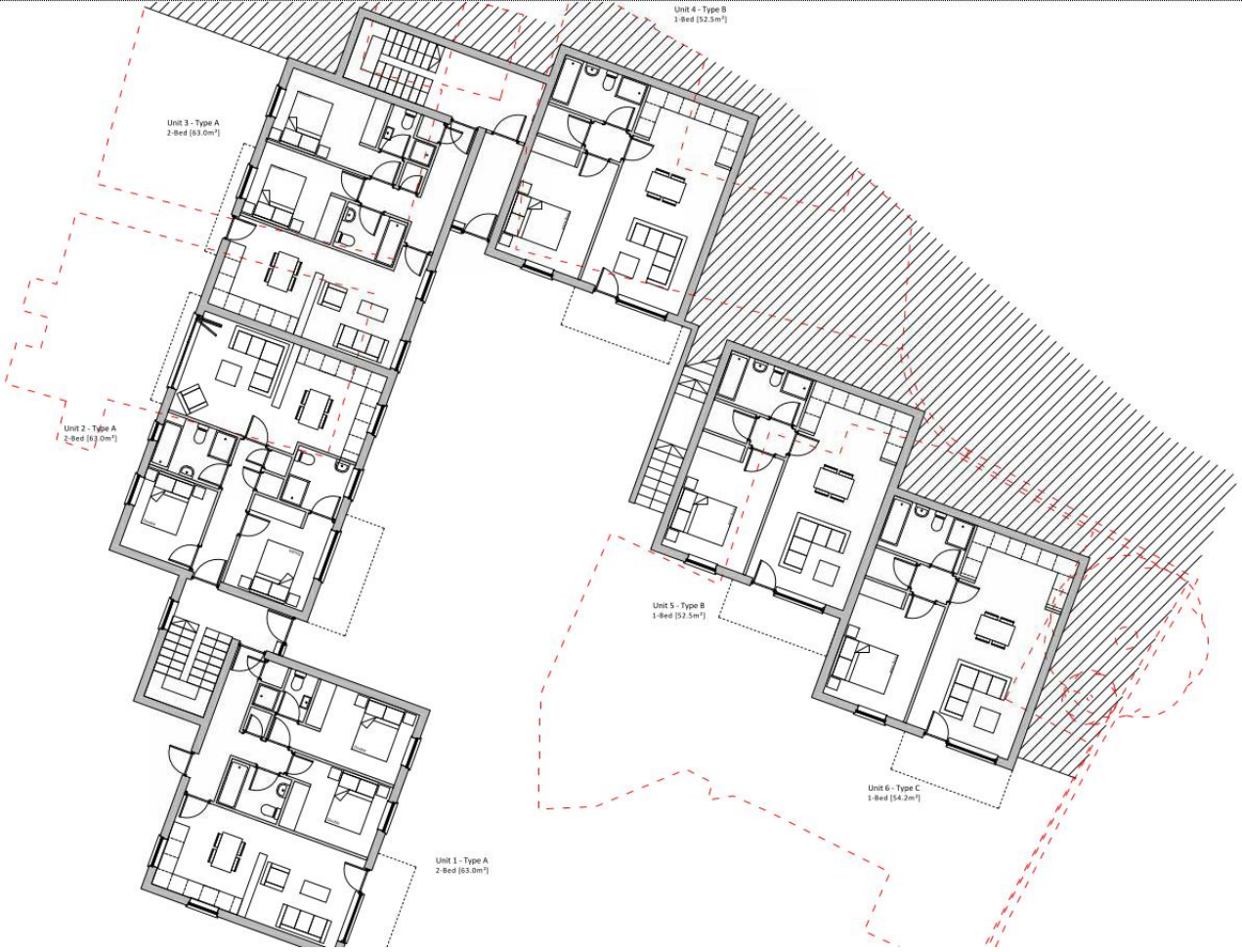


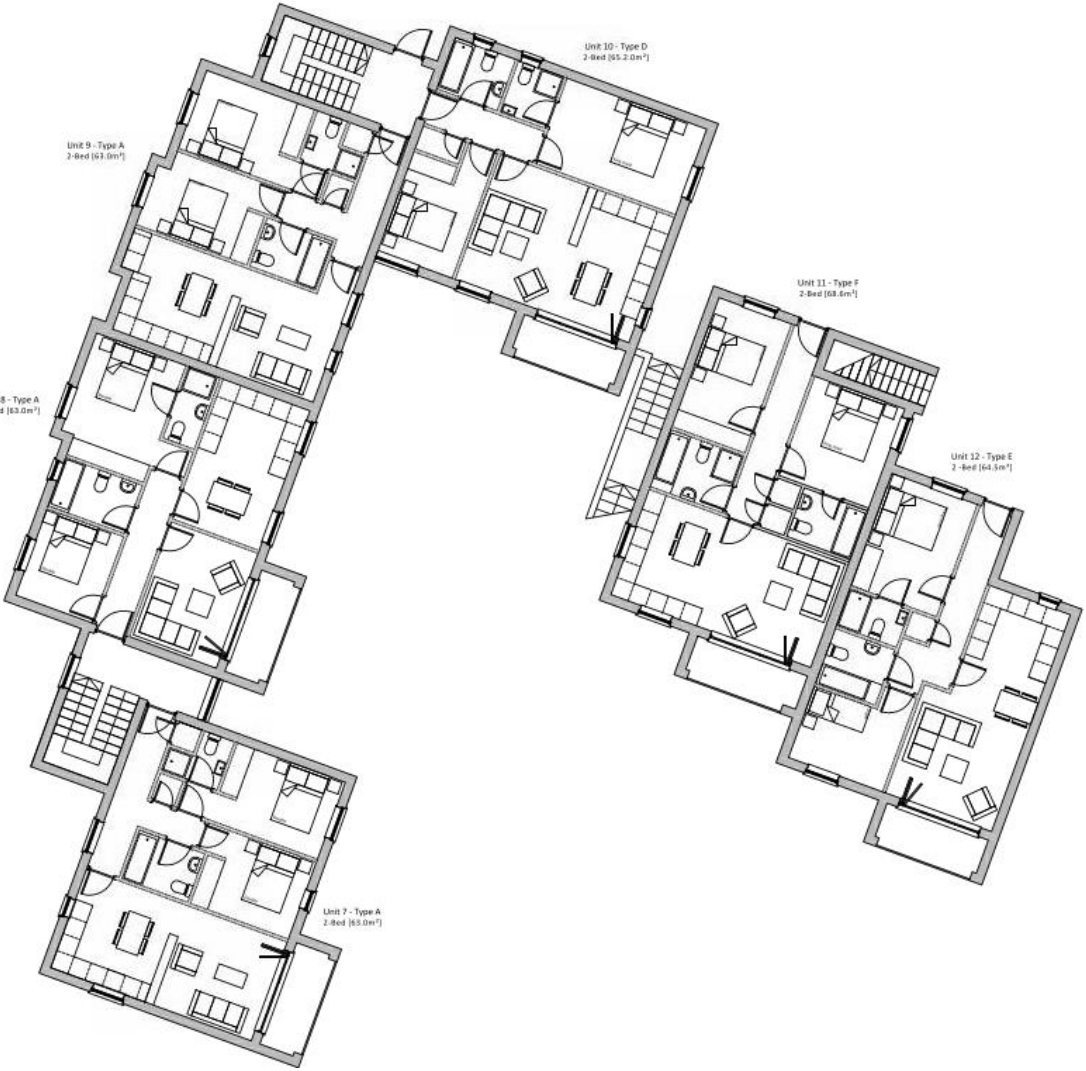
Figure 1: Aerial view of the application site viewed from the south.

