



**WATFORD
BOROUGH
COUNCIL**

DEVELOPMENT MANAGEMENT COMMITTEE

3 October 2018

7.00 pm

Town Hall

Contact

Ishbel Morren

legalanddemocratic@watford.gov.uk

01923 278375

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Publication date: 25 September 2018

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 5 September 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. **18/00842/FULM Land To The Rear Of 1 - 43 Sydney Road & Plot Between 7 & 9 Sydney Road (Pages 6 - 46)**

Erection of a new building and yard, and two apartment buildings to provide 278 apartments with associated access, integral bin and cycle storage and amenity space following demolition of existing commercial buildings; and erection of one two bedroom dwelling and associated works

5. 18/00803/FULM Nos. 45-69 And 73-89, Including former Watford Laundry Sydney Road (Pages 47 - 79)

Proposed redevelopment of the site to provide 227 residential units in buildings ranging from 3 to 11 storeys, with 160 car parking spaces (including car club and accessible provision); communal landscaped amenity areas, secure cycle parking and other associated development

6. 18/00936/FULM Former Happy Hour Public House, Eastbury Road (Pages 80 - 103)

Planning application for the demolition of the existing building and the erection of 32 dwellings together with a means of access from Eastbury Road, provision of associated parking, amenity space and landscaping

7. 18/00163/FULM 8-12 Chalk Hill (Pages 104 - 150)

Redevelopment of the site to provide a mixed use scheme including 151 residential units, retail units and/or community floor space, with associated cycle parking, car parking, landscaping and public realm improvements

8. 18/00973/VAR Rembrandt House, Whippendell Road (Pages 151 - 163)

Variation of Condition 15 of planning permission ref. 14/00992/VAR to amend the landscaping and hardstanding at the above development to provide additional car parking on the decked car park for the use of residents of the development

9. 18/00994/FUL 116A, High Street (Pages 164 - 181)

Erection of a part one, part two storey first floor rear extension containing two self-contained residential units, and the conversion of the upper floors of the existing property into two self-contained residential units

10. 17/00048/FULM Land to the East of Ascot Road (Pages 182 - 187)

Variation of the S106 agreement associated with the application to:

- a) alter the provision of affordable housing; and
- b) to enable the affordable housing to be managed by the owner/developer.

Introduction

Please note that the officer report is a summary of the issues including representations made and consultation responses. Full details of the applications, plans submitted, supporting information and documents, representations made, consultation responses and correspondence can be found on the council's web based [Public Access system](#) using the application reference or address.

Specific policy considerations for each application are detailed within the individual reports. The background papers and policy framework listed below have been relied upon in the preparation of the reports in this agenda.

Background papers

- The current planning applications under consideration and correspondence related to that application.
- All relevant third party representations and consultation replies received.

Policy Framework

- The Statutory Plans and Supplementary Planning Guidance, together with relevant Government legislation, Circulars, Advice, Orders, Directions and Guidance listed below:

Local Planning Documents

Local Development Documents provide the framework for making planning decisions. These can be found on the Council's [website](#) and include:

- the existing Local Plan which consists of the Core Strategy, saved policies in the Watford District Plan 2000 and Proposals Map); and
- Supplementary Planning Documents.

County Planning Documents

The Hertfordshire Waste Local Plan and Minerals Local Plan prepared by Hertfordshire County Council are material considerations alongside the Watford Local Plan. These documents can be found on the county council's [website](#).

National Planning Documents

Key legislation can be found using this [weblink](#), including:

- Growth and Infrastructure Act (2013)
- Housing and Planning Act (2016)

- Localism Act (2011) and subsequent amendments
- Planning Act (2008) and subsequent amendments
- Planning and Compulsory Planning Act (2004) and subsequent amendments
- Town and Country Planning Act (1990) and subsequent amendments
- Town and Country Planning (Local Planning) (England) Regulations 2012 and subsequent amendments.

National guidance can be found on the government service and information [website](#), including:

- National Planning Policy Framework (revised July 2018) and supporting Technical Guidance
- Planning Practice Guidance (PPG) (web based)
- Planning policy for traveller sites
- Relevant government circulars
- Relevant Ministerial Statements (which will be referred to in the individual reports as necessary)

Section 106 Planning obligations and 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 where relevant. Section 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.

Human Rights implications

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

Agenda Item 4

Committee date	3 rd October 2018
Application reference	18/00842/FULM
Site address	Land To The Rear Of 1 - 43 Sydney Road & Plot Between 7 & 9 Sydney Road (Inc. Humphreys Plus)
Proposal	Erection of new B1C (Industrial) and B8 (storage and distribution) building and yard, and erection of two apartment buildings to provide No. 278 apartments with associated access, integral bin and cycle storage and amenity space following demolition of existing commercial buildings; and erection of 1No. 2 bedroom dwelling and associated works.
Applicant	Sydney Road Developments Limited And Humphreys Plus
Agent	Woolf Bond Planning
Type of application	Full planning permission: Major
Reason for committee item	Major application
Target decision date	08.10.2018
Statutory publicity	Press advertisement and site notice with overall expiry of 23 August 2018.
Case officer	Alice Reade alice.reamde@watford.gov.uk
Ward	Holywell

1. Recommendation

Approve subject to conditions and the completion of a section 106/Unilateral Undertaking, as set out in section 8 of this report.

2. Site and surroundings

- 2.1 The site of 0.95 hectares is positioned between Sydney Road to the north and railway line to the south. The site includes the site of previously approved permission for 135 dwellings (ref 17/01591/FULM) with the addition of land to the south and east which is currently occupied by Humphreys.
- 2.2 The site currently contains single storey industrial buildings of commercial use. Adjacent to the west of the site are the industrial premises of Watford Laundry. Residential properties back onto the site from Sydney Road, Hagden Lane and Tolpits Close to the north and east.
- 2.3 The remainder of Sydney Road is predominantly residential with two storey terraces bordered by the site and two storey semi-detached houses on the opposite side of Sydney Road. The west end of Sydney Road includes 3 and 4 storey residential flats.

- 2.4 The site is within a predominantly residential area and is not within an allocated employment area. There are parking restrictions, including residential Controlled Parking Zone along the roads within the vicinity of the site. The site is not within a conservation area and there are no listed or locally listed buildings within or adjoining the site.
- 2.5 Further information is available in the appendices to the report and on our [website](#).

3. Summary of the proposal

3.1 Proposal

The proposal is for the demolition of the existing commercial buildings including the Humphreys Plus units and the erection of a development as follows:

- i) Block A at the Sydney Road frontage, of between 3 and 10 storeys
- ii) Block B/C behind the existing terraces and up to the railway of between 5 and 10 storeys
- iii) To contain 278 apartments of which 79 are to be affordable housing
- iv) 1 no. two bedroom house (infill between Nos7 and 9);
- v) Associated landscaping works at ground level and at various rooftop levels;
- vi) Car parking for 145 cars (52%)
- vii) a new warehouse building of 714m² and yard off the existing Humphreys Plus access with 11 car spaces plus access/turning areas.

- 3.2 The scheme was amended during the course of the application with:
- Height, design and layout changes to Block B/C
 - Improvements to the public realm and ground level amenity space.

- 3.3 The proposed development has evolved from the previous approved scheme for 135 residential units (17/01591/FULM) to incorporate the additional land to the south and east obtained by the developer and has been subject to pre-application advice.

3.4 Conclusion

As previously accepted under the approved application for 135 apartments at this location, the residential development of the site in the residential location, is welcomed. The employment uses on site are not suitable for retention due to the residential location of the site. The site is brownfield land, is close to the town centre, is not at risk of flooding and has good access

to public transport and a wide range of services. Following the enlargement of the site with additional land to the south and east, the development is an enlarged iteration of the previously approved scheme for 135 flats. The new scheme is consistent with the layout, height, principles, parking provision and affordable housing proportion of the approved scheme. There are however further improvements to the design quality of the enlarged scheme which succeed in creating a well-designed and successful site for new homes. The addition of the commercial unit is welcomed to re-accommodate some business activity on site.

- 3.5 The increase scaling of the development has been successfully balanced to provide a modest and positive frontage onto Sydney Road whilst scaling up to the south of the site facing the railway and school fields beyond.
- 3.6 The development is fully compliant with policy in respect of its principle, the relationship with neighbours, the quality of accommodation and facilities provided and its provision of affordable housing.
- 3.7 The development offers high quality design that will enhance the current poor appearance of the site and its frontage onto Sydney Road. The development will represent a change to surrounding properties however, as assessed in detail, this would not constitute unreasonable harm to light, outlook or privacy of neighbours. The scheme will create high quality, sustainable homes and an excellent offer of affordable housing provision.

4. Relevant policies

Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application was determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. Relevant site history/background information

- 5.1 Conditional Planning Permission was granted for the northern section of the site, fronting Sydney Road, for 135 residential units in two blocks of between 3 and 10 storeys in height (Ref 17/01591/FULM). This included a policy equivalent provision of affordable housing:
 - 135 units plus house
 - 38 affordable housing units (35% of the development based on habitable rooms)
 - Tenure split with more social rented units than required by policy, offset by fewer affordable rent units and more shared ownership units. A unique

and welcome provision to meet the most acute housing needs of larger social rent units.

6. Main considerations

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

- (a) Principle of the change of use of the site.
- (b) Scale and design.
- (c) Quality of residential accommodation.
- (d) Housing mix
- (e) Affordable housing provision.
- (f) Impacts on surrounding properties.
- (g) Transport, access and servicing.
- (h) Car and cycle parking.
- (i) Environmental considerations
- (j) Potential future development

6.2 (a) Principle of the change of use of the site.

6.2.1 The mixed use of the development is welcomed and fully supported by policy. The site is not designated for employment uses and the loss of the aging, poor quality commercial space would not be harmful to the commercial needs of the town.

6.2.2 The site is within a predominantly residential location and offers an opportunity for brownfield residential development pursuant to housing delivery required by the NPPF and also meeting housing needs pursuant to Priority 1 of the Corporate Plan for Watford Borough Council and the Core Strategy.

6.2.3 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 the town centre, is not at risk of flooding and has good access to public transport and a wide range of services. Furthermore, the site has no heritage significance or biodiversity or landscape value. The residential development of the site would therefore be in keeping with the residential nature of the area.

6.2.4 The inclusion of a modest commercial premises to keep some business and employment activity on the site is welcomed for economic reasons. This commercial premises would not create new or increased harm in the residential context.

6.3 (b) Scale and design

6.3.1 The proposed development follows the same successful design approach as the previously approved scheme and has been successfully designed to respond to the constraints and opportunities of the enlarged site. The original scheme for this application included elements up to 12 storeys with 291 units however this was amended by the applicant to retain a maximum building height of 10 storey, as previously approved. As also previously assessed, the scale of the buildings, will represent a significant intensification in scale at the site however the siting and design is of high quality and is supported.

6.3.2 The maximum height of the scheme at 10 storeys is unchanged from the previously approved scheme. Block B/C has increased in part to 10 storeys to match Block A however this is comfortably accommodated within the increased depth and size of the site. The tall building approach remains suitable for the wider area and follows the height pattern of other development in the street block backing onto the rail way line running east-west behind Sydney Road and Whippendell Road. The Sun Printers site to the west of Sydney Road (now The Gateway) is a shallower site however includes buildings up to 7 storeys. To the west of this, the Ascot Road site has approval for buildings of 7 and 23 storeys again adjacent to the railway line. The height of the buildings stepping up to the railway line is therefore in keeping with the height pattern of development in this area whilst also ensuring there is lower height buildings fronting the Sydney Road streetscene.

6.3.3 Block A creates a strong and active frontage onto Sydney Road. The 3 storey flat roof height on Sydney Road responds to the height of the two storey houses adjacent and opposite. As read in the streetscene of Sydney Road, this height would not be dominant or incongruous and indeed would be lower than the 3 and 4 storey development at the west end of Sydney Road. The stepping up of Block A to the south of the site would again be largely hidden from the main Sydney Road frontage and would not appear excessive in scale or dominant in the Sydney Road streetscene.

6.3.4 Whilst the development is contemporary in approach, the frontage of Block A will continue the residential pattern of Sydney Road and will be a significant enhancement to the streetscene from the existing site. The frontage of Block A would be set behind that of the adjacent terraces avoiding any potential visual dominance. The low front boundary treatment, landscaping and creation of small front gardens to the two duplexes replicates the character of frontages in the streetscene and creates activity and active frontages on the Sydney Road frontage. The main entrance to Block A has been further articulated to mark this as varied from the duplex entrances and further aid easy legibility of the building.

- 6.3.5 Block A also includes generous spaces to each side with the entrance road, two paths and landscaping to its east side and a 4.5m gap to the west side boundary. The building will therefore not appear as cramped within the site width. Furthermore, the creation of gaps at this site can be continued in any future development at adjacent sites to create a rhythm between buildings.
- 6.3.6 As seen in the approved scheme, Block B/C is positioned to the east of Block A. Due to the substantial increase in the depth and area of the site, particularly at this eastern side, Block B/C has been enlarged in footprint and height and moved away from the Sydney Road properties to the north. Block B/C follows a similar height pattern as Block A with 5 storey buildings to the east boundary, stepping up to 8 storeys in the main with one element stepping further up to 10 storeys. Again this stepped approach ensures the 25 degree line to the two storey surrounding properties is maintained and the scaling of the building is appropriate.
- 6.3.7 The scaling up of Block B/C in early iterations had been of a massing considered to be excessive. This has been successfully amended with reduction in bulk, increasing steps in the building height and the use of material variations to articulate and 'break up' the building. The massing and bulk of Blocks A and B/C have been successfully linked with the creation of 3 core features on the south elevation.
- 6.3.8 The overall design approach of the building is contemporary but wholly appropriate for the site and context. The robust design and materiality are reminiscent of an industrial vernacular and an appropriate response to the industrial history of the site. The use of one brick creates a simple and unified appearance whilst the rusticated use of the same brick along the ground floor creates variation and interest. The grey uPVC windows and metal balconies continue the contemporary scheme.
- 6.3.9 As well as the physical appearance of the site, the arrangement and design of the development as a functioning 'place' had been given much thought and attention. With the increasing scale of the development it has been of acute need for there to be a high quality central area to create a positive place to live.
- 6.3.10 As in the previous development, both buildings will be of the same design approach and materiality meaning that they are tenure blind and there is no evident distinction of affordable units. The central area will also see good functionality and activity with good legibility as well good natural surveillance from windows and balconies within the development. The central area

includes surface car parking however this has been significantly broken up around the curve of the road and by the use of landscaping and will not dominate the space. The relocation of the turning area to within a recess of Block B/C allows for the surface level amenity area to be a larger comprehensive space which adjoins Block B/C.