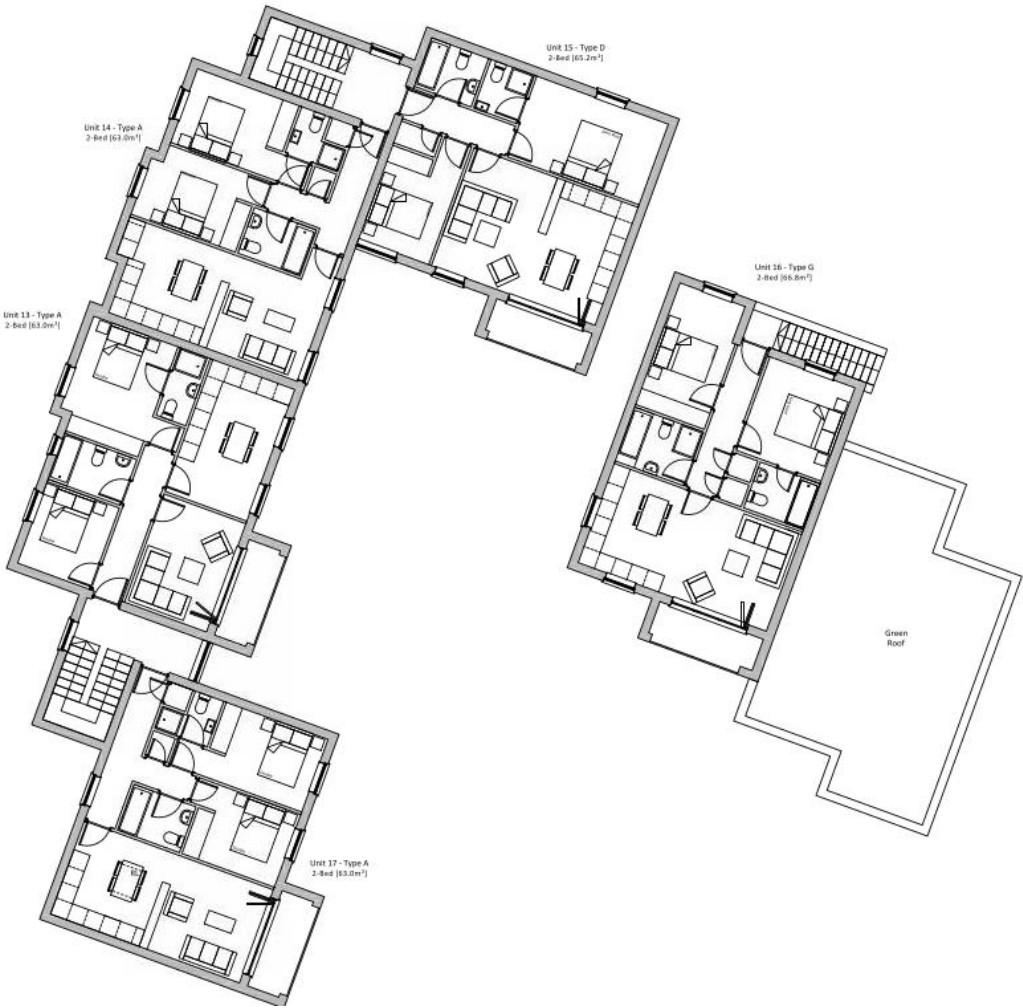








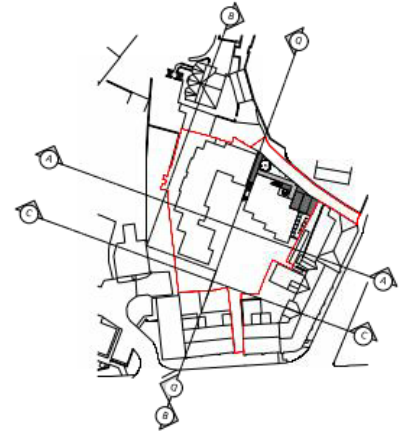




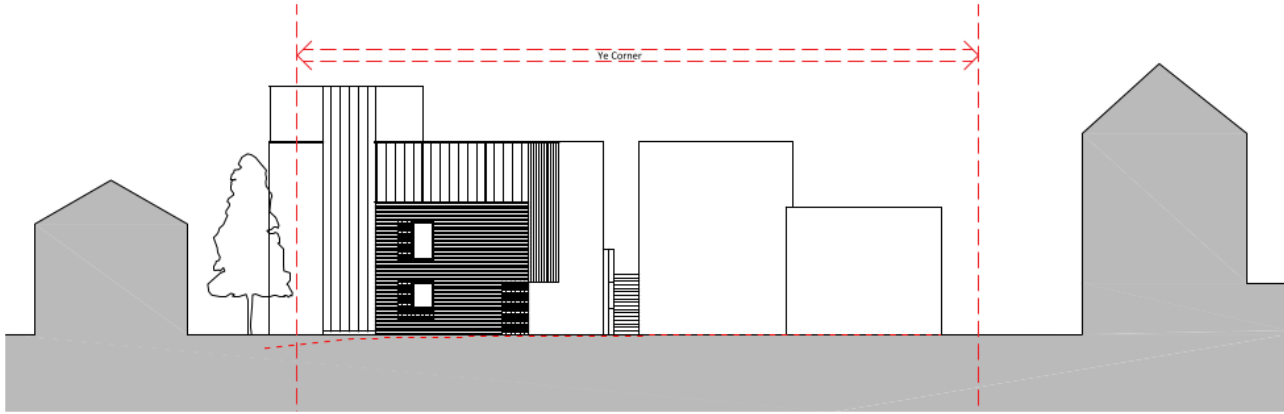




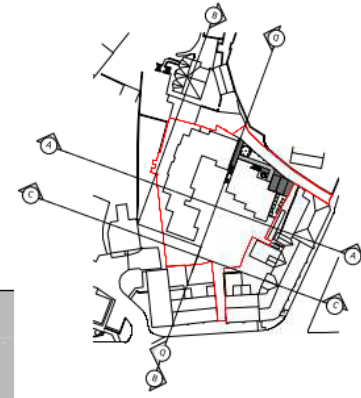
Site Section A



Site Section B



Site Section C



Site Section D





Agenda Item 8

PART A	
Report of: Head of Development Management	
Date of committee:	25th July 2018
Site address:	26-30, Aldenham Road
Reference Number:	18/00362/FULM
Description of Development:	Demolish the existing commercial units and erect a 3-storey building for 10 residential flats to replace the existing commercial units at the site. The application site also provides 9 car parking spaces at ground floor level adjacent to the site, which are accessed from Aldenham Road, cycle spaces and refuse stores for the flats.
Applicant:	Linden Hill - Capital Homes - ESA Ltd
Date Received:	19th March 2018
13 week date (major):	18th June 2018
Ward:	Oxhey

1.0 SITE AND SURROUNDINGS

- 1.1 The site is located on the north-western side of Aldenham Road, between the junctions with Chalk Hill to the north-east and Pinner Road to the south-west. It has an area of 0.67 hectare and contains an unusual arrangement of single and two storey commercial buildings sited along the south-west, north-west and north-east boundaries. The south-east frontage is largely open to the highway as is the central part of the site. This open central area gives access to all the buildings as well as providing parking and servicing facilities for the buildings. The buildings are currently occupied by The Tile Depot and Harp Windows. The site falls within the local shopping frontage on Chalk Hill and Aldenham Road.
- 1.2 Adjoining the site to the north-east is a small terrace of two storey, Victorian buildings in commercial use (although 2 are currently vacant). To the north-west, the site backs onto properties fronting Chalk Hill. Some of these (nos. 33 and 35) have commercial uses at ground floor with residential flats above. Others (nos. 29 and 31) are residential houses. To the south-west the site adjoins Brunel Court, a 3 storey building forming part of the recent development at Edinburgh Mews and Owen Square (the former JR Taggar site).
- 1.3 Opposite the site are 2 storey, Victorian houses which form the north-western limit of the recently declared Oxhey Conservation Area. Bushey Station is located 115m to the west of the site.

2.0 PROPOSED DEVELOPMENT

- 2.1 The proposal involves the demolition of the existing commercial buildings on the site and the erection of a new, 3 storey building comprising 10 residential flats (all 2 bedroom). Nine car parking spaces are also provided at ground floor level at the south-west end of the site, with access from Aldenham Road. A refuse store and cycle store are also provided for the flats.
- 2.2 The scheme is based upon and is very similar in scale and design to the two previously approved schemes for 8 and 9 residential units respectively, both with a retail unit at ground floor (see Planning History below), but with the ground floor retail unit replaced by 2 flats. The current proposal provides 2 flats at ground floor, 4 flats at first floor and 4 flats at second floor, with the upper floor flats served by 2 stair cores. The ground floor flats have direct access from the highway.

3.0 RELEVANT PLANNING HISTORY

- 3.1 The following planning history is relevant to this application:

98/0415/9 – Planning permission granted for the erection of a first floor extension, use of part of first floor of no. 30 for Class A1 (Retail) and installation of new shopfront to no.26/28.

99/00665/COU – Planning permission granted for the use of ground floor for retail and storage.

15/00948/FUL – Planning permission granted in October 2015 for the demolition of existing Tile Depot and Harp Windows showroom buildings and redevelopment to provide a new mixed use development providing 8 residential units and one ground floor retail space of 251sqm.

17/00557/FULM – Planning permission granted in June 2017 for the demolition of existing Tile Depot and Harp Windows showroom buildings and redevelopment to provide a new mixed use development providing 9 residential units at first and second floor and ground floor retail space of 267sqm.

4.0 PLANNING POLICIES

Development plan

- 4.1 In accordance with s.38 of the Planning and Compulsory Purchase Act 2004, the Development Plan for Watford comprises:
- (a) *Watford Local Plan Core Strategy 2006-31;*
 - (b) the continuing “saved” policies of the *Watford District Plan 2000;*
 - (c) the *Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026;* and
 - (d) the *Hertfordshire Minerals Local Plan Review 2002-2016.*

4.2 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.

Residential Design Guide
Watford Character of Area Study

5.0 CONSULTATIONS

5.1 Neighbour consultations

Letters of notification were sent to 80 properties surrounding the site in Chalk Hill and Aldenham Road and to all those who commented on the previous applications under refs. 15/00948/FUL and 17/00557/FUL.

5.2 Two letters of objection have been received. The points that have been raised are summarised and considered in the table below.

Representations	Officer's response
Inadequate parking.	The site is in a highly sustainable location, a short distance from Bushey Station and numerous bus routes that serve the station.
Overspill parking will occur on roads in Oxhey village.	There is potential for additional on-street car parking to occur on surrounding roads. However, as only 1 flat has no car parking space, this is likely to be insignificant.
Increased traffic and congestion on roads.	Due to the small number of flats involved, any additional traffic generated will be insignificant in the context of existing traffic flows.
Increased traffic will make air pollution worse.	Air pollution has been considered as part of the 2 previous applications, having regard to the fact that the site is within an air quality management area. See Section 6.4 of the report.
Will the scheme have affordable housing for locals?	The proposal does not include any affordable housing provision. See Section 6.5 of the report.
Additional burden on public transport services.	The potential increase in patronage from future residents will be insignificant in comparison to existing use. Notwithstanding levels of existing use, sustainable modes of travel are to be encouraged.
Bin collection from Aldenham Road will cause disruption to traffic flows.	Any servicing vehicles will be present only for a short period of time. Servicing is permitted on this section of road and the

	Highway Authority has raised no objection.
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5.3 **Statutory publicity**

One site notice was placed outside the site on 6th April 2018. A public notice was also published in the Watford Observer on 6th April 2018. The overall expiry date for these notices was 27th April 2018.

5.4 **Technical consultations**

The following responses have been received from technical consultees:

5.4.1 Hertfordshire County Council (Highway Authority)

Raise no objection to the application subject to the imposition of suggested conditions.

5.4.2 Hertfordshire County Council (Lead Local Flood Authority)

Has raised no objection to the proposed surface water drainage scheme subject to this being secured by appropriate conditions.

5.4.3 Thames Water

No objection with regard to sewerage infrastructure capacity. Advise that surface water should be attenuated before being discharged into the public sewer.

5.4.4 Environmental Health

The previous applications in 2015 and 2017 were the subject of extensive discussions with Environmental Health regarding potential land contamination, road traffic noise and air quality. As the context of the site and the local environmental circumstances have not changed since these applications were considered, it is proposed that the same conditions relating to these matters be imposed on any new planning permission as were imposed on the previous planning permissions.

6.0 **APPRAISAL**

6.1 **Main issues**

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

- (a) Principle of the development and proposed uses.
- (b) Scale, design and impact on the character and appearance of the area.
- (c) Quality of accommodation and amenity of future residents.
- (d) Affordable housing.
- (d) Impacts on neighbouring properties.
- (e) Traffic, highways and parking impacts.

6.2 (a) Principle of the development and proposed uses

- 6.2.1 The site is in close proximity to Bushey Station with good access to passenger transport and is also within the local shopping parade on Chalk Hill/Aldenham Road. Its location close to the station supports in principle higher density development with a focus on sustainable transport. Within the local shopping parade, there is no objection in principle to residential uses above appropriate ground floor commercial uses. In the case of the current application, however, the previously proposed retail unit will not be provided, being replaced by the proposed 2 ground floor flats. As such, the proposal does not accord with the policies of the Core Strategy in this respect.
- 6.2.2 The two existing commercial uses will be lost from the site and no replacement floorspace will now be provided. In respect of the loss of the existing floorspace, the Council's policies do not seek to protect specific occupiers and neither of the occupiers, the Tile Depot (now relocated) and Harp Windows, specifically need to be located within a local shopping parade or close to the station. They do not provide local day-to-day convenience goods and do not supply products that rely on passing trade. There is, therefore, no objection to the loss of these particular occupiers.
- 6.2.3 In respect of the lack of replacement retail floorspace provision, this is not considered to be harmful to the functioning of the local shopping parade. The existing/previous uses that occupied the site for many years have not provided any day-to-day convenience services to local residents or commuters. Furthermore, a small convenience store and a pharmacy are located opposite the station within the Attenborough Court development, in close proximity to the site. Despite its location close to the station, the shopping parade provides limited other day-to-day services, principally in the form of the 2 public houses on Aldenham Road and a number of take-aways on Chalk Hill. Most of the other uses are more specialist in nature (musical instruments, car parts, tattoo parlour, etc.).
- 6.2.4 Overall, therefore, the principle of the loss of the existing retail floorspace and its replacement with a solely residential development is considered to be acceptable in this case.
- 6.3 (b) Scale, design and impact on the character and appearance of the area
- 6.3.1 The surrounding area is characterised by two and three storey buildings with some larger elements on the adjoining Owen Square/Edinburgh Mews development to the south-west. This development, completed a few years ago, is largely 3 storey but includes 4 and 5 storey buildings where levels change across the site. Three storey buildings are also found on Ye Corner to the north-east at the junction of Chalk Hill and Aldenham Road. The buildings adjoining the site to the rear on Chalk Hill, to the north-east and opposite on Aldenham Road are all two storey. In this context, the redevelopment of the site with a 3 storey building remains appropriate and acceptable. It will complement the scale of

existing buildings and will sit comfortably within the streetscene.

- 6.3.2 The existing site contributes little to the streetscene with the frontage to Aldenham Road largely open and the buildings sited around the boundaries of the site. Only the building at the north-eastern end of the frontage, occupied by Harp Windows, provides a meaningful frontage to the highway. The central open part of the site, used for parking and deliveries, has an area of approximately 250m² and comprises concrete hardstanding, and has a significant negative impact on the streetscene. It is also unsightly when viewed from the conservation area opposite.
- 6.3.3 The proposed three storey building is very similar in scale and design to the previously approved buildings and remains appropriate in scale for this road, presenting a strong frontage to Aldenham Road comprising 5 symmetrical pitched roofs (as previously approved). The building continues the existing building line on this side of the road and 'fills in' the large gap in the streetscene formed by the existing development. The design also gives the building a distinct vertical rhythm which reflects the vertical rhythm of surrounding Victorian buildings. This is an approach that was used successfully on the adjoining Attenborough Court development.
- 6.3.4 Overall, it is considered that the proposal will make a positive contribution to the streetscene and surrounding area and will enhance the setting of the conservation area opposite the site.

6.4 (c) Quality of accommodation and amenity of future residents

- 6.4.1 The ground floor comprises 2 no. 2 bed flats and each of the first and second floors comprise 4 no. 2 bed flats. Following the principles established with the previous schemes, all of the flats are dual aspect with the main living rooms facing Aldenham Road and the majority of the bedrooms (with the exception of 2 bedrooms) facing to the rear. All of the flats meet or exceed the internal floorareas of the Residential Design Guide. Consequently, all of the flats will have good internal layout and good levels of outlook and natural light. The 2 ground floor units will also benefit from private garden areas of 40m² and 42m² respectively.
- 6.4.2 With regard to privacy, the rear bedroom windows do not achieve a minimum facing distance of 27.5m to the rear facing bedroom windows in the properties fronting Chalk Hill. In order to prevent overlooking and loss of privacy between the existing and proposed dwellings, the development incorporates angled windows and privacy screens which are considered sufficient to give good levels of privacy to the proposed flats. This is discussed in more detail below.
- 6.4.3 Aldenham Road is a very busy, A Class route into Watford and carries high levels of traffic throughout the day. Consequently, the site experiences significant

levels of road traffic noise and air pollution. An updated noise impact assessment has been submitted with the application. Recorded ambient noise levels at the boundary of the site with Aldenham Road were 68LAeq (equivalent A-weighted continuous sound level) during the daytime ((07:00-23:00 hours) and 62LAeq during the night-time (23:00-07:00 hours). The recommended maximum levels for internal rooms, as set out in BS8233:2014, are as follows:

Activity	Location	LAeq,T dB (07.00-23.00)
Resting	Living Room	35 dB (A)
Dining	Dining Room	40 dB(A)
Sleeping	Bedroom	35 dB(A)

- 6.4.4 Mitigation measures are proposed to achieve these internal noise levels comprising enhanced double glazed windows on the front elevation. These can be secured by condition. These measures are considered acceptable by Environmental Health. Environmental Health have also requested mechanical ventilation to the rooms with this enhanced glazing, to allow the rooms to be adequately ventilated (both background ventilation and rapid ventilation for cooling and odour removal) without the need to open the windows.
- 6.4.5 With regard to air quality and the impact this may have on future occupiers, an air quality assessment was submitted with the previous application. This remains relevant to the current application. This assessment was based on current legislation and guidance and the Council's air quality monitoring figures from its two monitoring stations on Chalk Hill (adjoining Bushey Arches) and Aldenham Road (outside The Railway Arms public house). These stations monitor air pollution from road traffic. The methodology was agreed with Environmental Health in advance of the assessment being prepared. The Council's monitoring figures show that the annual mean nitrogen dioxide concentrations of 49µg/m² on Aldenham Road exceed the national objective threshold concentrations of 40µg/m². As such, the assessment proposed mitigation measures to protect the future occupiers from these elevated concentrations. The proposed mitigation measures were that the windows on the front elevation of the building facing Aldenham Road are non-opening and the flats are built with a mechanical ventilation system that will allow them to be adequately ventilated (both background ventilation and rapid ventilation for cooling and odour removal) without the need to open windows. These mitigation measures are similar to those required to mitigate noise and have been agreed by Environmental Health. A single system can be used to mitigate both noise and air quality impacts and can be secured by condition.
- 6.5 (d) Affordable housing
The previous schemes for 8 and 9 units respectively did not require the provision of affordable housing, as the threshold in Policy HS3 of the Core Strategy is 10

units or more. As the current proposal is for 10 units, Policy HS3 applies and would require 3 or 4 of the units to be affordable. Alternatively, if a commuted sum were to be considered appropriate in this case, the sum sought based upon the Council's adopted *Commuted Sums for the Provision of Affordable Housing SPD* would be £584,892.

- 6.5.1 In this case, the applicant is not proposing any provision for affordable housing either on-site or in the form of a commuted sum. They have cited the guidance in the Government's Planning Practice Guidance (PPG) which states:

There are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the written ministerial statement of 28 November 2014 and should be taken into account.

These circumstances are that;

- *contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000 square metres (gross internal area).*

- 6.5.2 It is important to note that the relevance of the 2016 High Court decision is that the Minister's written ministerial statement is a relevant material consideration (as opposed to being unlawful) and therefore has to be taken into account in determining planning applications. However, the Council's position has always been that it is one of many considerations that have to be considered and doesn't override local policy or necessarily have greater weight than local policy. Whilst Policy HS3 may predate the written ministerial statement and updated PPG advice, the need for affordable housing has become significantly greater during this time. As such, your officers are minded to not accept the argument that the small sites exception should apply.