6.3.11 Of significant merit within this enlarged scheme is the inclusion of duplex units at ground floor level with private accesses and private amenity areas facing within the site. This arrangement creates active frontage within the development and with these being family sized units, they enhance community balance and cohesion within the development which is of particular value in a development of this scale.

6.3.12 The inclusion of the commercial unit has been arranged well within the site. It will retain its independent access and will be well spaced away from the development. The use of brick on the elevations of the commercial building facing the residential sections will be of high quality

6.3.13 The infill development of the house between Nos7 and 9 is wholly appropriate. The building replicates the width, height and position of its Victorian neighbours however avoids a pastiche infill with the use of contemporary detailing and fenestration to the front and rear. This variation will create an interesting and honest contrast to the Victorian terraces whilst respecting the form, height and proportions of the neighbours.

6.3.14 The development represents high quality and well thought out design in all respects. The development makes effective use of the site whilst paying appropriate respect to the context. The quality of design for future occupiers is good and the development is fully supported in design terms.

6.4 (c) Quality of residential accommodation

6.4.1 The proposal will provide 279 residential units, with 278 flats and one house. All will comply with the minimum floorspace of the nationally described space standard. All will have good levels of outlook, natural light and privacy. Separation distances between windows of the residential units within and around the development will all exceed the minimum 22m required by section 7.3.16 of the Residential Design Guide (RDG), meaning that all new flats will have good levels of privacy. A minimum distance of 12m is maintained to the west boundary (Watford Laundry Site) to ensure a minimum 22m gap can be maintained with any development there.

6.4.2 The significant majority of flats will be dual aspect. Some single aspect north facing units are in the scheme. This is not preferred however to ensure the

development addresses the active areas of Sydney Road and within the development, this is difficult to avoid and on balance considered to be reasonable for the development overall.

- 6.4.3 During the course of the application, the layout of the buildings has been amended to improve light and outlook to flats on the internal corners of the building. Some of these had light and outlook restrictions by the internal corners and from projecting balconies of other flats. The layout has been amended to remove these relationships and ensure that all flats have suitable light and outlook. This is supported by the sunlight and daylight assessment.
 - 6.4.4 The relationship of the residential units with the proposed new commercial unit is good with separate access and physical separation with no unreasonable conflict of use foreseen.
 - 6.4.5 High quality communal amenity areas have been incorporated into the development including around the buildings, at first floor podium level between the two blocks and at various roof levels on each of Blocks A and B/C. These are laid out as useable, functional spaces with areas that will allow for good landscaping and good natural surveillance. Almost all of the flats would also have private terraces or balconies.
- 6.5 (d) Housing mix
- 6.5.1 Policy HS2 of the Watford Local Plan seeks for an appropriate housing mix in new residential development and that this mix shall be based on local evidence to meet the needs of the community.
 - 6.5.2 It is considered that this scale of the development in this location should include a good mix of unit sizes to include family sized units and duplexes where possible. Small studio and 1 bed units which are more suited to town centre locations should be minimised in this location.
 - 6.5.3 During the course of the application various design and layout changes have occurred. The layout now includes more ground floor 3 bed duplex units and provides 3bed units to total 47No. 3bed units and 12No. 4 bed units. The development therefore provides 21% 3/4 bed family units, 44% 2 beds and 35% 1bed or studio units. These proportions are supported in accordance with policy HS2 and would create a good mix of community for the site.
- 6.6 (e) Affordable housing provision
- 6.6.1 Policy HS3 of the Watford Local Plan Core Strategy requires 35% provision of affordable housing in schemes of 10 or more units with a tenure mix of 20% Social rent, 65% Affordable rent and 15% shared ownership.

- 6.6.2 Like the previous application, the development includes an excellent and welcome provision of affordable housing. The development offers a policy equivalent provision of affordable housing and this has not been reduced on the basis of viability. Furthermore, following detailed pre-application and application engagement between the applicant and officers, this building provides units of a size and tenure that meet the Borough's most urgent housing needs and is highly commendable on this basis.
- 6.6.3 The provision of 79 of 279 dwellings equates to 28% of the development in unit number. However, this is the result of the unit mix and tenure being amended to meet the Boroughs requirements for larger units and the fact that the applicant has taken on board the boroughs current housing need is welcomed. It is further noted that the affordable housing provision represents 35.5% of the development based on habitable rooms demonstrating that there is no overall shortfall in affordable housing provision.
- 6.6.4 This approach to ensure larger units in the affordable housing offer is strongly supported by officers and is unchanged from the approach of the approved permission for this site. Indeed, this application has a marginal increase in affordable housing provision from 35% to 35.5%, based on the habitable rooms calculation.
- 6.6.5 Similarly, the tenure mix of the affordable units does not meet the proportion requirements of policy HS3 however again, this is as requested by officers and is of positive benefit to the Council and the towns housing needs. The fewer affordable rented units and more shared ownership units within the scheme allow for a larger proportion of social rented units which are the most needed units. The proportional split of the tenures of the affordable units is equivalent to or better than the provision agreed for the previous application.
- 6.6.6 Of particular note is that 21 of the affordable units will be social rented. This is 26.6% of the affordable provision and more than the 20% policy requirement. Moreover, the social rented provision will include all of the larger units (12 x 4 bed 7person units and 9x 3 bed 5 person) which means that these will be genuinely affordable to the waiting families who need these homes.
- 6.6.7 The scheme offers an excellent and welcomed offer of affordable family units to meet the most acute needs of the Borough. The development offers the policy equivalent provision of affordable housing and this has not been reduced on the basis of viability. The development does not rely on a viability assessment. The positive and proactive approach of the applicant to engage

with officers to achieve this is commended.

6.7 (f) Impacts on surrounding properties

6.7.1 The site is enclosed to the north and east by residential properties. The east side of the site includes a new commercial unit (Use Class B1c and B8). This is of two storeys in height however would not include first floor windows which could create overlooking. The building is also sited further away from its boundaries with surrounding houses than the position of the existing commercial buildings. In addition, the existing access is unchanged however will now serve a reduced scale of commercial activity. It is therefore not considered that the building or its commercial use would create any new or increased harm or disturbance to neighbouring. As such, it is not considered that any hours of use conditions for the new commercial building are required

6.7.2 The relationship of the residential development with all neighbours fully accords with policy and guidance. Minimum back to back distances of 27.5m are met or exceeded. Both Block A and Block B/C have been sited and designed to maintain a 25 degree line taken from the centre of the ground floor windows of their nearest neighbours. This is compliant with the 25 degree guidance of section 7.3.13 of the RDG. This compliance indicates that there would not be adverse impact to light and outlook of the neighbouring properties however a full assessment has been carried out in the Sunlight and daylight report dated 7th September 2018 prepared by Robinsons Surveyors Limited in accordance with the BRE guidance 'Site layout planning for daylight and sunlight: a guide to good practice' (BRE, 2011). This report considers the impact caused, by the proposed development upon the daylight and sunlight currently received by the closest neighbouring properties. The assessment has been undertaken using measurable factors of the Vertical Sky Component (VSC), No-Sky Line Contour (NSC), Average Daylight Factor (ADF) and Annual Probable Sunlight Hours (APSH) tests set out within the aforementioned guidance. The specific impacts to the surrounding properties is considered as follows.

6.7.3 *Impact to Nos 1-27 Sydney Road (odds)*

The approved development included Block B to the rear of Nos 7-27 Sydney Road. For this enlarged site, Block B/C has been moved further from these properties and now includes a minimum back to back distance of 50.5m, far exceeding the 27.5m minimum distance. The height and bulk of Block B/C has increased however owing to the separation distances, it is not considered that would result in an overbearing impact to these properties.

6.7.4 The development would not infringe 25 degree lines taken from the Sydney Road properties and is supported by the sunlight and daylight assessment, the

development would not create harm to these properties.

6.7.5 The proposed house to infill the gap between Nos7 and 9 would have a relationship with the side neighbours fully compliant with the RDG. By creating a loft room with dormer, this building would not replicate the outriggers of the terraced neighbours and would not create loss of light or outlook to the rears of the neighbouring properties.

6.7.6 *Impact to Nos. 20-36 Sydney Road (evens)*

The relationship of the development with these properties is unchanged from the approved scheme. The 25 degree relationship of the ground floor windows of these properties to Block A is compliant with the RDG. Being 3 storeys high onto Sydney Road, this building would not be considered to present an overbearing impact to the homes of Nos.20-36. The maximum height of the building up to 10 storeys at the south is unchanged from the approved scheme.

6.7.7 The daylight and sunlight report does recognise that there will be some impact to the front windows of these properties. For all but two properties, the degree of change to all measurable factors is within BRE guidance and fully acceptable. The single bedrooms of Nos28 and 30 would experience a degree of change marginally beyond the BRE guidance limit however as this affects only one window and one room of the house, it is considered that this is not unreasonable or harmful to the overall living environment of these houses.

6.7.8 Block A would be immediately to the south of Nos20-36. The daylight and sunlight report shadowing models show that the minimum hours of sun per day to each property would comply with the BRE tests and guidance and it is considered that these homes would enjoy a good level of sunlight.

6.7.9 The front to front relationship of Block A to Nos20-36 is wholly acceptable and reasonable in a residential area and would not create harmful or unreasonable overlooking.

6.7.10 *Impact to 109-121 Hagden Lane (odds)*

The enlarged site now includes the land to the rear of 109-121 Hagden Lane. As discussed in section 6.7.1 of the report, the commercial development at the rear of these residential premises would create no new or increased harm to the amenities of the occupiers.

6.7.11 *Impact to 3, 4, 5 and 6 Tolpits Close*

Block B/C would be positioned to the rear of Nos 3, 4 and 5. The relationships are fully compliant with RDG guidance. A minimum distance of 27.5m is

maintained between the rear of the Tolpits Lane properties and the upper floor windows and balconies of the east elevation of Block B/C. By virtue of this distance it is not considered that the distance would result in loss of privacy to these properties.

6.7.12 The east elevation of Block B/C, facing the rear of Nos3, 4 and 5 is 5 storeys in height. Beyond this it increases to 10 storeys. This is a significant intensification of building on the site as seen from these properties. It is however noted that block B/C would not infringe 25 degree lines taken from the Tolpits Close properties and is as supported by the sunlight and daylight assessment. Due to the policy compliant relationships and the separation distance between the properties it is not considered that the development would create unreasonable loss of light, outlook or an overbearing impact to the houses.

6.7.13 It is further noted that there is an addition strip of land between the site and the rears of the Tolpits Close properties which contains mature trees. This adds some additional screening between Tolpits Close and the development. However as these trees are not subject to a TPO and as this land is outside of the application site, these trees cannot be secured or protected.

6.7.14 As discussed in section 6.7.5 and 6.7.10, the commercial development at the rear of residential premises would create no new or increased harm to the amenities of the neighbours.

6.7.15 *General*

It is noted that the development will present as a notable change from the existing single storey buildings on site however the measurable factors of sunlight and daylight and assessment in accordance with BRE guidance determine that the development would not create unreasonable harm to neighbours.

6.7.16 In general terms, it is considered that the development will create significant visual and environmental improvements for surrounding properties. The change of use of the site from poor quality industrial to residential and a small, modern, commercial unit will significantly reduce potential noise and disturbance from commercial activities which are not appropriate adjacent to homes. The loss of the poor quality commercial buildings will significantly improve the visual appearance of the site as seen from surrounding properties. The creation of improved boundary treatments and landscaping will further benefit existing properties.

6.8 (g) Transport, access and servicing

- 6.8.1 The site is located in an accessible and sustainable location. The location is highly suited for new development in accordance with policy T2 of the Location of New Development. All occupants would have convenient, legible and safe access into and within the site.
- 6.8.2 The new vehicular access to the residential section of the site is supported. The layout with undercroft access to the car park will allow for turning within the site. The access to the commercial building is as existing and the layout allows for large vehicles to turn within the site.
- 6.8.3 The on-site parking provision for the residential and commercial developments is appropriate and a CPZ exemption would prevent additional on street parking. Therefore, as set out in the transport assessment, the proposed development will result in a reduced number of daily vehicle movements to the site from that seen in the existing commercial uses. No negative impact on the highway is foreseen.
- 6.8.4 Both Blocks A and B/C would include bin and bike storage rooms integrated in their ground floor layout. These would be accessible and appropriate for use. The bins storage is accessible for level collection and the site includes turning area for collection vehicles.
- 6.8.5 Hertfordshire Highways have identified that the public transport options for the road can be supported by bus stop improvements costing £16,000. The cost of this has been shared proportionally between this site and the adjacent development for 227 units (18/00803/FULM). The sustainable transport options of the development will be further supported by a Travel Plan and contributions to Hertfordshire Highways for the Travel Plan to be monitored.
- 6.9 (h) Car and cycle parking
- 6.9.1 The development proposes 145 car spaces to serve the 279 residential units (52%). This is the same proportion as the previously approved scheme and is supported. The commercial development includes 11 car parking spaces for the 714sqm commercial floorspace.
- 6.9.2 The parking standards of the Watford District Plan 2000 set maximum parking requirements for new development. For the residential development proposed in allocated zone 4, the maximum car parking provision would be 505 spaces. The provision of 145 spaces is below that maximum and is compliant with policy.
- 6.9.3 Given the accessible and sustainable location of the site the car-light residential development with low parking provision is supported to prevent

increased traffic and congestion in the area. A s106 agreement will secure measures to restrict future occupiers from entitlement to park in the surrounding Controlled Parking Zone. The development would not therefore result in increased parking on the surrounding roads. The car light approach will also ensure that there are minimal vehicle movements to and from the site to prevent increased traffic movements on Sydney Road from the existing situation.

6.9.4 The proposal also includes cycle provision pursuant to policy T10 and it is noted that the Ebury Way cycle route is easily accessible from the site.

6.9.5 The development will also benefit from the provision of a car club. This is to be secured by S106 to ensure two spaces and a car club is sought for the site for the use of residents of the development and residents in the vicinity of the development. As for the previous application, this is subject to a clause to release the obligation of the Car Club if it is not viable to a car club operator.

6.9.6 The application is accompanied by a Travel Plan which is supported by HCC. A monitoring fee of £6,000 is also sought to monitor the implementation of the approved Travel Plan.

6.9.7 The provision of 11 car parking spaces for the commercial premises is within the maximum standards of the Watford District Plan 2000 for this building (Use Class B1(c) and B8) and is also considered to be sufficient to support the use.

6.10 (i) Environmental considerations

6.10.1 *Environmental Impact Assessment*

The development does not constitute a Schedule 2 or Schedule 3 development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and an EIA was not required for the proposed development.