- 6.5.3 To date, the Council has not refused a planning application for this reason and, consequently, the Council's position has not been challenged on appeal. In support of their case, the applicant has submitted 3 appeal decisions from Hertsmere Borough where planning permission was refused for not providing affordable housing on small sites and the council's refusal has not been supported by appeal Inspectors. The appeal decisions cited are from December 2016, May 2017 and July 2017 (all post-dating the High Court decision) and are the decisions of 3 separate Inspectors. In each case, the Inspector has noted the significant need for affordable housing in the borough and has had regard to the council's adopted affordable housing policy and adopted Affordable Housing SPD. However, notwithstanding this identified need and policy support, they

have each concluded that the written ministerial statement and guidance in the PPG should be given significant weight and greater weight than the adopted policy and SPD.

6.5.4 In the absence of any appeal decisions in Watford, these appeal decisions are clearly relevant considerations for the application of Policy HS3. They clearly demonstrate the weight individual Inspectors are giving to the ministerial statement and PPG. Having regard to these appeal decisions, your officers do not consider a refusal of planning permission for the failure to provide affordable housing, contrary to Policy HS3, would be upheld on appeal in this case.

6.6 (e) Impacts on neighbouring properties

6.6.1 The proposed development is surrounded by a number of existing properties. The relationship of the current scheme to the surrounding properties is unchanged from the previous schemes, as are the potential impacts. These are discussed below.

6.6.2 i) Brunel Court

This is a recent three storey building (part of Edinburgh Mews) adjoining the south-western boundary of the site. The flank wall facing the site contains no windows and the proposal will have adverse impact on this building.

6.6.3 ii) 31-35, Aldenham Road (opposite the site)

These properties comprise a short terrace of two storey houses opposite the site. They will face the proposed development at a distance of 15m across Aldenham Road. This relationship is very similar to that of the houses at 19-23a, Aldenham Road which face the three storey Brunel Court at a distance of 14m. These distances are typical of those found in urban areas and, as such, the proposed development will have no adverse impacts on these houses.

6.6.4 iii) 32-36, Aldenham Road

This is a short terrace of commercial properties adjoining the north-eastern corner of the site. Nos. 32 and 34 are currently vacant. The only window facing towards the site is a ground floor side window in no.36, which gives light to the rear of the barber's shop that occupies the ground floor. Any loss of outlook or light to this window is not considered significant as it is a non-residential property and the main outlook and light is from the shop window. It would not merit a refusal of permission.

6.6.5 iv) 33-35, Chalk Hill

These properties are two storey and face Chalk Hill. They comprise ground floor commercial use, occupied as a double unit by Thwaites classical stringed instruments, with single storey rear extensions on both properties extending to the rear boundary of the site. At first floor level, each property contains 3 self-

contained flats with the main habitable room windows facing Chalk Hill. Bedroom windows appear to be located to the rear at first floor level. Both properties have a dormer window in the rear roof slope indicating a bedroom at this level also.

6.6.6 The proposed development will have a greater impact on these rear facing windows than the existing buildings on the application site, due to it being three storeys in height. In terms of outlook and natural light, the windows that would be affected most are those at first floor level. These appear to be bedrooms and the impact on these windows is less significant than it would be for living/dining room windows. These are located on the front elevation. The dormer windows at roof level would not be affected to any significant degree.

6.6.7 In terms of privacy, the proposed development incorporates angled windows to the 2 windows at first and second floor level that could give rise to overlooking and loss of privacy to the adjoining flats. These angled windows ensure no direct overlooking can occur. The rear elevation of the proposed building also incorporates rear balconies to some of the flats, sited further away from these properties. In order to prevent direct overlooking, various privacy screens have been incorporated. These will also prevent direct overlooking from the windows.

6.6.8 Overall, it is considered that the proposed building will have no significant adverse impacts on the amenities of the existing flats.

6.6.9 v) 29-31, Chalk Hill

These properties are located further down Chalk Hill and comprise two terraced houses. They abut the rear boundary of the application site at its south-western corner. This boundary is marked by an existing 4.5m high wall which forms part of the rear elevation of the existing buildings on the application site. This wall is covered in ivy on the elevation facing the gardens of these properties and provides significant screening and privacy to the gardens. In the previous scheme, it was agreed that this wall would be retained to maintain the privacy to the existing gardens afforded by this wall and the existing tree (which could potentially have been damaged by the removal of the wall). This wall is sufficient to provide privacy to the garden areas from the proposed development and no additional measures are proposed. This is considered acceptable.

6.7 (f) Traffic, highways and parking impacts

6.7.1 This section of Aldenham Road forms part of the Bushey Arches gyratory system, a one way system incorporating parts of Chalk Hill, Aldenham Road and Pinner Road. Traffic flows around this gyratory are high and congestion and queuing is often significant throughout the day. The existing open area within the site is used for parking and servicing associated with the existing commercial uses. Eight formal parking spaces are marked out on the site. The proposal will incorporate 9 car parking spaces for the 10 residential flats. The very similar

number of spaces coupled with the change in their use from commercial to residential is likely to generate fewer vehicle movements than the existing uses. In any event, any increase in vehicle movements would be negligible and insignificant in the context of existing traffic flows.

- 6.7.2 The existing units can be serviced from the open central area of the site. With all the parking spaces occupied, commercial vehicles are unlikely to be able to enter and leave the site in forward gear. Under the proposed development, no on-site servicing will be possible and all servicing will need to take place from the highway. At present, this section of Aldenham Road is subject to single yellow lines which allow servicing to take place on the highway. Given the level of servicing generated by the residential use is likely to be limited, the Highway Authority are satisfied with this arrangement.
- 6.7.3 The proposed 9 car parking spaces are below the Council's maximum standards contained in the Watford District Plan 2000. The maximum provision for the proposed development would be 15 spaces. The site is in a highly sustainable location, very close to Bushey Station (London Northwestern Railways and London Overground rail services) and the bus stops serving the station (9 routes, including the town centre, Watford Junction, Brent Cross and north London), with a convenience store and pharmacy located in the adjoining development and a newsagent at Bushey Station. As such, the level of parking provision is considered acceptable.
- 6.7.4 Despite the sustainable location of the site and the provision of on-site parking, there is a potential for some overspill car parking to take place on surrounding roads as there is no controlled parking zone on the residential roads to the south-east. These roads tend to be heavily parked during the day with residents and commuters' cars and during the evening with residents' cars. As local residents have rejected any controlled parking zone on these roads, there is no on-street parking control in place. However, as the overspill parking is only likely to occur from the 1 flat without car parking provision, the level of potential overspill parking will be limited. Combined with the sustainable location of the site, any additional impacts are not considered sufficient to merit a refusal of permission.

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. In this case, the CIL charge applicable to the proposed development is £120 sqm plus indexation.

7.2 S.106 planning obligation

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. 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. In this case, there is no requirement for a planning obligation.

8.0 CONCLUSION

8.1 The proposal is for the erection of a 3 storey residential development on this site, located within a local shopping parade and in close proximity to Bushey Station. There is no objection in principle to the proposed residential flats or the scale and density of development in this location, which has good accessibility to passenger transport and local convenience services. The proposed development will enhance the character and appearance of the streetscene and the local area, including the setting of the Oxhey Conservation Area situated on the opposite side of Aldenham Road. The level of car parking provision is appropriate in this sustainable location and the Highway Authority has raised no objection to the proposal on the grounds of traffic generation or highway safety.

8.2 The site is subject to high noise levels and poor air quality from road traffic on Aldenham Road. Mitigation measures are proposed to address these issues which are considered acceptable by Environmental Health. Subject to these measures, the proposal will provide a good level of amenity for future residents. The scale and design of the proposal will ensure it will have no significant adverse impacts on the amenities of adjoining properties.

8.3 Although the proposal is for 10 units, it does not provide any affordable housing provision as required by Policy HS3. However, regard has been given to 3 recent appeal decisions from Hertsmere Borough relating to small sites (10 or fewer units) where no affordable housing was provided. Given the conclusions of the 3 independent Inspectors that Government guidance on small sites in the Planning Practice Guidance should be given greater weight than any conflict with local policy, it is not considered that a refusal for the failure to provide affordable housing could be justified in this case.

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:-

17034 P 01.01
17034 P 01.02 C
17034 P 01.03 C

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

3. No demolition works shall commence until a detailed method statement for the retention of the existing wall adjoining the boundary with 29-31, Chalk Hill has been submitted to and approved in writing by the Local Planning Authority. The demolition works shall only be undertaken in accordance with the approved method statement. The wall shall be retained at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the retention of this wall which prevents overlooking and loss of privacy to the adjoining garden areas.

4. No demolition 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.

5. Where a remediation strategy has been approved pursuant to Condition 4, 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.

6. 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.