6.10.2 *Trees and landscaping*

There are no trees on site which are considered to be worthy of long term retention and the loss of the trees on site is acceptable subject to replacement planting. Indeed the re-landscaping of the area will provide visual benefits with the improved frontage onto Sydney Road and new tree planting adjacent to neighbours. Full details of hard and soft landscaping are secured by condition. Particular care will be required in the choice of species and maturity of the trees for the site to ensure short and long term amenity.

6.10.3 *Surface water drainage*

The Lead Flood Authority (HCC) has raised concerns regarding the provision proposed in the SUDs Strategy. It is envisaged that a suitable scheme is achievable in the development and HCC have provided suggested pre-commencement conditions. Approval is recommended subject to these pre-commencement conditions to secure satisfactory surface water drainage. This is the same approach as for the previous application.

6.10.4 *Bats*

Following the initial consultation response from Herts Ecology, a survey was submitted from suitably qualified Environmental Consultant which recorded no evidence of bats on the site.

6.11 Potential future development

6.11.1 The Laundry site to the west of the site has the potential for future development and there is a pending planning application for development of 227 flats there (18/00803/FULM). The development proposed under this application has fairly and responsibly taken into account this adjacent site. For instance, key distances such as 11m minimum gap to the west boundary will allow for the appropriate 22m distance between the two developments at this site.

6.11.2 A rhythm along the street is created through the access ways and gaps between blocks, this has been repeated between the front blocks of each development to allow for a regular rhythm to be continued between the sites. The schemes currently proposed differ in design detail and materials however the form of the developments is consistent to create a comprehensive new south side of Sydney road.

6.11.3 The transport assessment has assumed possible development and assessed cumulative impact. Within the sites, significant ground level changes have prevented a straight forward link between the two sites which would have been of positive design and permeability. Nonetheless, the two developments would not jar or create harm to one another.

6.11.4 The development would therefore be acceptable in relation to neighbouring sites and development, as well as in its own right and would not prejudice future development.

7. Consultation responses received

7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
HCC Lead Flood Authority	Initial objection. Further information provided and re-consultation made. Further objection made however pre-commencement condition suggested should the planning authority wish to use these.	This is the same situation as the original application for which pre-commencement conditions were applied to secure flood measures satisfactory to the Lead Local Flood Authority.
HCC Highways	Awaiting comments	Comments for this application were delayed and will be provided in update sheet. Based on comments for the previous development it is envisaged that the development will remain acceptable in highway terms subject to condition relating to visibility splays and S106 contributions towards Travel Plan. S106 contributions towards bus stops (as requested for the adjacent site) are proposed to be shared between the two sites and are included in the S106 heads of terms.
HCC waste and minerals	Waste Matters are a material planning consideration.	Waste matters considered as part of the application.

HCC s106	Development is subject to CIL.	Noted.
Herts Ecology	Potential for Bats and a Preliminary Roost Assessment (PRA) must be carried out. Information regarding landscaping must be provided.	Preliminary Roost Assessment (PRA) submitted and no bat activity found. Landscaping details to be secured by condition.
Thames Water	No objection with regard to foul water sewage network capacity.	Noted
EA	No comments received.	No specific EA concerns.
Crime Prevention	Site boundaries should be secure. Insufficient parking may increase parking on surrounding roads. Recommendations for specifications made in accordance with Secured by Design.	Landscaping, boundary and lighting matters to be secured by condition. CPZ exemption will prevent parking on surrounding roads. Specification recommendations passed on to applicant.
TFL	Close to proposed MLX line however there are no current active plans or powers to proceed with the MLX.	Noted. It is not considered that the development would undermine the MLX development if that were to come forward.
Network Rail	No response.	Not immediately adjacent to railway so NR comments not specifically required.
UK Power Networks	Advised that the development is within proximity to substation and noise/vibration matters may arise.	This is as assessed in the noise impact assessment submitted with the application. Measures of this report are secured by condition.
Herts Fire and rescue service	Fire hydrants to be secured by s106.	Noted and fire hydrants to be

		secured by s106.
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7.2 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
WBC Waste and Recycling	Bin requirements detailed. Dropped kerb access to bins and turning area for collection vehicle are required.	All noted.
WBC Planning Policy	Initial response raised concerns regarding housing mix, lack of 3 bed duplexes, scale, design, layout, public realm and amenity space. Amendments have been undertaken to the development to seek address some of these points. However the 3/4 bed units provision has reduced and not all concerns have been addressed.	The development has addressed as many concerns as possible within the constraints of the site, its effective use and also with regard to the previous approved scheme. More 3 bed duplexes at ground floor with private gardens are included to provide high quality family homes within the development. The overall housing mix has reduced the 3/4 bed proportions however this has been to allow for significant reductions to the scale and bulk of the development and the overall housing mix proportions are supported. The public realm and amenity areas within the site have seen significant design improvements to support the

		increased scale and bulk.
WBC Environmental Health	No response	In accordance with the response for the EH previous application, a condition added for all windows to meet noise requirements as set out in the submitted noise assessment.
WBC Contamination	No objection subject to conditions.	Conditions included.
WBC Housing	The scheme is fully supported to allow for the provision of larger units. Provision of family units of social tenure are the most needed and active engagement has achieved this.	Noted and agreed.
WBC Arboricultural Officer	No objection subject to seeing details of replacement tree sizes and species.	Detailed landscaping condition included.
WBC Economic Development	The new Humphreys building is welcomed however the loss of other employment land is not welcomed as relocation of businesses may move jobs out of the Borough. A 'community investment plan' is requested.	There is no policy requirement for the retention of employment use on the site. It has not been designated as employment land as it is in close proximity to homes and on restricted roads and there is some conflict of use. The intended retention of Humphreys on site is indeed welcomed. The request for a 'community investment plan' has been passed to the applicant however

		there is no policy requirement for this.
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7.3 Representations received from interested parties

5 letters of objection have been received.

Objection comment	Officer comments
It is supported that Block B is further away from Sydney Road properties however the increased height (up to 12 storeys on block B/C) will cause loss of light and outlook.	The relationship of the 12 storey development with the Sydney Road properties was acceptable. The 25 degree line was marginally infringed however with a minimum back to back distance of 50.5m and a detailed sunlight and daylight report, this was acceptable. The bulk and height of the building has however been amended during the course of the application down to 10 storey maximum and this is now fully compliant with the 25 degree line relationship.
The increase of heights from 7 to 10 storeys to heights of 12 to 13 storeys is out of keeping with the area.	As detailed in the report and decision of the previous application and in the report for this application (section 6.3.2) the maximum heights have been reduced during the application process from 12 storeys to 10 storeys. This is now no taller than the approved scheme.
Development is too dense for the area.	The development does significantly increase the density of the site from the existing buildings however this of an acceptable design and provides efficient use of the brownfield site for new homes in accordance with Council policy and Core objectives. The density of the development would not create unreasonable harm in any respect and is supported as sustainable development.
Insufficient parking for the development	The development provides one car parking space for only some of the flats (52%). The location provides good access to town centre amenities and public transport and is highly suited for occupants without cars. The occupiers of the development will be

	<p>exempt from entitlement to park in the surrounding roads subject to the Controlled Parking Zone. The site will also offer a car club. Car-light development is welcomed in this sustainable location to reduce car journeys in the area and prevent increased congestion in the area. The 52% provision is the same as the previously approved scheme.</p>
<p>Sydney Road is narrow and cannot support additional traffic.</p>	<p>The existing industrial use of the site creates movement of cars and commercial vehicles to and from the site on the restricted Sydney Road. This is the existing situation and could be made significantly worse at any time with an intensification of use at the site. The transport assessment submitted shows that, with the car light nature of the predominant residential development, it will result in fewer vehicle movements to the site than existing. Furthermore, the main residential use of the site will avoid the regular use of Sydney Road by larger commercial vehicles such as HGVs. It is therefore considered that the development would have no detrimental impact to Sydney Road and would represent an improvement to the current use.</p>
<p>Cumulative impact of increased traffic with this and the other developments in Sydney Road.</p>	<p>The transport assessment has been undertaken to include all other approved and pending developments in the road and confirms the cumulative traffic would not have a detrimental impact to Sydney Road.</p>
<p>Increased noise and disturbance to neighbours from the occupants of the flats and their cars.</p>	<p>The proposed residential uses are wholly appropriate and suitable adjacent to existing residential uses in a residential area. This is principally acceptable and would not create unreasonable noise or disturbance to neighbours. Indeed, the predominant residential use of the site is likely to create less noise and disturbance to neighbours as could be created from the existing industrial use the site.</p>
<p>Building work, dust, dirt and traffic would be detrimental to local</p>	<p>This is not a reason for which any development can be refused.</p>

residents.	
Insufficient infrastructure (schools/healthcare etc.) to support this and other developments in Watford.	Watford Borough Council is responsible for granting planning permission for appropriate and sustainable development for new homes. WBC is not responsible for the provision of schools or healthcare which are Herts CC and NHS matters. Through the planning process, contributions towards infrastructure are collected from developers under the Community Infrastructure Levy.
Resident's objections are being ignored.	All representations are being considered carefully by planning officers and members of the Development Management Committee. It is however neither possible or appropriate to reject development which contributes positively to the needs of the borough and is compliant with local and national policy.

8. 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 79 units in Block B/C of the development to be Affordable Housing units comprising 21 no. social rented units (12 no. 4B7P and 9 no. 3B5P), 19 no. Affordable Rented units (19 no. 3B5P) and 39 no. Shared Ownership units (4 no. 1B2P, 25 no. 2B3P and 10 no. 2B4P);
- 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 site;
- iii) To secure a financial payment to Hertfordshire County Council of £6,000 for the long term monitoring of the proposed Travel Plan for the site;

- iv) To secure the provision of fire hydrants to serve the site as required by Hertfordshire County Council;
- v) To secure the operation of a Car Club from the land for use of residents of the development and residents in the vicinity of the development. To also secure the provision of two car parking spaces made available as Car Club Spaces. This is subject to a clause to release the obligation of the Car Club is not viable to a car club operator;
- vi) To secure a financial payment to Hertfordshire County Council of £8,800 towards the provision of a shelter at the nearest westbound bus stop and easy access kerbing at the nearest eastbound bus stop.

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:-

PL_11 Rev B Humphreys Plus Storage Units

PL_001 Location Plan

PL_002 Existing Site Plan

PL_003 Rev A Proposed Site Plan

PL_004 Rev A Proposed Ground Floor Plan

PL_005 Rev A Proposed Landscape Plan

PL-006 Rev A Site Elevation 01

PL-007 Rev A Site Elevation 02

PL-008 Rev A Site Section 01

PL-009 Rev A Site Section 02

PL-010 Rev A Site Section 03

PL-011 Rev A Site Section 04

PL-012 Rev A Site Section 05

PL-013 Rev A Block Plan Consented, existing buildings and containers overlay

PL_A_100 Rev A Block A Residential Area Schedule

PL_A_101 Rev B Block A Ground Floor Plan

PL_A_102 Rev B Block A First Floor Plan

PL_A_103 Rev B Block A Second Floor Plan

PL_A_104 Rev A Block A Third Floor Plan

PL_A_105 Rev A Block A Fourth Floor Plan
PL_A_106 Rev A Block A Fifth Floor Plan
PL_A_107 Rev A Block A Sixth Floor Plan
PL_A_108 Rev A Block A Seventh and Eight Floor Plan
PL_A_109 Rev A Block A Ninth and Tenth Floor Plan
PL_A_111 Rev A Block A North Elevation
PL_A_112 Rev A Block A South Elevation
PL_A_113 Rev A Block A East Elevation
PL_A_114 Rev A Block A West Elevation
PL_A_115 Rev A Block A Section 01
PL_B&C_100 Rev A Block B&C Residential Area Schedule
PL_B&C_101 Rev A Block B&C Ground Floor Plan
PL_B&C_102 Rev A Block B&C First Floor Plan
PL_B&C_103 Rev B Block B&C Second Floor Plan
PL_B&C_104 Rev A Block B&C Third Floor Plan
PL_B&C_105 Rev A Block B&C Fourth Floor Plan
PL_B&C_106 Rev B Block B&C Fifth Floor Plan
PL_B&C_107 Rev A Block B&C Sixth Floor Plan
PL_B&C_108 Rev A Block B&C Seventh Floor Plan
PL_B&C_109 Rev A Block B&C Eighth Floor Plan
PL_B&C_110 Rev A Block B&C Ninth and Tenth Floor Plan
PL_B&C_114 Rev A Block B&C South Elevation
PL_B&C_115 Rev A Block B&C East Elevation
PL_B&C_116 Rev A Block B&C West Elevation
PL_B&C_117 Rev A Block B&C Section 01
PL_B&C_118 Rev A Block B&C Section 02
PL_190 A Terrace Infill House

Appendix E 1 of 3 Rev D Refuse Vehicle Swept Path Residential
Design and Access Statement

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

3. Following completion of measures identified in the approved remediation scheme for the land within the curtilage of the commercial development (Remediation Strategy Report prepared by SLR Consulting Ltd, Document ref. 402.07391.00004) and prior to the first use or occupation of the commercial 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.

Reason: To ensure that 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.

4. Following completion of measures identified in the approved remediation scheme for the land within the curtilage of the residential development (Remediation Strategy Report prepared by SLR Consulting Ltd, Document ref. 402.07391.00004) and prior to the occupation of any dwelling within 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.

Reason: To ensure that 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.

5. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of 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.

Reason: To ensure that 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.

6. No development approved by this planning permission shall take place until a detailed surface water drainage scheme has been submitted to, and approved in writing, by the local planning authority. The surface water drainage system

will be based on the submitted Flood Risk Assessment & Drainage Strategy, Version 1, SLR Ref:402.07391.00004, dated June 2018, produced by SLR and all supporting information. The details should include:

1. Specification of the agreed discharge rate with Thames Water and clarification for which return period.
2. Specification of the proposed discharge total rate for the site for the 1 in 1 year, 1 in 30 years, 1 in 100 years and 1 in 100 years + 40% for climate change allowance.
3. Specification of the proposed discharge rates for each of the proposed sites, that is, Blocks A & B, Warehouse and Terraced House.
4. 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 + 40% climate change event for the entire site.
5. Implementing the appropriate drainage strategy based on attenuation and discharge into Thames Water surface water sewer network using appropriate SuDS measures, like permeable pavement below ground crates as indicated on the drainage strategy.
6. Detailed engineered drawings of the proposed SuDS features and discharge control devices including their, location, size, volume, depth and any inlet and outlet features.
7. Detailed surface water calculations and modelling and respective attenuation volumes for all rainfall events up to and including the 1 in 100 year + climate change event supported by a clearly labelled drainage layout plan showing pipe networks.
8. Detailed design of the drainage scheme layout including detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding discharge and volume calculations/modelling. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
9. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.
10. The scheme shall be fully implemented and subsequently maintained, 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

1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

2. To reduce the risk of flooding to the proposed development and future users.

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

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

8. No external facing materials shall be installed on any residential building of the development until full details and samples of all the materials to be used for the external surfaces of the residential buildings have been submitted to and approved in writing by the Local Planning Authority.