7. The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Farrow Walsh Consulting Ltd, report number FW1562/CB/001-v1, version v1, dated May 2018:
 - i) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 5 l/s during the 1 in 100 year event plus 40% of climate change event.
 - ii) Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 17 m³ (or such storage volume agreed with the LLFA) of total storage volume in underground tank.
 - iii) Discharge of surface water from the private drain into the Thames Water sewer network.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

8. No construction works shall commence until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, 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 1 in 100 year + 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.
 - i) Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs with updated final drainage layout.
 - ii) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

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

Reason: In the interests of the visual appearance of the site and the character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

10. All windows at ground, first and second floor levels on the front façade of the building facing Aldenham Road shall be non-opening and shall be retained as such at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure good indoor ambient noise levels are achieved in accordance with BS 8233:2014 and an acceptable level of air quality is achieved in accordance with EU and national air quality limit values for the future occupiers of the dwellings.

11. No construction works shall commence until the specification of a mechanical air supply/extract system for each of the residential dwellings

on the ground, first and second floors of the premises has been submitted to and approved in writing by the Local Planning Authority. The system must be capable of providing background and rapid ventilation for cooling with the windows on the front elevation facing Aldenham Road being non-opening. The air delivered to the occupiers of the residential units through this system should have an annual mean nitrogen dioxide (NO₂) concentration of 40ug/m³ or less. The system must not compromise the sound insulation of the façades. Details of the siting of any air intake; extraction units; generators and other mechanical equipment serving this system that are likely to give rise to noise should be submitted, along with details of noise attenuation measures to be incorporated to ensure these units do not give rise to a noise nuisance. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure good indoor ambient noise levels are achieved in accordance with BS 8233:2014 and an acceptable level of air quality is achieved in accordance with EU and national air quality limit values for the future occupiers of the dwellings.

12. No construction works shall commence until a noise mitigation scheme for the proposed residential dwellings on the ground, first and second floors, based upon the recommendations of the Noise Exposure Assessment by Clement Acoustics dated 2nd March 2018 (Ref. 13333-NEA-01-RevA) has been submitted to and approved by the Local Planning Authority. The scheme shall include the details and specifications of the sound reduction performance of all glazed and non-glazed elements of the building facades. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure good indoor ambient noise levels are achieved in accordance with BS 8233:2014 for the future occupiers of the dwellings.

13. No part of the development shall be occupied until the new vehicular crossover on Aldenham Road to serve the residential car parking, as shown in principle on drawing no. 17034 P 01.02 C, has been constructed in full and the existing vehicular crossover on Aldenham Road has been closed off and the adjacent footways and kerbs reinstated.

Reason: To ensure safe and adequate vehicular and pedestrian access to the development and in the interests of highway safety, in accordance with Policy T4 of the Watford Local Plan Core Strategy 2006-31.

14. No part of the development shall be occupied until the 9 car parking spaces shown on the approved drawings (unless otherwise approved in writing by the Local Planning Authority) have been laid out and constructed in full. These spaces shall be retained at all times for the parking of cars of the residential occupiers only.

Reason: To ensure adequate parking facilities are provided on the site and to minimise any additional on-street car parking, in accordance with saved Policies T22 and T24 of the Watford District Plan 2000.

15. No part of the development shall be occupied until the bin store for the residential flats has been provided in accordance with approved drawing no. 17034 P 01.02 C (unless otherwise approved in writing by the Local Planning Authority). The store shall be retained at all times for bin storage only and shall not be used for any other purpose.

Reason: To ensure adequate facilities are provided for the occupiers of the site and 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 Policies SD1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

16. No part of the development shall be occupied until the cycle store shown on approved drawing no. 17034 P 01.02 C, for a minimum of 10 cycles, has been provided in accordance with the approved drawings (unless otherwise approved in writing by the Local Planning Authority). The store shall be retained at all times for cycle storage only and shall not be used for any other purpose.

Reason: To ensure adequate facilities are provided for the occupiers of the site and in the interests of the visual appearance of the site, in accordance with Policies SD1 and UD1 of the Watford Local Plan Core Strategy 2006-31 and saved Policies T10 and T21 of the Watford District Plan 2000.

17. No flat shall be occupied until the privacy screens at first and second floor level on the rear balconies have been installed, as shown on the approved drawings. These screens shall accord with the details approved under Condition 9 of this permission.

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

18. The flat roofs, as shown on approved drawing no. 17034 P 01.02 C, shall not be accessible at any time to occupiers of the flats and shall not be used as terraces or amenity space.

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

Informatives

1. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health & 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/neighbor_complaints_%E2%80%93_construction_noise.

2. This development may be considered a chargeable development for the purposes of the Community Infrastructure Regulations 2010 (as amended). The charge is non-negotiable and is calculated at the time planning permission is granted. The charge is based on the net increase of gross internal floor area of the proposed development.

A person or party must assume liability to pay the levy using the assumption of liability form 1 which should be sent to the CIL Officer, Regeneration and Development, Watford Borough Council, Town Hall, Watford, WD17 3EX or via email (semeta.bloomfield@watford.gov.uk).

If nobody assumes liability to pay the levy this will default to the land owner. A Liability Notice will be issued in due course. Failure to adhere to the Regulations and commencing work without notifying the Council

could forfeit any rights you have to appeal or pay in instalments and may also incur fines/surcharges.

3. All new developments 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 streetnamenumber@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.

4. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended.

Case Officer: Paul Baxter

Email: paul.baxter@watford.gov.uk

Tel: 01923 278284

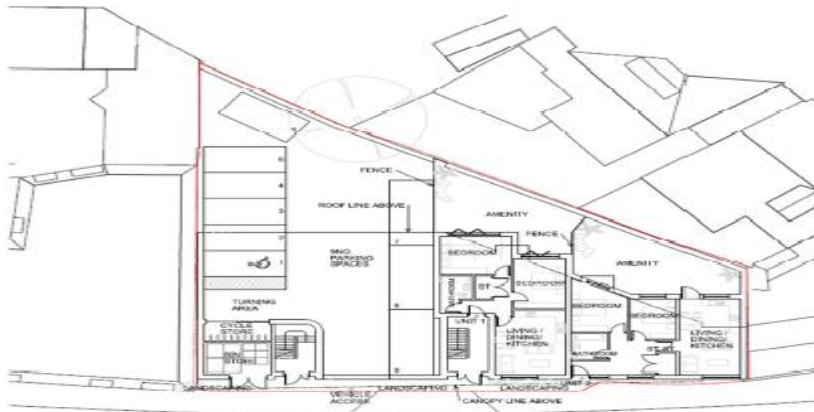
1 - Aerial view



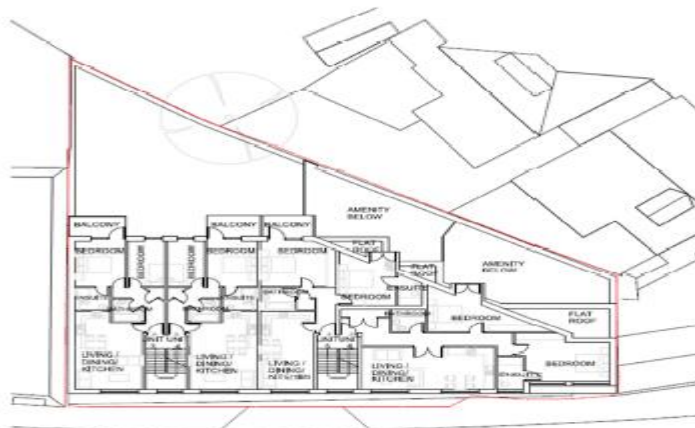
2 - Street view



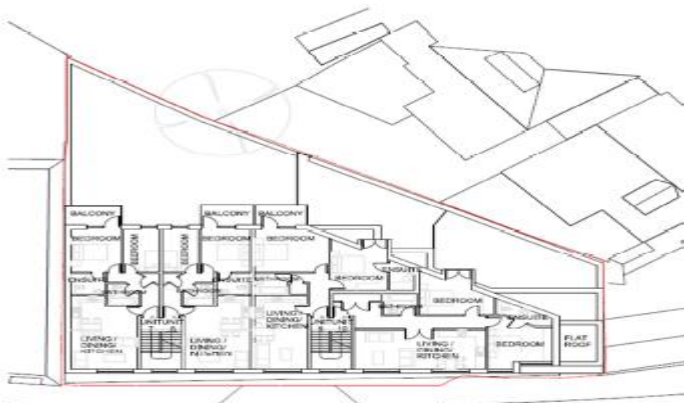
3 - Ground floor plan



4 - First floor plan



5 - Second floor plan



6 - Front elevation



Agenda Item 9

PART A	
Report of: Head of Development Management	
Date of committee:	25th July 2018
Site address:	Clarendon House, 33, Bridle Path
Reference Number:	18/00409/FULM
Description of Development:	Demolition of existing office building and erection of a mixed-use building of part 4, part 9 and part 14 storeys comprising 41 no. residential apartments and 1,800sqm of office space (Class B1a), with associated infrastructure including landscaping and basement car parking.
Applicant:	Clarendon House Watford Limited
Date Received:	11th April 2018
13 week date (major):	11th July 2018 (extended by agreement to 27th July 2018)
Ward:	Central

1.0 Site and surroundings

- 1.1 The application site has an area of 0.11 hectare and is irregular in shape, sited at the northern end of Bridle Path. It has an east-west orientation with a frontage to Bridle Path at both ends due to the U-shaped layout of Bridle Path. The northern boundary of the site abuts the footpath linking St Albans Road to the west with Watford Junction Station to the east. The site is currently occupied by a 3 storey office building erected in the 1980s. The main entrance is on the western elevation with a basement car park accessed from the eastern spur of Bridle Path.
- 1.2 The immediate area of Bridle Path contains a variety of different commercial buildings. Immediately to the south of the site is the 8 storey Holiday Inn Express hotel. Adjoining this site, planning permission was recently granted in November 2016 for the erection of a new part 5, part 8, part 9 storey hotel. Beyond this site to the south is the 2 storey Shire House office building. On the southern side of Bridle Path, are the 2/3 storey office buildings fronting Station Road. Most of these are former detached and semi-detached residential properties that have been converted to office use over many years. To the west are the two, 4/5 storey Egale House office buildings which front St Albans Road. Finally, to the east is Benskin House occupied by The Flag public house. This is a listed building comprising the 3 storey original hotel building facing Watford Junction Station and the 2 storey former stables range fronting Station Road and extending along

the eastern side of Bridle Path.