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

9. No external facing materials shall be installed on the B1(c)/B8 commercial building of the development until full details and samples of all the materials to be used for the external surfaces of that building have been submitted to and approved in writing by the Local Planning Authority.

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

10. No dwelling within the development shall be occupied until a detailed hard landscaping scheme for the residential section of the site, including details of the roof gardens, hardstanding, site boundary treatments, children's play area and external lighting 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.

11. No dwelling within the development shall be occupied until a detailed soft landscaping scheme for the residential section of site, including details of the roof gardens and appropriate irrigation systems, and a landscape management and maintenance plan, has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be based upon the Landscape Proposals of the approved drawings. The approved soft 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 B1(c)/B8 building of the development shall be occupied until a detailed hard landscaping scheme for the commercial section of the site, including details of hardstanding and site boundary treatments, have been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details.

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

13. No dwelling within the development shall be occupied until the new access and egress arrangements from Sydney Road, as shown in principle on the approved drawings has been completed in full.

Reason: In the interests of the safe operation of the site and the surrounding highway, in accordance with saved Policies T21 and SE7 of the Watford District Plan 2000.

14. Prior to the first residential occupation of the development hereby permitted, vehicular visibility splays measuring 25m x 2.4 metres minimum shall be provided to each side of the new access where it meets the highway of Sydney Road and such splays shall thereafter be maintained at all times free from any

obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: In the interests of the safe operation of the site and the surrounding highway, in accordance with saved Policies T21 and SE7 of the Watford District Plan 2000.

15. No dwelling within the development shall be occupied until the bin and bicycle storage has been provided for the use of residents, in accordance with the approved drawings. These facilities shall be retained at all times for the use of the residential occupiers of the dwellings.

Reason: To ensure that adequate facilities exist for the future occupiers of the dwellings, in accordance with saved Policies T10 and SE7 of the Watford District Plan 2000, Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and the Residential Design Guide 2016.

16. 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.

17. No dwelling shall be occupied until the details of car parking allocation have been submitted to and approved in writing by the Local Planning. The provision shall include an agreed allocation of on site residential car parking spaces for use by the the affordable housing units. The car parking spaces shall remain available for use by the allocated residents, in accordable with the agreed allocations, unless otherwise agreed in writing by the Local Planning Authority

Reasons: To ensure a suitable allocation of car parking spaces for the affordable housing provision.

18. Upon completion, a complete set of as built drawings for both site drainage and any exceedance flow route should be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include:
1. Provision of complete set of as built drawings for the site drainage and informal flooding arrangements shown on a plan.
 2. Details of any inspection and sign-off requirements for completed elements of the drainage system.

Reason

1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
2. To reduce the risk of flooding to the proposed development and future users.

19. Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include maintenance and operational activities; arrangements for adoption

Reason

1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
2. To reduce the risk of flooding to the proposed development and future users.

20. All residential units shall achieve the recommended maximum internal noise levels under BS 8233 through the provision of a good quality window units with a Rw of at least 26 dB in accordance with the noise assessment dated November 2017 prepared by SLR (Ref 402.07391.00002).

Reason: To ensure residential occupiers do not experience noise and disturbance.

21. The commercial premises shall be used only as for uses within B1C (Industrial) and B8 (storage and distribution) and shall be used for no other purpose unless otherwise approved in writing by the Local Planning Authority.

Reason: Other uses may not be suitable for the premises and would require consideration on their own merits.

22. 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.

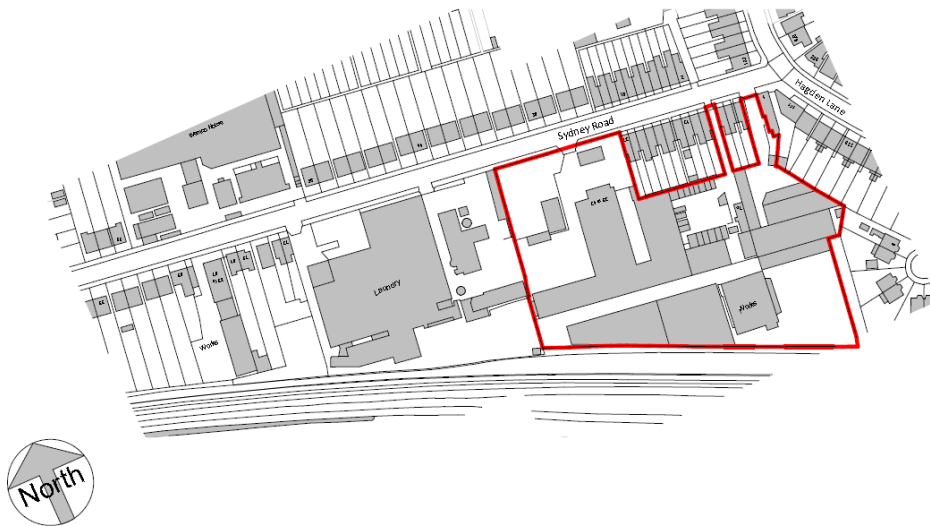
Reason: In the interests of the character and appearance of the building, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

Informatives

IN912 Hours of Construction

IN913 Community Infrastructure Levy Liability
IN914 Section 106 Undertaking
IN909 Street Naming and Numbering
IN907 Consideration of proposal in a positive and proactive manner
IN915 Highway Works – HCC agreement required

1-43 Sydney Road 18/00842/FULM

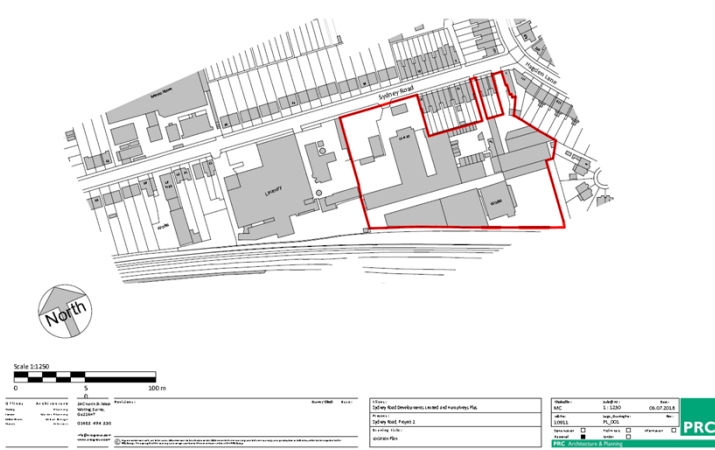


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PRC	PRC	1-43 Sydney Road	18/00842/FULM		
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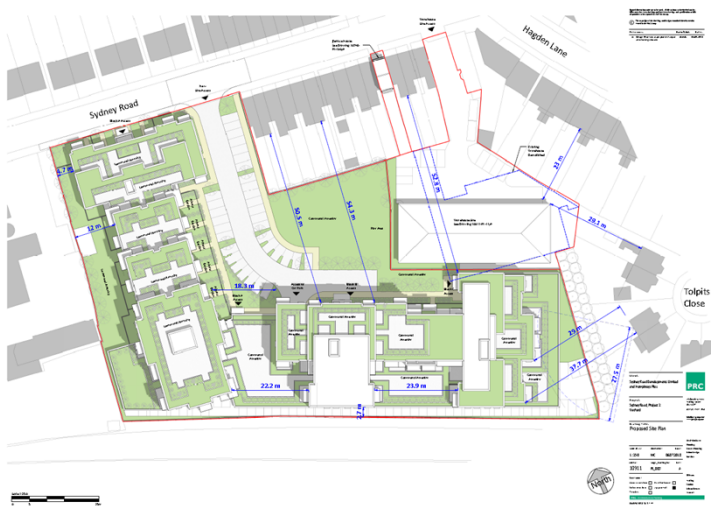
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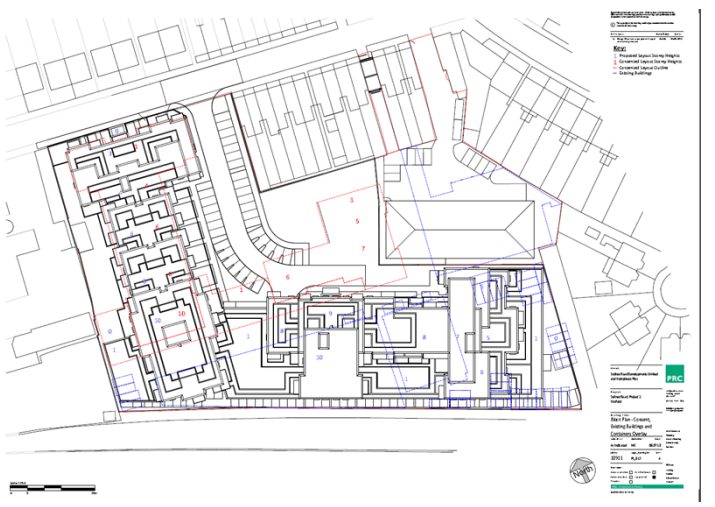
1 - Site Location Plan



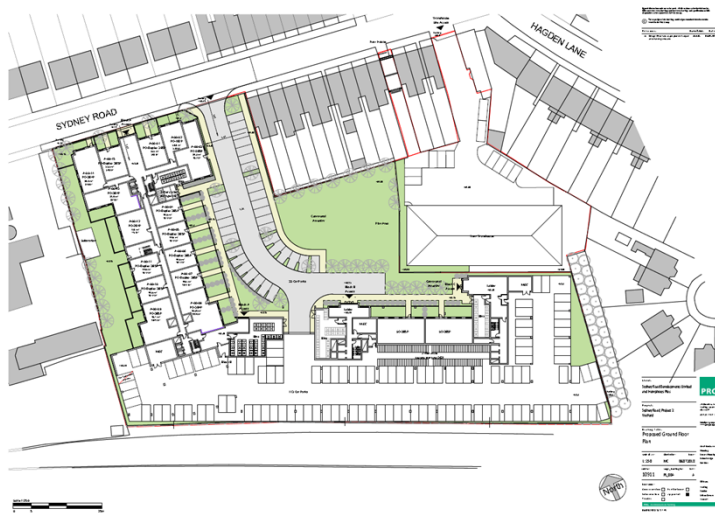
2 - Proposed Site Plan



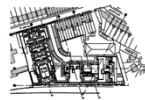
3 - Block Plan of consented and proposed schemes



4 - Site Ground floor plan



5 - North streetscene view

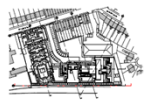


North (Sydney Road) Elevation
1:250

Architectural Services
© 2024
Project Name: [Redacted]
Scale: 1:250
Date: [Redacted]

Architectural Services
© 2024
Project Name: [Redacted]
Scale: 1:250
Date: [Redacted]

6 - South side view

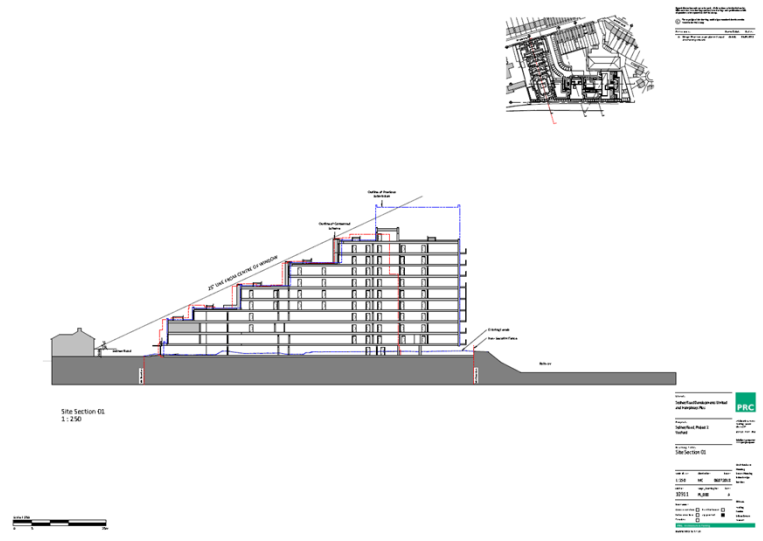


South (The Herby Side) Elevation
1:250

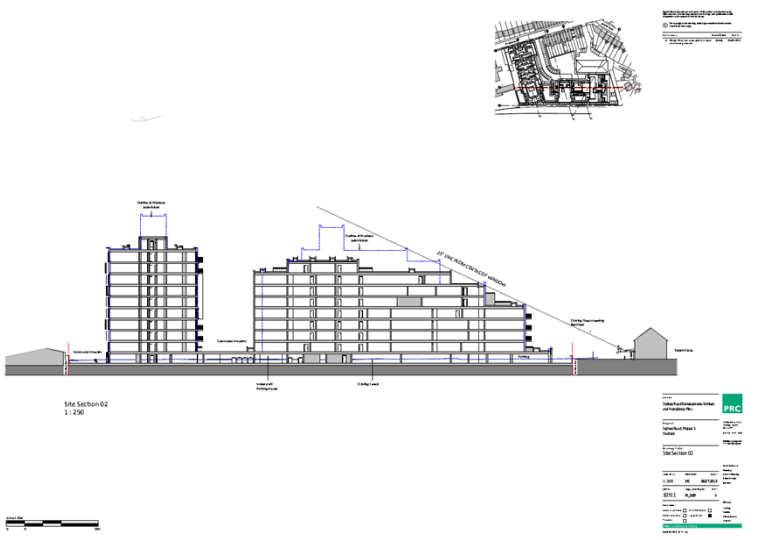
Architectural Services
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Project Name: [Redacted]
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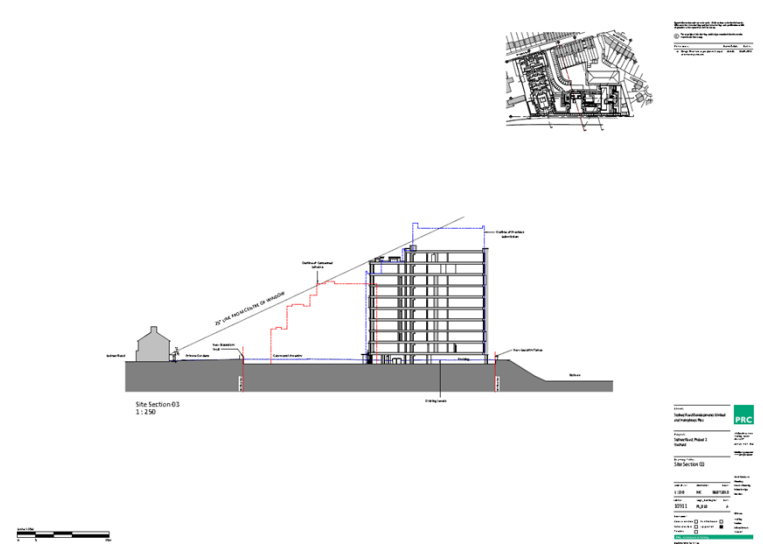
7 - site section 01



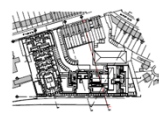
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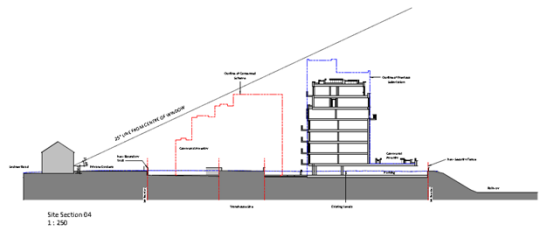
9 site section 03



10 site section 04



PRC
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 Date: [illegible]

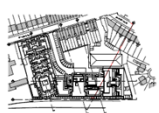


Site Section 04
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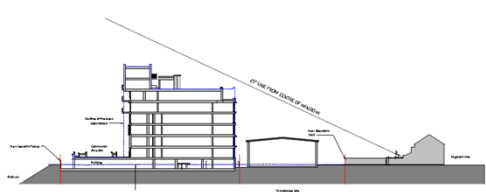
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 Date: [illegible]



11 Site section 05



PRC
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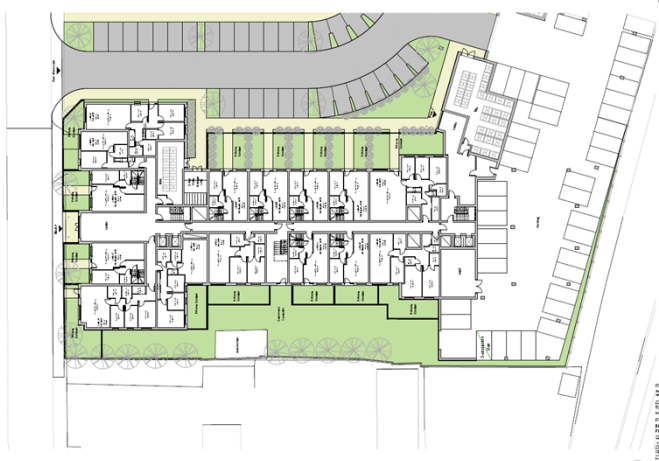


Site Section 05
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PRC
 Project Name: [illegible]
 Date: [illegible]



12 - Block A Ground Floor Plan



PRC
 Project Name: [illegible]
 Date: [illegible]

PRC
 Project Name: [illegible]
 Date: [illegible]



13 - Block A First floor plan



14 - Block A Sydney Road elevation North



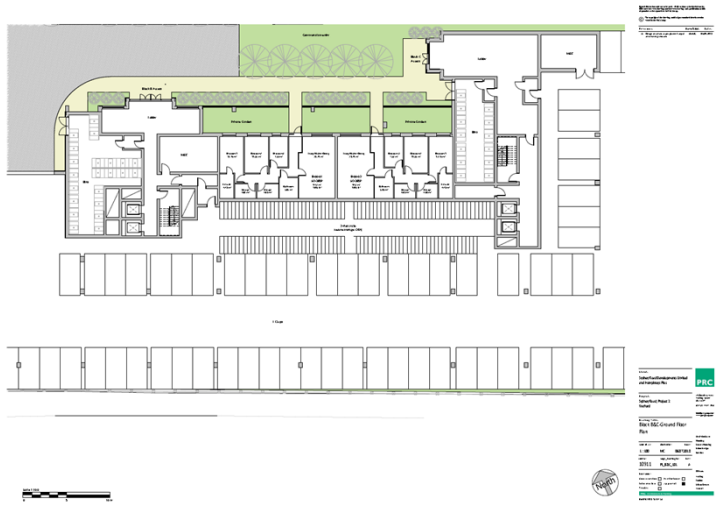
15 - Block A South elevation



16 Block A East elevation



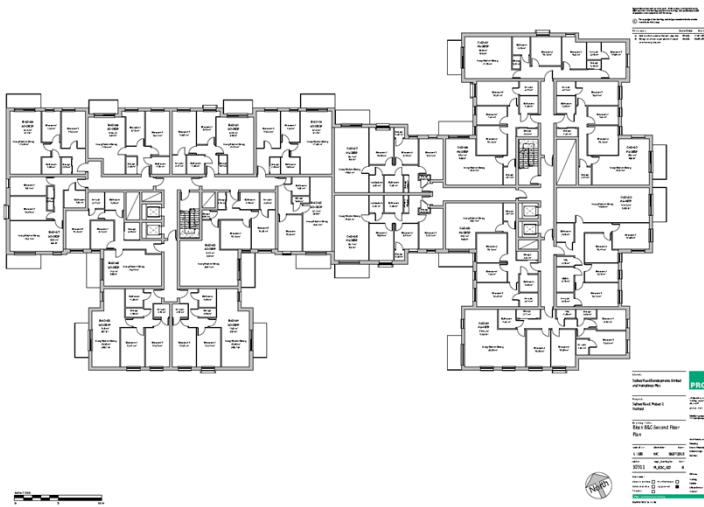
17 - block B ground floor plan



18- block BC first floor plan



19 - Block BC second floor plan



20 Block BC North elevation



21 Block BC South elevation



Landscape plan



Committee date	3 rd October 2018
Application reference	18/00803/FULM
Site address	Nos. 45-69 And 73-89, Including former Watford Laundry Sydney Road
Proposal	Proposed redevelopment of the site to provide 227 residential units in buildings ranging from 3 to 11 storeys, with 160 car parking spaces (including car club and accessible provision); communal landscaped amenity areas, secure cycle parking and other associated development
Applicant	Fairview New Homes (Watford) Ltd
Agent	Fairview New Homes (Watford) Ltd
Type of application	Full planning permission: Major
Reason for committee item	Major Application
Target decision date	16 th October 2018 (Extended by mutual agreement)
Statutory publicity	Press advertisement and site notice with overall expiry of 23 August 2018.
Case officer	Alice Reade alice.reade@watford.gov.uk
Ward	Holywell

1. Recommendation

Approve subject to conditions and the completion of a section 106/Unilateral Undertaking, as set out in section 8 of this report.

2. Site and surroundings

- 2.1 The site of 1 hectare is positioned between Sydney Road to the north and railway line to the south. The site currently contains the former Watford Laundry building which is vacant and in disrepair. The site also includes 7 detached and demi detached houses on the south side of Sydney Road.
- 2.2 The site includes significant ground levels with land rising to the east and south east corner.
- 2.3 Adjacent to the east of the site are the industrial and commercial premises of Nos 1-43 Sydney Road. This has planning permission for residential development and has another pending application for further development. Opposite the site to the north are terrace properties of Sydney Road and the 'Wemco' site which is currently commercial/industrial however has planning permission for residential development with 4 storeys onto Sydney Road.
- 2.4 The remainder of Sydney Road is predominantly residential with two storey

terraces bordered by the site and two storey semi-detached houses on the opposite side of Sydney Road. The west end of Sydney Road includes 3 and 4 storey residential flats.

- 2.5 The site is within a predominantly residential area and is not within an allocated employment area. There are parking restrictions, including residential Controlled Parking Zone along the roads within the vicinity of the site. The site is not within a conservation area and there are no listed or locally listed buildings within or adjoining the site.

Further information is available in the appendices to the report and on our [website](#).

3. Summary of the proposal

3.1 Proposal

The proposal is for the demolition of the existing commercial and residential buildings on site and the erection of a development as follows:

- i) Residential development within 8 apartment blocks of 3 to 11 storeys in height
- ii) To contain 227 apartments
- iii) Car parking for 160 cars
- iv) Associated landscaping works and other development.

- 3.2 The scheme was amended during the course of the application with:

- Removal of one of the two site vehicle entrances to replace with pedestrian entrance and landscaping
- Improvements to the public realm and ground level amenity space.

- 3.3 The scheme is presented with two options for affordable housing provision as set out and discussed in section 6.6 of the report.

3.4 Conclusion

In accordance with the residential designation of the area and as accepted under the approved application for residential development at adjacent commercial sites, the residential development is appropriate and welcomed. The employment uses on site are not suitable for retention due to the residential location of the site. The site is brownfield land, is close to the town centre, is not at risk of flooding and has good access to public transport and a wide range of services.

- 3.5 The development is successfully scaled to provide a modest and positive

frontage onto Sydney Road whilst scaling up to the south of the site and south east corner of the site facing the railway and school fields beyond. The layout of the 8 blocks of the scheme creates a well designed and successful site for new homes.

- 3.6 The development is fully compliant with policy in respect of its principle, the relationship with neighbours and the quality of accommodation.
- 3.7 The development has been subject to a viability assessment. The review by Councils consultants has confirmed that the affordable housing provision offered under two options is reasonable to what the development can provide. Option B as detailed in section 6.6 of the report is the preferred option to provide 19No. social and affordable rented units.
- 3.8 The development offers high quality design that will enhance the current poor appearance of the site and its frontage onto Sydney Road. The development will represent a change to surrounding properties however, as assessed in detail, this would not constitute unreasonable harm to light, outlook or privacy of neighbours. The scheme will create high quality, sustainable homes and offer affordable housing provision.

4. Relevant policies

Members' attention is drawn to the list of background papers attached to the agenda.

5. Relevant site history/background information

Pre-application advice and discussions have been held in relation to residential development on the site (Ref 17/00975/PREAPP). This advised that the principle of residential development was supported. The scaling and design on site was broadly supported subject to detailed assessment.

6. Main considerations

- 6.1 The main issues to be considered in the determination of this application are:
 - (a) Principle of the change of use of the site.
 - (b) Scale and design.
 - (c) Quality of residential accommodation.
 - (d) Housing mix
 - (e) Affordable housing provision.
 - (f) Impacts on surrounding properties.

- (g) Transport, access and servicing.
- (h) Car and cycle parking.
- (i) Environmental considerations
- (j) Potential future development

6.2 (a) Principle of the change of use of the site.

6.2.1 The site is not designated for employment uses and the loss of the aging, poor quality commercial space would not be harmful to the commercial needs of the town. It is further noted that commercial redevelopment of the site, with potential for increased industrial activity and HGVs, is likely to be problematic in the residential context and served by the surrounding roads. Retention of the site for commercial uses is therefore not considered to be appropriate.

6.2.2 The site is within a predominantly residential location and offers an opportunity for brownfield residential development pursuant to housing delivery required by the NPPF and also meeting housing needs pursuant to Priority 1 of the Corporate Plan for Watford Borough Council and the Core Strategy.

6.2.3 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 the town centre, is not at risk of flooding and has good access to public transport and a wide range of services. Furthermore, the site has no heritage significance or biodiversity or landscape value. The residential development of the site would therefore be in keeping with the residential nature of the area. The principle of residential provision is therefore supported. This principle for residential development is also supported by the recent grant of planning permission for residential development of 135 dwellings at the adjacent site (Ref 17/01591/FULM).

6.2.4 It is noted that the development involves the loss of 7 houses on the site. This loss is however far outweighed by the net gain of dwellings for the overall site.

6.3 (b) Scale and design

6.3.1 The proposed development successfully responds to the constraints and opportunities of the site. The scale of the buildings, up to 11 storeys, will represent a significant intensification in scale at the site however the siting and design is of high quality and is supported.

6.3.2 Blocks A, C, E and G front Sydney Road. The height of these, at 3 and 4 storeys with flat roof responds appropriately to the 2 storey pitched roof context.

Where Blocks E and G step up to 4 storeys, this responds to the 4 storey height of the Wemco development opposite. Owing to the ground level changes at the site, the 4 storey blocks of Block G and E at the west of the site will sit approximately level with the 3 storeys of blocks C and A at the east which are on higher ground level.

- 6.3.3 The 3 storey height of Block A will sit comfortably with the 3 storey block of the approved and pending schemes at the adjacent site. There are significant ground level changes between these sites however the 3 storey height and gap between the front blocks will allow for this to be a comfortable transition.
- 6.3.4 These front blocks of the development would also have an appropriate relationship with the adjacent semi detached houses at Nos 91/93. The development would sit forward of these adjacent houses however this follows the same building line of existing buildings on the site to be replaced, and indeed sits back from the existing front building line of Laundry building. Block G also includes a step back to be level with No91 to create a comfortable transition.
- 6.3.5 The 4 front blocks are appropriately spaced with each other and the adjacent site. Gaps between the blocks and between block A and the eastern boundary to ensure that the development is not cramped on the streetscene and a rhythm is created between the two developments.
- 6.3.6 Behind each of the 4 front blocks are 4 rear blocks. These step from 7 storeys at Block H to part 11 storeys of Blocks D and B in the south east corner of the site. The stepping up of the heights is successful within the site and context. The development of the site would not exceed a 25 degree line taken from the ground floor windows of the properties on the opposite side of Sydney Road. These taller buildings are also away from the main Sydney Road streetscene. This scaling therefore allows the development to maximise the opportunity of the more open southern end of the site whilst being largely hidden from the main Sydney Road frontage.
- 6.3.7 As such, as read in the streetscene of Sydney Road, this height would not be dominant or incongruous and indeed would reflect the 3 and 4 storey development at the west end of Sydney Road, the 4 storey height of the Wemco site opposite and 3 storey height of the adjacent scheme.
- 6.3.8 The width and contemporary design of the development will be in contrast to the terraced houses of Sydney Road however the frontage will continue the residential pattern of Sydney Road and will be a significant enhancement to the streetscene from the existing site. The frontage of the four front blocks

will include small front gardens and entrances to the main blocks and also private entrances to ground floor units. It is disappointing that the development has not created duplexes on the Sydney Road elevation however the pattern of entrances will respond to the character of frontages in the streetscene and creates activity and active frontages on the Sydney Road frontage.