2.0 Proposed development

- 2.1 To demolish the existing office building and erect a mixed-use building on the site, varying in height from 4 and 9 storeys at its eastern end up to 14 storeys at its western end. The first 4 floors of the building will comprise 1,800m² of Class B1(a) office floorspace with the upper floors providing 41 residential flats. The main entrance to the offices and flats is from the western spur of Bridle Path. A secondary entrance to the offices is at the eastern end of the building. The building will occupy virtually the whole of the site.
- 2.2 The proposal incorporates a basement car park providing 43 parking spaces, accessed via a ramp from the western spur of Bridle Path. The existing basement ramp from the eastern spur will be closed off. Although there is an existing 19 space car park within the site, this is currently used by the Holiday Inn Express (also in the ownership of the applicants) and this situation will remain.
- 2.3 This scheme remains the same as the previously approved scheme under ref. 16/01245/FULM with the exception of the basement car park provision. The previous scheme included no car parking and was entirely car free. In this case, the 43 parking spaces will serve the offices with the residential accommodation remaining car free.

3.0 Relevant planning history

- 3.1 The following planning history is relevant to this application:

14/01324/FULM – Demolition of existing office building, filling of underground car park and development of residential tower of 15 and 8 storeys incorporating 75 residential apartments and ground floor commercial unit with customer parking. Application withdrawn May 2016.

16/01245/FULM - Demolition of the existing office building and erection of a mixed-use building of 4, 9 and 14 storeys incorporating 1,800m of office floorspace (Class B1a) and 41 residential flats. Planning permission granted 21st April 2017.

4.0 Planning policies

Development plan

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

(a) *Watford Local Plan Core Strategy 2006-31;*

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

4.2 **Supplementary Planning Documents**

The following Supplementary Planning Documents are relevant to the determination of this application:

Residential Design Guide

Watford Character of Area Study

Skyline: Watford’s Approach to Taller Buildings

4.3 **National Planning Policy Framework**

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

Achieving sustainable development

The presumption in favour of sustainable development

Core planning principles

Section 1 Building a strong, competitive economy

Section 2 Ensuring the vitality of town centres

Section 4 Promoting sustainable transport

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Section 10 Meeting the challenge of climate change, flooding and coastal change

Section 12 Conserving and enhancing the historic environment

Decision taking

- 4.4 In January 2016 the Council received the South West Hertfordshire Strategic Housing Market Assessment and associated Economic Study 2016 (SHMA) which set out an Objectively Assessed Need (OAN) for housing in the Borough that exceeds the levels in the Core Strategy. The Court of Appeal has recently confirmed that a “realistic prospect” of a site coming forward within the required timeframe will be sufficient to meet the deliverability test set by national planning policy, thereby endorsing an earlier decision of Mr Justice Ouseley (*St Modwen Developments Limited v Secretary of State for Communities and Local Government & Ors. Case Number: C1/2016/2001*). Officers have undertaken a recent review of the housing supply having regard to these judgements and are of the view that the Council is able to demonstrate a 5 year supply based on the OAN. Accordingly, the Council’s housing policies can be considered up to date.

5.0 Consultations

5.1 Neighbour consultations

Letters were sent to 50 properties in Bridle Path, Station Road and St Albans Road. Only 1 letter has been received making no comment on the application.

5.2 Statutory publicity

The application was publicised by 2 site notices posted on 6th April 2018 and by advertisement in the Watford Observer published also on 6th April 2018. The statutory period expired on 27th April 2018.

5.3 Technical consultations

The following responses have been received from technical consultees:

5.3.1 Hertfordshire County Council (Highway Authority)

Has raised no objection to the proposal subject to suggested conditions, including the provision of a Travel Plan.

5.3.2 Hertfordshire County Council (Lead Local Flood Authority)

Has raised no objection to the proposed surface water drainage scheme subject to appropriate conditions.

5.3.3 Thames Water

Has no objection with regard to sewerage infrastructure capacity and subject to a sequential approach for the disposal of surface water.

6.0 Appraisal

6.1 Main issues

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

- (a) Principle of the proposed uses.
- (b) Scale and design.
- (c) Quality of residential accommodation.
- (d) Affordable housing provision.
- (e) Impacts on surrounding properties.
- (f) Impacts on heritage assets.
- (g) Access and servicing.
- (h) Car and cycle parking.
- (i) Flood risk and drainage.

6.2 (a) Principle of the proposed uses

The site is within the wider Town Centre SPA in the Core Strategy and within an allocated employment area (E7a) in the Watford District Plan 2000. The Core Strategy sets out the requirement for the provision of at least 7000 new jobs by 2031 to meet strategic objectives and maintain Watford's role as a regional employment centre.

6.2.1 The GVA Employment Study 2010 (forming part of the evidence base for the Core Strategy) identified potential demand for up to 90,000m² of B1a office floorspace to 2031. Even if all existing vacant floorspace was taken up, there would still be a demand for 34,600m² of new floorspace. The latest Economic Growth and Delivery Assessment (EGDA) prepared by Nathaniel Lichfield and Partners (2014) has identified a significantly greater predicted growth in employment at 13,290 new jobs, almost double the predicted 7,000 new jobs in the 2010 Employment Study. Some 11,630 of these are forecast to be in Class B1(a) and B1(b) office jobs. It also predicts a significant shortfall of employment floorspace, in the order of 164,000m² to 215,000m², a significant proportion of which will need to be in the form of office floorspace. Even allowing for some adjustment and refinement of these figures, these figures are a magnitude greater than that planned for in the Core Strategy.

6.2.2 Within the Core Strategy, Clarendon Road remains the focus for office uses. The proposed office element of the scheme is in accordance with policy and will almost double the amount of office floorspace on the site (existing to be demolished 954m², proposed 1800m², an increase of 846m²). This will also provide modern, high quality floorspace to replace the existing, lower quality floorspace. This is welcomed. The proposed residential element, however, is not in accordance with policy. In this case, there are a number of factors that support a mixed-use scheme incorporating residential use on this site:

- i) The site is not on Clarendon Road or Station Road but is set back at the end of Bridle Path.
- ii) The site is at the very edge of the employment area and is not highly visible.
- iii) The site is relatively small and irregular in shape and so is less suited to a larger, corporate occupier but more to smaller companies.

6.2.3 It is also recognised that, in addition to the need to deliver an increase in the quantity and quality of office floorspace, there is also a growing need to deliver more housing. Given the highly accessible and sustainable location of the site adjacent to Watford Junction Station and a short walk to the town centre, this is an ideal location for car-free residential development.

6.2.4 Having regard to these various factors, a mixed-use office and residential scheme that delivers increased, high quality office floorspace and new housing,

was considered acceptable on this site in approving the previous application, and this remains the case. Furthermore, other mixed-use office and residential developments have since been approved in Clarendon Road (37-39 and 50), maximising the opportunities for both office and housing provision.

6.3 (b) Scale and design

The site is located within Character Area 30B in the Watford Character of Area Study. This area is of mixed character but dominated by large scale commercial buildings of 4 -9 storeys high. Adjoining the site is the 8 storey Holiday Inn Express. To the west, fronting St Albans Road, are the two 4 storey Egale office buildings. A short distance to the east is the 9 storey Iveco House building above Watford Junction Station. The site is also within the Clarendon Road/Station Road employment area, close to Watford Junction Station, where tall buildings are considered acceptable in principle.

6.3.1 The scale and design of the building remains unchanged from the previous approval. It is to have brick as the main facing material and follows several good design principles for a tall building; it demonstrates a strong base (the 4 storeys of office), a well articulated middle (8 storeys) and a clearly defined top (the top 2 storeys displaying a different fenestration and treatment). The building also steps back from east to west to add further definition to these elements of the building whilst at the same time reducing the bulk of the building. In approving the previous application, the Committee considered the scale and design of the building to be acceptable and appropriate in this location and a high quality addition to the locality.

6.4 (c) Quality of residential accommodation

The proposed residential accommodation remains unchanged from the previous approval, providing a mix of 1 bedroom (2 person), 2 bedroom (3 person), 2 bedroom duplex (4 person) units and a 3 bedroom penthouse. All meet the minimum floorspace standards set out in the nationally described space standard, with the exception of one of the 2 bedroom (3 person) units which has a shortfall of 2.7m².

6.4.1 All of the units are dual aspect (a few on the upper floors are triple aspect) and all will have good levels of outlook, privacy and daylight generally. The majority will also receive good levels of sunlight to all rooms. Some of the 1 bedroom flats on floors 4-7 will have a more limited level of amenity due to the bedroom windows facing towards the flank elevation of the Holiday Inn Express to the south (at a distance of 4.5m) and consequently having more limited outlook and daylight, and the living rooms facing north-east and thereby received more limited levels of sunlight. Some units with slightly lower levels of amenity are inevitable in high density urban schemes of this nature, particularly on more constrained sites. However, overall, it is considered the development will provide good quality accommodation and this was accepted in approving the

previous application.

6.4.2 The majority of the units will have private balconies of approximately 3.8-4.3m². Some on the upper floors will have larger private terraces and a communal roof garden of approximately 52m² is provided at 9th floor level. This is east facing and will receive good levels of sunlight.

6.4.3 The site is located adjacent to the West Coast Mainline railway. Passenger and freight trains using the railway throughout the day and night have been identified as a significant source of noise to the proposed flats. In order to mitigate the impacts of this noise and to achieve good internal noise levels in accordance with BS 8233 (2014), noise attenuation measures will need to be incorporated comprising acoustic double glazing and acoustic trickle vents. Furthermore, in order to enable rapid ventilation to take place without the need to open windows, mechanical ventilation should also be provided. These measures can be secured by condition.

6.5 (d) Affordable housing provision

Policy HS3 of the Core Strategy requires a 35% provision of affordable housing in all schemes of 10 units or more. In the case of the proposal, for 41 units, this would require the provision of 14 affordable units. This provision should have a tenure mix of 65% affordable rent, 20% social rent and 15% intermediate tenures. Only in exceptional circumstances will a lower level of provision be considered through submission of a development viability assessment.

6.5.1 A viability assessment was submitted for the previous application with no provision for affordable housing. This was the subject of a detailed and robust review by external consultants, GL Hearn, on behalf of the Council. The outcome of this review was that the development could support a commuted sum towards affordable housing of £368,000. This was agreed with the applicant and accepted by the Committee in approving the previous application and was to be secured via a Section 106 planning obligation.

6.5.2 The current application is also supported by a viability appraisal, again with the applicant stating that the proposal cannot support any affordable housing provision, but with a written undertaking to make the previously agreed commuted sum payment of £368,000. This has again been the subject of review by GL Hearn on behalf of the Council who have concluded that the previously agreed commuted sum of £368,000 can still be justified.

6.6 (e) Impacts on surrounding properties

All of the surrounding properties are in commercial use, either as offices or a hotel. As such, the levels of outlook, privacy and natural light are not considered as important as for residential properties. Whilst the proposed building will be directly opposite the Egale 1 office building, it will be sited 21m away and due

east of this building and will not have any significant adverse impact on this property.

6.7 (f) Impacts on heritage assets

There are no heritage assets on the application site or immediately adjoining the site, but the site is close to the listed building of Benskin House to the south-east. This has a grade II listing and comprises the 3 storey former hotel building facing Watford Junction station and the 2 storey former stables range fronting Station Road (occupied by The Flag PH) and extending along Bridle Path to the rear, although the listing description refers only to the 3 storey former hotel building. The site also includes an open car park at the rear, accessed off Bridle Path, opposite the eastern end of the application site.

6.7.1 The relationship of the proposed building to the listed building remains unchanged from the previous approval. The closest part of the proposed building to the listed building is the 4 storey element at the eastern end of the building. This is sited 48m from the 2 storey stable block at its closest point. The taller, 9 storey element of the building is sited 64m from the stable block and 110m from the 3 storey Benskin House. It will face towards the northern end of the open rear car park. As such, the proposed building will not directly impact the immediate setting of the listed building but will be seen within the wider setting of Benskin House. The stable block is the less important part of the listed building and is not referred to in the listing description. Its setting and context is very different to that of the main 3 storey building.

6.7.2 Views of the main Benskin House building are principally from Station Road, its junction with Clarendon Road and from Woodford Road to the south and south-east. In each of these views, the listed building is seen in the context of taller buildings. To the front, adjacent to the building, is the Iveco House building sited above Watford Junction station. It is part 6 storeys, part 9 storeys in height with a large plant room, and visually dominates the junction of Clarendon Road and Station Road. To the rear, the taller buildings of the Holiday Inn Express and Egale House form the backdrop to views of the listed building.

6.7.3 In granting the previous application, the Committee considered any harm to the setting of the listed building would not be significant and that this harm would be outweighed by the significant benefits of the proposal; the regeneration of this site, the provision of increased office accommodation, and the provision of new housing in a highly sustainable location. This remains the case for the current application.

6.8 (g) Access and servicing

The site is in a highly accessible location with Watford Junction station and its associated bus interchange located just 130m to the east. This gives access to a wide range of rail and bus services. Further bus services are accessible within the

town centre located 800m to the south together with a full range of town centre shops, services and facilities. The site is also easily accessible by foot and cycle. A travel plan statement has been submitted as part of the Transport Statement. Whilst no travel plan will be required for the residential element, one should be required for the office element. This should be based on Hertfordshire County Council's Travel Plan Guidance in order to promote sustainable modes of travel to the site. This can be secured by condition.

6.8.1 The existing site has one vehicular access point from Bridle Path at its eastern end leading to the basement car park. This will be closed off as part of the development and a new access ramp to the basement formed at the front of the building on the western spur. Servicing of the existing office building currently takes place directly from the public highway in front of the site. This will remain unchanged for the proposed office and residential accommodation. As the site is at the end of the western spur, any servicing vehicle parked for a short period of time within this part of the highway will not give rise to any obstruction or inconvenience to other highway users.

6.8.2 An integral bin store is incorporated into the building at its western end. Tracking diagrams for a refuse vehicle have been included in the Transport Statement to demonstrate that a vehicle can enter and leave this spur of Bridle Path, enabling refuse collection to take place.

6.9 (h) Car and cycle parking

The previously approved scheme was car-free, which was acceptable given the location of the site. The current proposal includes a basement car park for 43 spaces as an extension of the existing basement car park, which includes 19 spaces. The maximum parking provision for the proposed development based on the adopted standards in the Watford District Plan and having regard to its location is 15-30 spaces for the office and 41 spaces for the residential, a total range of 56-71 spaces. The provision of 43 spaces is below this range and is acceptable. It is likely that all of the spaces will be allocated to the office use, which would exceed the provision of 30 spaces for this element of the scheme. However, due to the constraints of the basement, 7 of the spaces are tandem spaces that do not have independent access and 10 of the spaces have less than the minimum 6m manoeuvring space in front of them (5-5.9m) which may restrict their use. As such, the number of fully compliant spaces is only 26. On this basis, the provision is considered acceptable.

6.9.1 Cycle parking is provided within a secure external store, with 58 spaces provided within a double raked system. This will equate to 1 space per flat and 17 spaces for the offices. This remains an acceptable level of provision.

6.10 (i) Flood risk and drainage

The site is within Flood Zone 1 with minimal risk of flooding from all sources. It is

also located within a Source Protection Zone 2, indicating that groundwater beneath the site will directly feed a public drinking water abstraction point. Having regard to the potential for land contamination, the existing building has a basement car park underneath it, so any previously contaminated ground would have been removed at the time the building was constructed. However, any further piling should be prohibited without further consent in order to prevent any additional unacceptable risk to the groundwater. This can be secured by condition.

6.10.1 In order to minimise the risk of flooding post-development, a surface water drainage strategy has been approved by the County Council as the Lead Local Flood Authority. This can also be secured by condition.

7.0 Community Infrastructure Levy and Section 106 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 CIL charge applicable to the proposed development is £0 for the office floorspace and £120m² for the residential floorspace, plus indexation.

7.2 S.106 planning obligation

Following the introduction of the Community Infrastructure Levy, 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.

7.2.1 The proposed development is one where affordable housing should be provided, in accordance with Policy HS3 of the Core Strategy. As detailed in the report, a financial contribution of £368,000 towards the provision of affordable housing in the Borough has been agreed in lieu of on-site provision.

7.2.2 The development will also need to be excluded from the local controlled parking zone, in accordance with saved Policy T26 of the Watford District Plan, in order to exclude future residents of the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the application site. As such, a £2,000 payment is required to vary the local traffic regulation order.

8.0 Conclusion

- 8.1 The site is located within a designated employment area where the focus is on the provision of new office floorspace. The proposed office element of the scheme is in accordance with local plan policy and will almost double the amount of office floorspace on the site. This will also provide modern, high quality floorspace to replace the existing, lower quality floorspace. The proposed residential element, whilst not in accordance with the land use designation or policy, remains acceptable as part of a mixed-use scheme in this highly sustainable location.
- 8.2 At 14 storeys, the proposed building is taller than the surrounding buildings. However, it lies within an area where taller buildings are considered acceptable in principle and abuts the Watford Junction Special Policy Area where a number of tall buildings are being promoted through the recent masterplan. Given this context, the proposed height of the building is considered acceptable on this site.
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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, pursuant to a planning obligation under s.106 of the Town and Country Planning Act 1990 having been completed to secure the following Heads of Terms, planning permission be granted subject to the conditions listed below:

Section 106 Heads of Terms

- i) To secure a financial contribution of £368,000 towards the provision of affordable housing in the Borough of Watford;
- ii) To secure a financial payment to the Council of £2,000 towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude the site from the controlled parking zone, thereby preventing residents' parking permits being allocated to this site.

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:-

2259 (90) 001
2259 (08) 002, 003, 004, 005, 006, 007, 008, 009,
2259 (07) 001, 002, 003, 004, 005, 006
017-03-CP1 E, CP3 C, CP6

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

3. No construction works shall commence until a detailed noise mitigation scheme for the proposed flats (to include acoustic glazing, acoustic trickle vents and mechanical purge ventilation), to protect the future occupiers from noise from rail traffic on the adjacent railway line and the plant and equipment associated with the adjacent Holiday Inn Express and Egale office building, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall achieve the internal noise levels for individual rooms as set out in British Standard 8233: 2014.