- 6.3.9 The overall design approach of the building is contemporary but wholly appropriate for the site and context. The robust design and materiality are reminiscent of an industrial vernacular and an appropriate response to the industrial history of the site.
- 6.3.10 Within the development, a good built environment design is created. The central space of the development between the two sets of 4 blocks has the opportunity to create a new 'street' within the development. Although this is largely utilised by car parking, this has been minimised with the provision of a part undercroft parking area utilising the ground level changes. The area is also well broken with landscaping and opens well into the pockets of amenity areas between the buildings, meaning that subject to high quality surface detailing, has the potential to be a successful 'Home zone'
- 6.3.11 The development represents high quality and well thought out design. The development makes effective use of the site whilst paying appropriate respect to the context. The quality of design for future occupiers is good and the development is fully supported in design terms.
- 6.4 (c) Quality of residential accommodation
- 6.4.1 The proposal will provide 279 residential units, with 278 flats and one house. All will comply with the minimum floorspace of the nationally described space standard. All will have suitable levels of outlook, natural light and privacy.
- 6.4.2 Separation distances between windows of the residential units within and around the development will all exceed the minimum 22m required by section 7.3.16 of the RDG, meaning that all new flats would have good levels of privacy. A minimum distance of 11m is maintained to the east boundary (1-43 Sydney Road site) to ensure a minimum 22m gap can be maintained with development there.
- 6.4.3 The significant majority of flats would be dual aspect. There are no single aspect north facing units in the scheme.

6.4.4 High quality communal amenity areas have been incorporated into the development including around the buildings. These are laid out as useable, functional spaces with areas that will allow for good landscaping and good natural surveillance. Almost all of the flats would also have private terraces or balconies.

6.5 (d) Housing mix

6.5.1 Policy HS2 of the Watford Local Plan seeks for an appropriate housing mix in new residential development and that this mix shall be based on local evidence to meet the needs of the community.

6.5.2 It is considered that this scale of development in this location should include a good mix of unit sizes to include family sized units and duplexes where possible. Small studio and 1 bed units which are more suited to town centre locations should be minimised in this location.

6.5.3 The applicant was unable to provide duplex units however during the course of the application the layout of Block B was amended to allow for an increased provision of 3 bed units in the affordable housing offer to include 11No. 3 bed 4 person units and 28No. 3 bed 5 person units.

6.5.4 With these units in addition to the 6No. 3bed market units, the development provides 20% 3 bed units. The site overall provides 21% 1 bed units and 59% 2 bed units. These proportions are supported in accordance with policy HS2 and would create a good mix of community for the site.

6.6 (e) Affordable housing provision

6.6.1 Less the 7 units lost, the development proposes a net gain of 220 dwellings. Policy HS3 of the Watford Local Plan Core Strategy requires 35% provision of affordable housing in schemes of 10 or more units with a tenure mix of 20% Social rent, 65% Affordable rent and 15% shared ownership.

6.6.2 The development has failed to provide affordable housing provision that is compliant with or equivalent to the policy guidance and has been subject to a viability assessment which has been reviewed by the Councils consultants, BNP Paribas. There are two options for affordable housing provision. Both have been assessed as being of a maximum provision whilst allowing the development to be viable.

6.6.3 Option A proposes all 60 units in Block B to be affordable with 33 units to be affordable rent (upper ground to 4th floor) and 27 units of shared ownership (5th to 10th floor).

Units	1 bed	2 bed	3 bed	Total
Social Rent	0	0	0	0
Affordable Rent	5	8	20	33
Shared ownership	1	7	19	27
Total	6	15	39	60

Figure 1: Option A Affordable housing split on tenure and unit size

6.6.4 Option A provides affordable housing of 26.4% of the development based on unit number and 31% of the development based on habitable rooms. (NB Habitable rooms calculated as 1 bed = 2 hab rooms, 2 bed = 3 hab rooms and 3 bed = 4 hab rooms). Based on Habitable room provision, this is only 4% short of the 35% policy however with no social rent, Option B would fail to provide the most needed tenure of units and would fail to meet or better the tenure mix of policy HS3.

6.6.5 Following discussions with officers, Option B has been offered. At a similar cost to the Option A, Option B offers 19 units as affordable housing of which 8 will be social rent and 11 will be affordable rent. These will be in Block B (upper ground, 1st and 2nd floors) with the remaining 41 units of block B to be private with no shared ownership units in the development.

Units	1 bed	2 bed	3 bed	Total
Social Rent	0	0	8	8
Affordable Rent	3	4	4	11
Shared ownership	0	0	0	0
Total	3	4	12	19

Figure 2: Option B Affordable housing split on tenure and unit size

6.6.6 Option B provides 8.6% affordable housing based on unit number and 10.8% on habitable room provision. Both are significantly below the 35% policy. The 19 units of Option B is also substantially fewer than the 60 units offered under

option A however option B is provides social rented units and is preferred by officers to meet the most acute housing needs of the Borough.

6.7 (f) Impacts on surrounding properties

6.7.1 The relationship of the development with neighbours fully accords with policy and guidance. Specifically, all minimum distances are maintained and the development would not infringe the 25 degree line taken from the ground floor windows of the properties opposite the site. This is compliant with the 25 degree guidance of section 7.3.13 of the RDG. This compliance indicates that there would not be adverse impact to light and outlook of the neighbouring properties however a full assessment has been carried out in the sunlight and daylight report carried out in accordance with the BRE guidance 'Site layout planning for daylight and sunlight: a guide to good practice' (BRE, 2011). This report considers the impact caused by the proposed development upon the daylight and sunlight currently received by the closest neighbouring properties. The assessment has been undertaken using measurable factors of the Vertical Sky Component (VSC), No-Sky Line Contour (NSC), Average Daylight Factor (ADF) and Annual Probable Sunlight Hours (APSH) tests set out within the aforementioned guidance.

6.7.2 *Nos 36-58 Sydney Road (evens) and the Wemco Site development*

The development is located opposite and to the south of these existing and proposed properties. The 25 degree line from the ground floor of these properties would not be infringed by the development. The impact as assessed in the sunlight and daylight report confirms no unreasonable loss of light.

6.7.3 *Nos 91/93 Sydney Road*

Block G would be positioned adjacent to the flank boundary of No91. Adjacent to No91, Block G would sit 0.8m forward of No91 and would project 1.6m beyond the rear of No 91. This relationship would not infringe the 45 degree lines taken on plan or elevation from the nearest windows of No91 or 93. Block G would not therefore result in unreasonable loss of light or outlook. The flank of Block G does not include clear glazed windows. The rear windows of Block G, looking down the garden of No91, are reasonable and as expected in a residential area and would not create unreasonable overlooking.

6.7.4 Block H is however positioned with clear glazed windows of its west elevation facing the boundary shared with No91. These would however be positioned 11.1m from the boundary so would comply with the minimum distance for windows to garden boundaries set as 11m in the RDG. It is also noted that the habitable room windows of the north elevation of Block H would be offset

from the rear of No91/93 and would be compliant with the privacy arc relationship of the RDG. As such, the development would not create unreasonable overlooking to this neighbour.

6.7.5 It is noted that the 7storey building of Block H would represent a significant change in the outlook from Nos 91 and 93, however as this is off set to their rear windows and is positioned 11.1m from the boundary, this is not considered to constitute as an overbearing impact to the house or garden at No91/93.

6.7.6 *General*

It is noted that the development will present as a notable change from the existing two and single storey buildings on site however the measurable factors of sunlight and daylight and assessment in accordance with BRE guidance determine that the development would not create unreasonable harm to neighbours.

6.7.7 It is considered that the development will create significant visual and environmental improvements for surrounding properties. The change of use of the site from poor quality industrial to residential and a small, modern, commercial unit will significantly reduce potential noise and disturbance from commercial activities which are not appropriate adjacent to homes. The loss of the poor quality commercial buildings will significantly improve the visual appearance of the site as seen from surrounding properties. The creation of improved boundary treatments and landscaping will further benefit existing properties.

6.8 (g) Transport, access and servicing

6.8.1 The site is located in an accessible and sustainable location. The location is highly suited for new development in accordance with policy T2 of the Location of New Development. All occupants would have convenient, legible and safe access into and within the site

6.8.2 The new vehicular access to the residential section of the site is supported. The layout will allow for turning within the site.

6.8.3 An appropriate level of on-site parking would be provided and a CPZ exemption would prevent on street parking.

6.8.4 A set out in the Transport Assessment, the proposed development will result in a small increase of net trip generation in the PM peak however a reduction through the AM peak and a reduction of HGV trips. The Transport assessment

has confirmed that any increases in net trip generation are within highway and junction capacity. As confirmed by Herts Highways authority, no negative impact on the highway is foreseen.

- 6.8.5 All Blocks include bin and bike storage rooms integrated in their ground floor layout. These would be accessible and appropriate for use. The bin storage is accessible for level collection and the site includes turning area for collection vehicles.
- 6.8.6 Hertfordshire Highways have identified that the public transport options for the road can be supported by bus stop improvements costing £16,000. The cost of this has been shared proportionally between this site and the adjacent development for 278 units (18/00842/FULM). The sustainable transport options of the development will be further supported by a Travel Plan and contributions to Hertfordshire Highways for the Travel Plan to be monitored.
- 6.9 (h) Car and cycle parking
 - 6.9.1 The development proposes 160 car spaces to serve the 227 residential units (70%). This proportion is similar to the 52% provision of the approved scheme at the adjacent site (17/01591/FULM) and is supported.
 - 6.9.2 The parking standards of the Watford District Plan 2000 set maximum parking requirements for new development. For the residential development proposed in allocated zone 4, the maximum car parking provision would be 362 spaces. The provision of 160 spaces is below that maximum and is compliant with policy.
 - 6.9.3 Given the accessible and sustainable location of the site the car-light residential development with low parking provision is supported to prevent increased traffic and congestion in the area. A s106 agreement will secure measures to restrict future occupiers from entitlement to park in the surrounding Controlled Parking Zone. The development would not therefore result in increased parking on the surrounding roads. The car light approach will also ensure that there are minimal vehicle movements to and from the site to prevent increased traffic movements on Sydney Road from the existing situation.
 - 6.9.4 The proposal also includes provision cycle pursuant to policy T10 and it is noted that the Ebury Way cycle route is easily accessible from the site.
 - 6.9.5 The development will also benefit from the provision of a car club. This is to be secured by S106 to ensure two spaces and a car club is sought for the site

for the use of residents of the development and residents in the vicinity of the development. As for the previous application, this is subject to a clause to release the obligation of the Car Club if it is not viable to a car club operator.

6.9.6 The application is accompanied by a Travel Plan which is supported by HCC. A monitoring fee of £6,000 is also sought to monitor the implementation of the approved Travel Plan.

6.10 (i) Environmental considerations

6.10.1 a) Environmental Impact Assessment

The development does not constitute a Schedule 2 or Schedule 3 development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and an EIA was not required for the proposed development.

6.10.2 b) Trees and landscaping

There are no individual trees on site which are considered to be worthy of long term retention and the loss of the trees on site is acceptable subject to replacement planting. Indeed the re-landscaping of the area will provide visual benefits with the improved frontage onto Sydney Road and new tree planting adjacent to neighbours. Full details of hard and soft landscaping are secured by condition. Particular care will be required in the choice of species and maturity of the trees for the site to ensure short and long term amenity.

6.10.3 c) Surface water drainage

The Lead Flood Authority (HCC) has raised no objections subject to condition to secure surface water drainage strategy.

6.10.4 d) Bats

Following the consultation response from Herts Ecology, a survey was submitted from suitably qualified Environmental Consultant and Herts Ecology have confirmed no ecological objection to the development.

6.11 (j) Potential future development

6.11.1 The current commercial site to the east of the site (Nos1-43 Sydney Road) has planned future development. There is an approved scheme of 135 at this site (17/01591/FULM) and a pending planning application for development of 278 flats and commercial unit (18/00803/FULM). The development proposed under this application has fairly and responsibly taken into account this adjacent site. For instance, key distances such as 11m minimum gap to the west boundary will allow for the appropriate 22m distance between the two

developments at this site.

6.11.2 A rhythm along the street is created through the access ways and gaps between blocks, this has been repeated between the front blocks of each development to allow for a regular rhythm to be continued between the sites. The schemes currently proposed differ in design detail and materials however the form of the developments is consistent to create a comprehensive new south side of Sydney road.

6.11.3 The transport assessment has assumed possible development and assessed cumulative impact. Within the sites, significant ground level changes have prevented a straight forward link between the two sites which would have been of positive design and permeability. Nonetheless, the two developments would not jar or create harm to one another.

6.11.4 The development would therefore be acceptable in relation to neighbouring sites and development, as well as in its own right and would not prejudice future development.

7. Consultation responses received

7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
HCC Lead Local Flood Authority	Surface Water Drainage scheme supported. No objection. Conditions recommended	Noted and conditions added.
HCC Highways	No objection subject to conditions and informatives. S106 for £6000 for travel plan monitoring and £16,000 for bus stop improvements.	The 3 conditions are duplication of information already provided and also duplication of other powers so are not reasonable, appropriate or enforceable as planning conditions.
HCC waste and minerals	Waste Matters are a material planning consideration.	Waste matters considered as part of the application.
HCC s106	Development is subject to CIL.	Noted.

Herts Ecology	Potential for Bats and a Preliminary Roost Assessment (PRA) must be carried out. Information regarding landscaping must be provided.	Preliminary Roost Assessment (PRA) submitted and no bat activity found. Landscaping details to be secured by condition.
Thames Water	No objection with regard to foul water sewage network capacity.	Noted
Environment Agency	No response	No specific EA concerns.
Crime Prevention	Insufficient parking may increase parking on surrounding roads. Recommendations for specifications made in accordance with Secured by Design.	CPZ exemption will prevent parking on surrounding roads. Specification recommendations passed on to applicant.
TFL	Close to proposed MLX line however there are no current active plans or powers to proceed with the MLX.	Noted. It is not considered that the development would undermine the MLX development if that were to come forward.
Network Rail	No response.	Not immediately adjacent to railway so NR comments not specifically required.
Herts Fire and rescue service	Fire hydrants to be secured by s106.	Noted and fire hydrants to be secured by s106..

7.2 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
WBC Waste and Recycling	No response	There is bin storage with level access to the road and the site includes a turning area suitable for a refuse lorry. No foreseeable concerns.
WBC Planning Policy	Initial response raised concerns regarding housing mix, lack of 3 bed duplexes and raised some	Design improvements to the public realm and amenity areas have been incorporated. The

	improvement suggestions to design including amenity space and 'home zone' for the internal street.	development has increased its provision of 3bed units. Awaiting final policy comments.
WBC EH	No response	No response however on review of Noise Impact assessment, case officer recommends condition to secure noise attenuation measures for the flats.
WBC Contamination	No objection subject to conditions.	Conditions included.
WBC Housing	Larger units are welcomed. The affordable housing offer is below policy requirements on habitable room provision and tenure mix. Subject to viability, an offer should prioritise the provision	Housing officers have been involved in discussions
WBC Arboricultural Officer	It is a heavy loss of trees however no objection subject to seeing details of replacement tree sizes and species.	Detailed landscaping condition included.
WBC Economic Development	The loss of employment land is not welcomed as relocation of businesses may move jobs out of the Borough. A 'community investment plan' is requested.	There is no policy requirement for the retention of employment use on the site. It has not been designated as employment land as it is in close proximity to homes and on restricted roads and there is some conflict of use. The intended retention of Humphreys on site is indeed welcomed. The request for a 'community investment plan' has been passed to the applicant however there is no policy

		requirement for this.
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7.3 Representations received from interested parties

3 letters of objection were received

Objection comment	Officer comments
The height is out of keeping with the area.	The scaling up of the development to 11 storeys is considered to be acceptable. These tallest elements are set away from Sydney Road and would not appear incongruous in this streetscene. The height is also appropriate to the adjacent approved 10 storey scheme at the next door site.
Insufficient parking for the development	The development provides one car parking space for only some of the flats (70%). The location provides good access to town centre amenities and public transport and is highly suited for occupants without cars. The occupiers of the development will be exempt from entitlement to park in the surrounding roads subject to the Controlled Parking Zone. The site will also offer a car club. Car-light development is welcomed in this sustainable location to reduce car journeys in the area and prevent increased congestion in the area. The 70% provision is similar to the 52% at the previously approved scheme adjacent.
Cumulative impact of increased traffic with this and the other developments in Sydney Road.	The transport assessment has been undertaken to include all other approved and pending developments in the road and confirms the cumulative traffic would not have a detrimental impact to Sydney Road.
Development includes the loss of family sized houses which is not justified.	The loss of these 7 houses allows for the development to maximise the site by creating and the net gain of housing and affordable housing, to a suitable layout and design, is considered to outweigh the loss of these houses.

<p>Insufficient infrastructure (schools/healthcare etc.) to support this and other developments in Watford.</p>	<p>Watford Borough Council is responsible for granting planning permission for appropriate and sustainable development for new homes. WBC is not responsible for the provision of schools or healthcare which are Herts CC and NHS matters. Through the planning process, contributions towards infrastructure are collected from developers under the Community Infrastructure Levy.</p>
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8. Recommendation

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

Section 106 Heads of Terms – Option A

- i) To secure all 60 units in Block B of the development to be Affordable Housing units comprising 33 no. Affordable rented units (5 no. 1B2P, 4 no. 2B3P, 4 no. 2B4P, 5no. 3B4P and 15 no. 3B5P) and 27 no. Shared Ownership units (1no. 1B2P, 6 no. 2B3P, 1 no. 2B4P, 6no. 3B4P and 13 no 3B5P);
- ii) To secure a review mechanism of the viability of the development to be undertaken towards the end of the project when actual build costs and sales values of the flats are known. This shall allow financial 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;
- iii) 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 site;
- iv) To secure a financial payment to Hertfordshire County Council of £6,000 for the long term monitoring of the proposed Travel Plan for the site;

- v) To secure the provision of fire hydrants to serve the site as required by Hertfordshire County Council;
 - vi) To secure a financial payment to Hertfordshire County Council of £7,200 towards the provision of a shelter at the nearest westbound bus stop and easy access kerbing at the nearest eastbound bus stop;
 - vii) To secure the operation of a Car Club from the land for use of residents of the development and residents in the vicinity of the development. To also secure the provision of two car parking spaces made available as Car Club Spaces. This is subject to a clause to release the obligation of the Car Club is not viable to a car club operator.
- B)** That, pursuant to a planning obligation under s.106 of the Town and Country Planning Act 1990 having been completed to secure the Heads of Terms of **Option B**, planning permission be granted subject to the conditions listed below:

Section 106 Heads of Terms – Option B

- i) To secure 19 units in Block B of the development to be Affordable Housing units comprising 11 no. Affordable rented units (3 no. 1B2P, 2no. 2B3P, 2no 2B4P, 1no. 3B 4P and 3no. 3B5P) and 8 no. Social rented units (2 no. 3B4P and 8 no. 3B5P);
- ii) To secure a review mechanism of the viability of the development to be undertaken towards the end of the project when actual build costs and sales values of the flats are known. This shall allow financial 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;
- iii) 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 site;
- iv) To secure a financial payment to Hertfordshire County Council of £6,000 for the long term monitoring of the proposed Travel Plan for the site;

- v) To secure the provision of fire hydrants to serve the site as required by Hertfordshire County Council;
- vi) To secure a financial payment to Hertfordshire County Council of £7,200 towards the provision of a shelter at the nearest westbound bus stop and easy access kerbing at the nearest eastbound bus stop;
- vii) To secure the operation of a Car Club from the land for use of residents of the development and residents in the vicinity of the development. To also secure the provision of two car parking spaces made available as Car Club Spaces. This is subject to a clause to release the obligation of the Car Club is not viable to a car club operator.

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:-

3134-D1000 Rev 00 Site Location Plan
 3134-D3099 Rev 02 Lower Ground Floor Plan
 3134-D3100 Rev 03 Upper Ground Floor Plan
 3134-D3101 Rev 01 First Floor Plan
 3134-D3102 Rev 01 Second Floor Plan
 3134-D3103 Rev 01 Third Floor Plan
 3134-D3104 Rev 01 Fourth Floor Plan
 3134-D3105 Rev 01 Fifth Floor Plan
 3134-D3106 Rev 01 Sixth Floor Plan
 3134-D3107 Rev 01 Seventh Floor Plan
 3134-D3108 Rev 01 Eighth Floor Plan
 3134-D3109 Rev 01 Ninth Floor Plan
 3134-D3110 Rev 01 Tenth Floor Plan
 3134-D3120 Rev 01 Roof Plan
 3134-D3700 Rev 00 Elevation AA and BB
 3134-D3701 Rev 01 Elevation CC and DD
 3134-D3702 Rev 00 Elevation EE and FF
 3134-D3703 Rev 00 Elevation GG and HH

3134-D3704 Rev 00 Elevation JJ and KK
3134-D3705 Rev 01 Elevation LL and MM
3134-D3850 Rev 00 Elevation Detail 01
3134-D3851 Rev 00 Elevation Detail 02
3134-D3852 Rev 00 Elevation Detail 03
3134-D3853 Rev 00 Elevation Detail 04
3134-D3854 Rev 00 Elevation Detail 05
3134-D3855 Rev 00 Elevation Detail 06
3134-D3856 Rev 00 Elevation Detail 07
3134-D3857 Rev 00 Elevation Detail 08
3134-D3858 Rev 00 Elevation Detail 09
3134-D3500 Rev 01 Sections AA and BB
3134-D3501 Rev 01 Sections CC and DD
3134-D3502 Rev 01 Sections EE and FF
3134-D3800 Rev 00 Aerial View 1
3134-D3802 Rev 00 Aerial View 3
3134-D3803 Rev 00 Aerial View 4
3134-D3810 Rev 00 View 01

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

3. Other than demolition and site investigation works, 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, 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.
 1. 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. This should include details of sedum blankets for the roof areas.
 2. 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.

4. The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Infrastructure Design Ltd (IDL), reference number IDL/868/DS/01, dated June 2018:

1. 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.
2. 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 409.4 m³ (or such storage volume agreed with the LLFA) of storage volume in Tubosider Helibore feature and additional 96 m³ and 106 m³ (or such storage volume agreed with the LLFA) in permeable paving areas.
3. Discharge of surface water from the private drainage system into the Thames Water surface 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

1. To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site.
 2. To reduce the risk of flooding to the proposed development and future occupants.
5. Following completion of measures identified in the approved remediation scheme (Remediation Strategy and Options Appraisal prepared by Card Geotechnics Limited (Document Ref: CG/28211A)) 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.

Reason: To ensure that 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.

6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in

writing of 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.

Reason: To ensure that 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.

7. No external facing materials shall be installed on any building of the development until full details and samples of all the materials to be used for the external surfaces of the buildings have been submitted to and approved in writing by the Local Planning Authority.

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

8. No part of the development shall be occupied until a detailed hard landscaping scheme for the site, including site boundary treatments, children's play area and external lighting 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.

9. No part of the development shall be occupied until a detailed soft landscaping scheme for the site, including details of an appropriate irrigation systems, and a landscape management and maintenance plan, has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be based upon the Landscape Proposals of the approved drawings. The approved soft 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.

10. No part of the development shall be occupied until the modified access and egress arrangements from Sydney Road, as shown in principle on the approved drawings has been completed in full.

Reason: In the interests of the safe operation of the site and the surrounding highway, in accordance with saved Policies T21 and SE7 of the Watford District Plan 2000.

11. No dwelling within each block of the development shall be occupied until the bin and bicycle storage of that block has been provided for the use of residents, in accordance with the approved drawings. These facilities shall be retained at all times for the use of the residential occupiers of the dwellings.

Reason: To ensure that adequate facilities exist for the future occupiers of the dwellings, in accordance with saved Policies T10 and SE7 of the Watford District Plan 2000, Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and the Residential Design Guide 2016.

12. 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.

13. No dwelling shall be occupied until the details of car parking allocation have been submitted to and approved in writing by the Local Planning. The provision shall include an agreed allocation of on site residential car parking spaces for use by the affordable housing units. The car parking spaces shall remain available for use by the allocated residents, in accordance with the agreed allocations, unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure a suitable allocation of car parking spaces for the affordable housing provision.

14. All residential units shall achieve the recommended maximum internal noise levels under BS 8233 through the following provisions in accordance with the Noise Impact Assessment dated June 2018 Ref 18-4127 Rev B.

- Façade construction to achieve an Rw of at least 55dB
- Double glazed window units with a Sound Reduction Index (SRI) of at least 28 dB Rw
- Installation of acoustic trickle vents

Reason: To ensure residential occupiers do not experience noise and disturbance.

15. 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.

Informatives

IN912 Hours of Construction

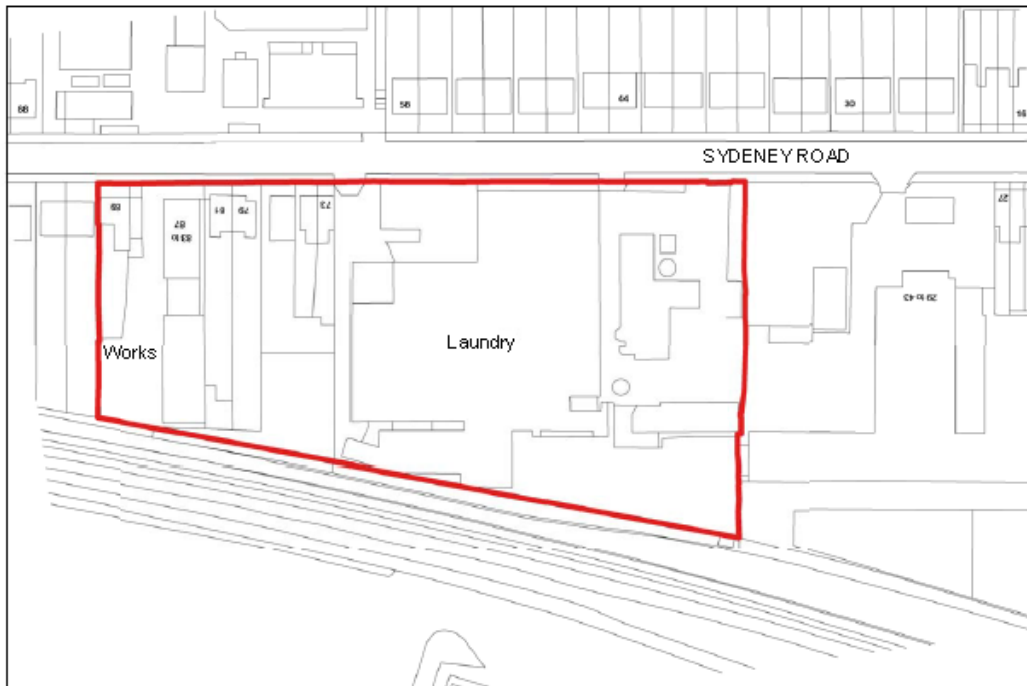
IN 913 Community Infrastructure Levy

IN914 S106 Agreement

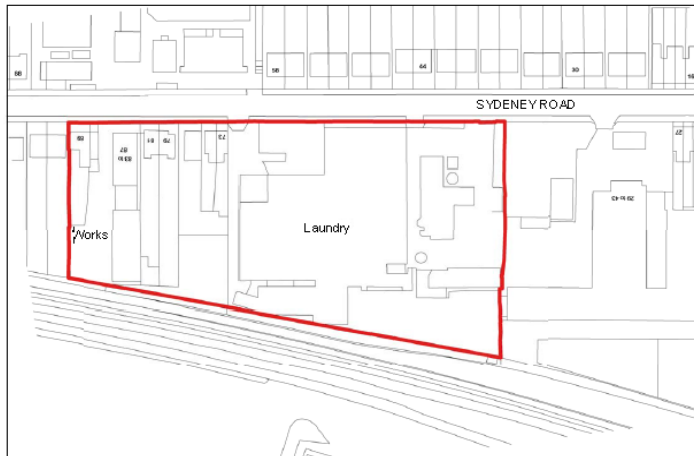
IN909 Street Naming and Numbering

IN907 Consideration of the proposal in a positive and proactive manner

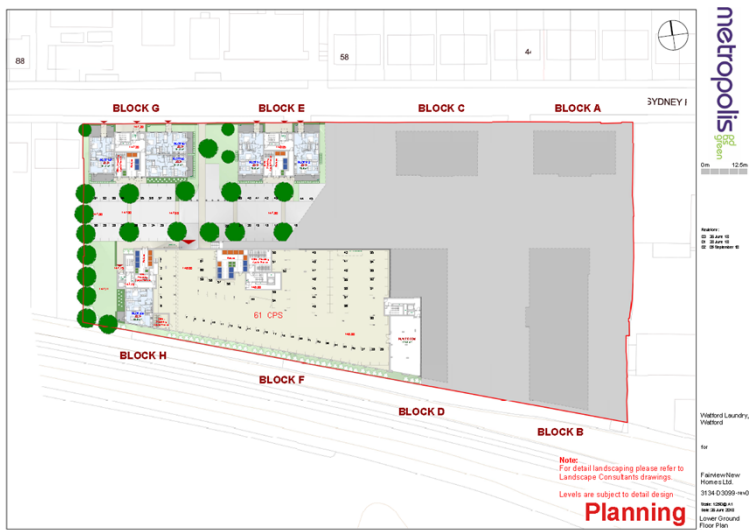
IN915 Highway Works – HCC agreement required