Reason: To ensure an acceptable living environment is achieved for the future occupiers of the development.

4. No construction works shall commence until full details and samples of the materials to be used for the external surfaces of the building (including walls, roofs, windows, doors and balconies) have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance of the site and the character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

5. No construction works shall commence until details of the window reveals for the office glazing and the windows to the flats have been submitted to and approved in writing by the Local Planning Authority. The

development shall only be implemented in accordance with the approved materials.

Reason: In the interests of the visual appearance of the site and the character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

6. The development hereby permitted shall be carried out in accordance with the approved surface water drainage assessment carried out by JMP (ref. NW91602-FRA-01 dated July 2016) and the following mitigation measures detailed within the FRA:
 - i) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 10.6 l/s during the 1 in 100 year event plus 40% of climate change event.
 - ii) Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 29.1 m³ (or such storage volume agreed with the LLFA) of total storage volume in underground attenuation tanks.
 - iii) Discharge of surface water from the private drain into the Thames Water sewer network.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

7. No development shall take place until a detailed surface water drainage scheme for the site based on the approved Drainage Strategy and 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 1 in 100 year + 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.

- i) Detailed, updated modelling for up to and including the 1 in 100 year rainfall event including climate change allowance to accommodate the latest changes of drainage layout.
- i) Detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
- iii) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

8. No impact 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. 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.

9. 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.

10. No part of the development shall be occupied until the refuse and recycling store to serve the development, as shown on the approved drawings, has been constructed and made available for use. This facility shall be retained as approved at all times.

Reason: To ensure that adequate facilities exist for residents of the proposed development, in accordance with Policies SE7 and T10 of the Watford District Plan 2000.

11. No part of the development shall be occupied until a detailed soft landscaping scheme for all the land within the site has been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of development. 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 the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

12. No part of the development shall be occupied until a detailed hard landscaping scheme for all the land within the site, including details of all site boundary treatments, has been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details.

Reason: In the interests of the visual appearance of the site and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

13. No part of the development shall be occupied until details for the secure and weatherproof storage of 58 cycles (41 for residents of the flats and 17 for occupiers of the office floorspace) have been submitted to and approved in writing by the Local Planning Authority, and the facilities have been provided as approved. These facilities shall be retained at all times.

Reason: To encourage residents and occupiers to travel by cycle and provide sustainable travel alternatives, in accordance with saved Policy T10 of the Watford District Plan 2000 and Policy T3 of the Watford Local Plan Core Strategy 2006-31.

14. The office floorspace shall not be occupied until a detailed Travel Plan, based upon the Hertfordshire County Council document 'Hertfordshire Green Travel Plan Guidance', has been submitted to and approved in writing by the Local Planning.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment, in accordance with Policy T3 of the Watford Local Plan Core Strategy 2006-31.

15. No dwelling shall be occupied until details of a communal terrestrial television aerial(s) and satellite dish(es) have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the building, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

16. For the avoidance of doubt, no communications development permitted by Class B or Class C of Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 shall be undertaken on the building.

Reason: In the interests of the character and appearance of the building, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

17. No plant or equipment shall be sited on the external elevations of the building unless details of the plant or equipment have been submitted to and approved in writing by the Local Planning Authority. The details shall include size, appearance, siting and technical specifications relating to noise.

Reason: In the interests of the visual appearance of the site and the amenities of the residential occupiers, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

Informatives

1. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health & 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/neighbor_complaints_%E2%80%93_construction_noise.

2. This development may be considered a chargeable development for the purposes of the Community Infrastructure Regulations 2010 (as amended). The charge is non-negotiable and is calculated at the time planning permission is granted. The charge is based on the net increase of gross internal floor area of the proposed development.

A person or party must assume liability to pay the levy using the assumption of liability form 1 which should be sent to the CIL Officer, Regeneration and Development, Watford Borough Council, Town Hall, Watford, WD17 3EX or via email (semeta.bloomfield@watford.gov.uk).

If nobody assumes liability to pay the levy this will default to the land owner. A Liability Notice will be issued in due course. Failure to adhere to the Regulations and commencing work without notifying the Council could forfeit any rights you have to appeal or pay in instalments and may also incur fines/surcharges.

3. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure a financial payment towards the provision of affordable housing in the Borough and to exclude the development from the local controlled parking zone.
4. All new developments 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 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.

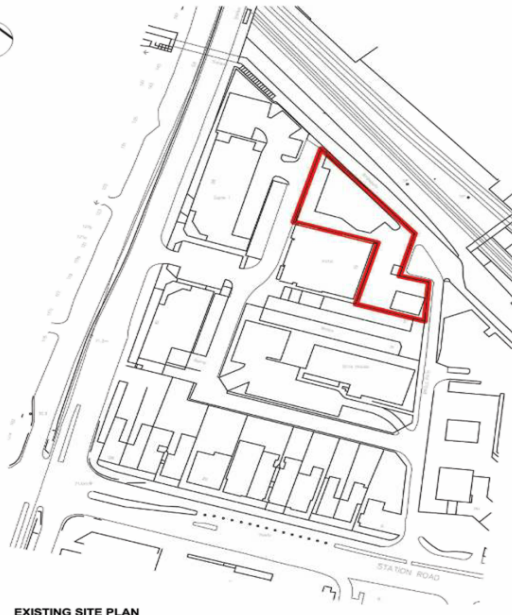
5. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended. The Council also gave advice on the proposal and sought amendments during the application process.

Case Officer: Paul Baxter

Email: paul.baxter@watford.gov.uk

Tel: 01923 278284

Clarendon House 18/00409/FULM



EXISTING SITE PLAN
SCALE 1:500
0 10 20 50 100



SITE LOCATION PLAN
1:1250

COCA
COUNCIL OF COUNTY ADMINISTRATORS
1000 N. W. 10th St., Suite 100
Fort Lauderdale, FL 33304
Phone: 954.344.1234
Fax: 954.344.1235
www.cocafl.com

HCR
HIGHLAND COUNTY RESIDENTIAL DEVELOPMENT
DISTRICT
Existing Site Plan

2269 (90901)

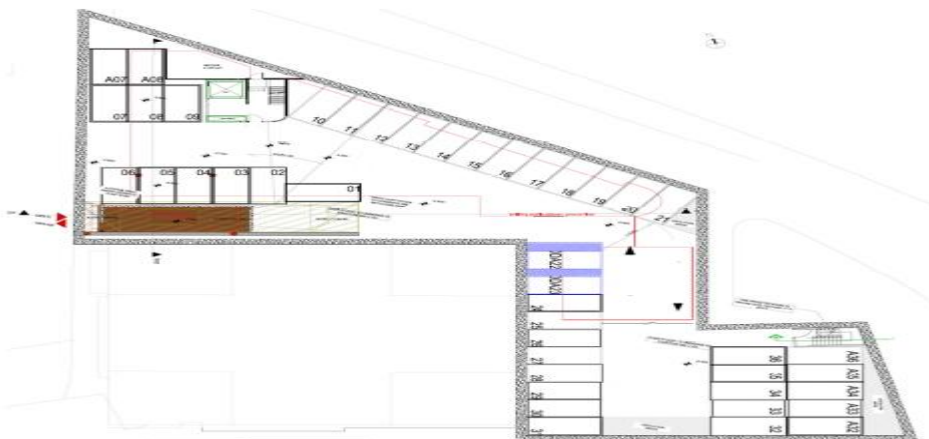
1 - Aerial view from south-east



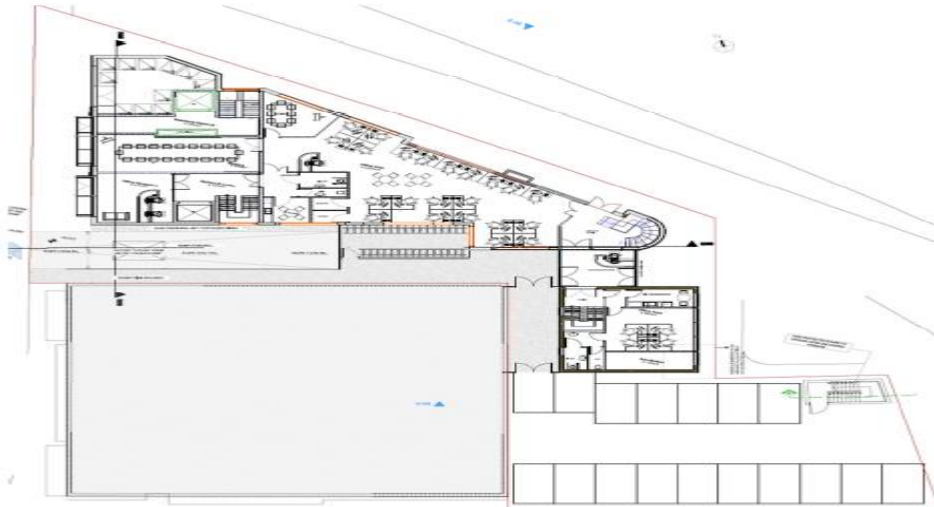
2 - Aerial view from north



3 - Basement plan



4 - Ground floor plan



5 - Office floor plans



6 - Residential floor plan



7 – Elevations

ELEVATIONS



SOUTH WEST ELEVATION



NORTH WEST ELEVATION

8 - CGI image



9 - CGI image 2