1 - site location plan



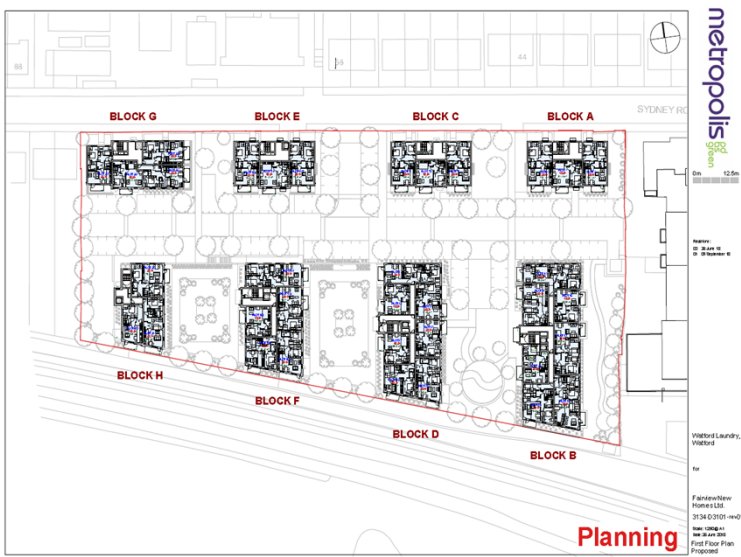
2 - Proposed site plan lower ground floor



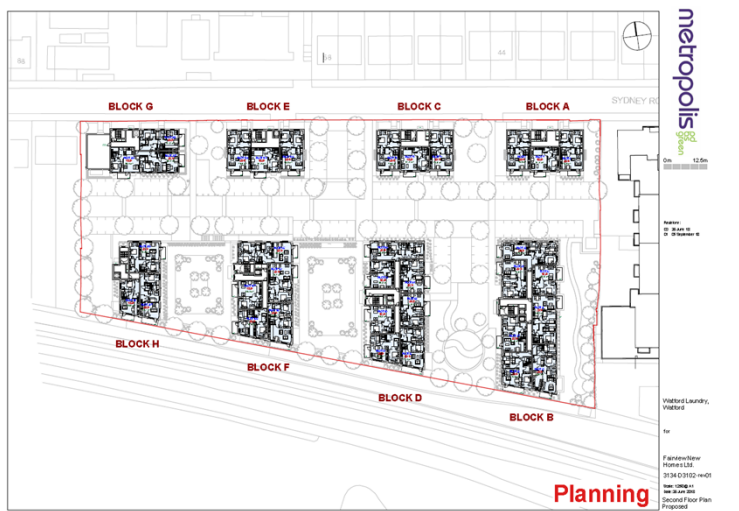
3 - proposed site plan upper ground floor



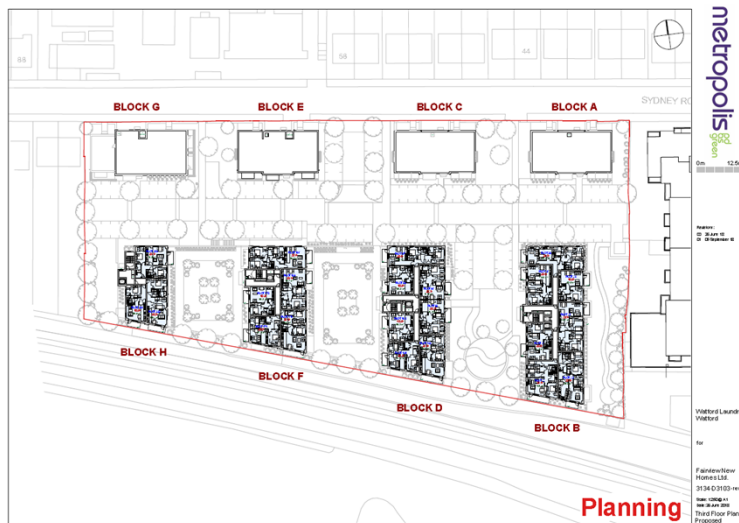
4 - first floor plans



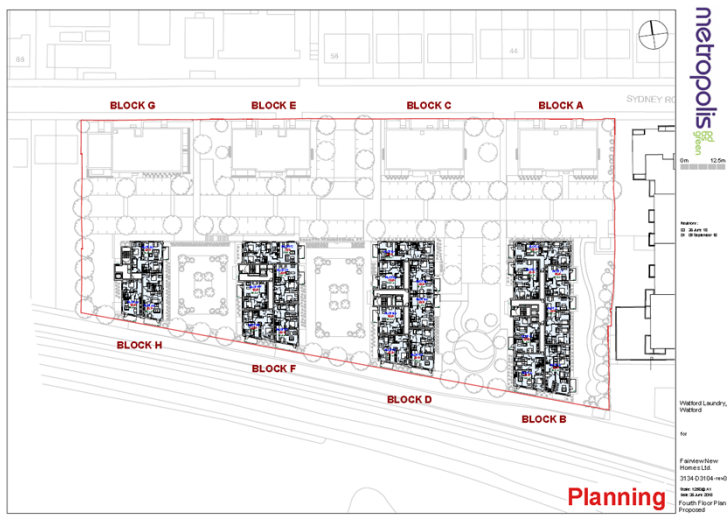
5 - second floor plans



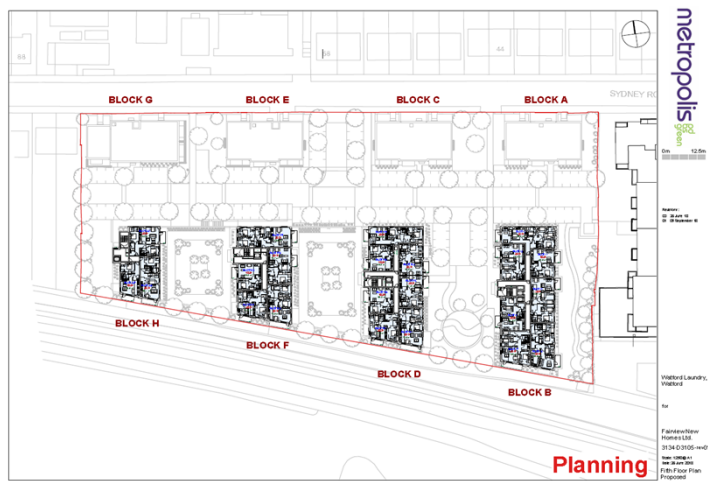
6 - third floor plans



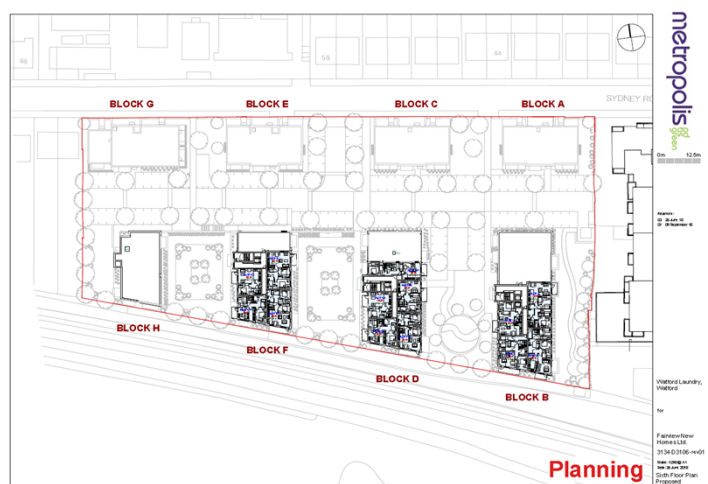
7 - fourth floor plans



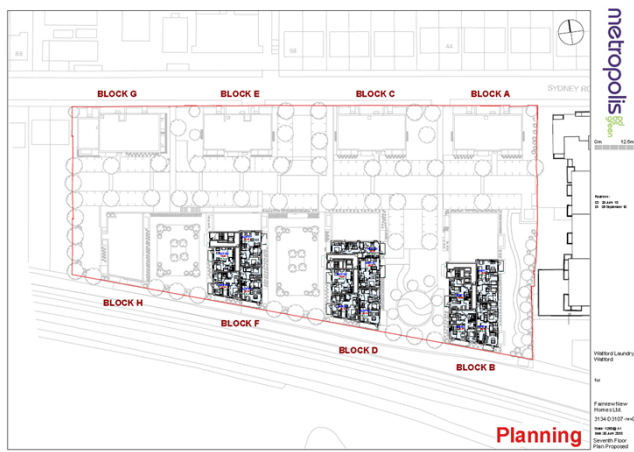
8 - fifth floor plans



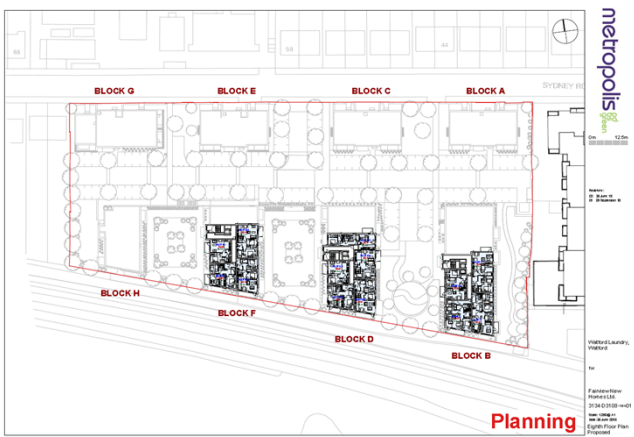
9 - sixth floor plans



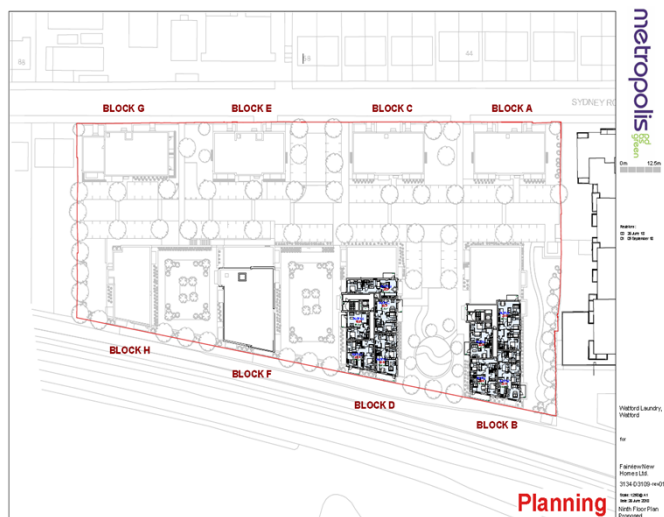
10 - seventh floor plan



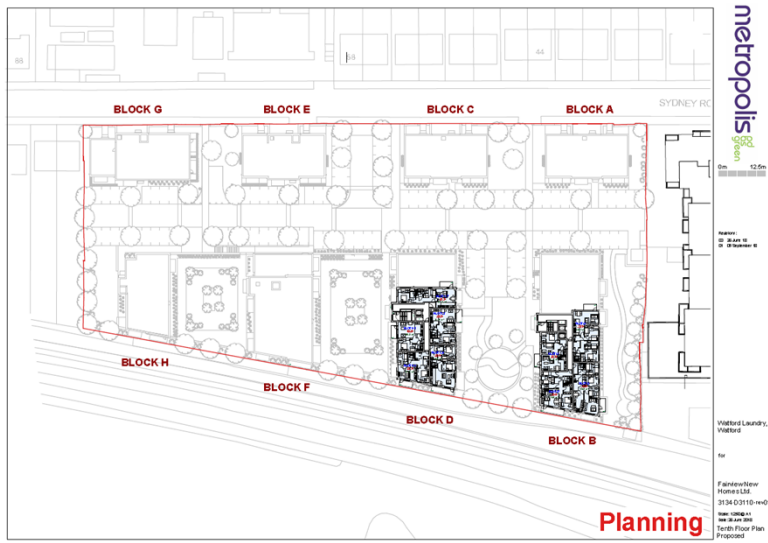
11 - eighth floor plans



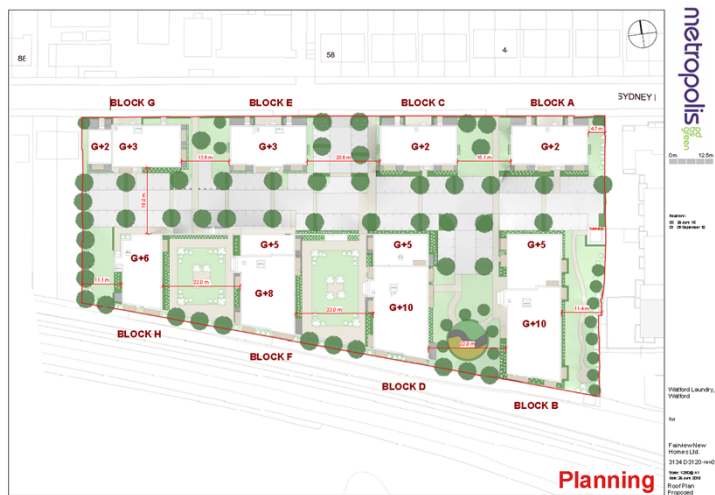
12 - ninth floor plan



13 tenth floor plan



14 - Proposed roof plan



15 - Elevations AA and BB



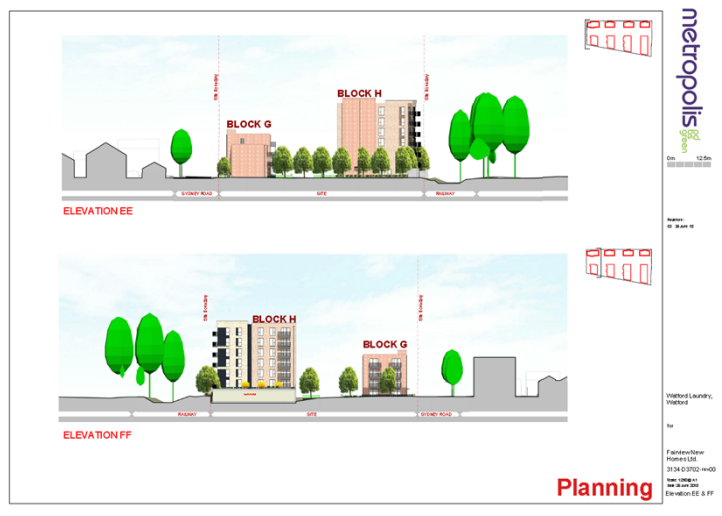
16 - Elevations CC and DD



17 - Elevations LL and MM



18- Elevations EE and FF



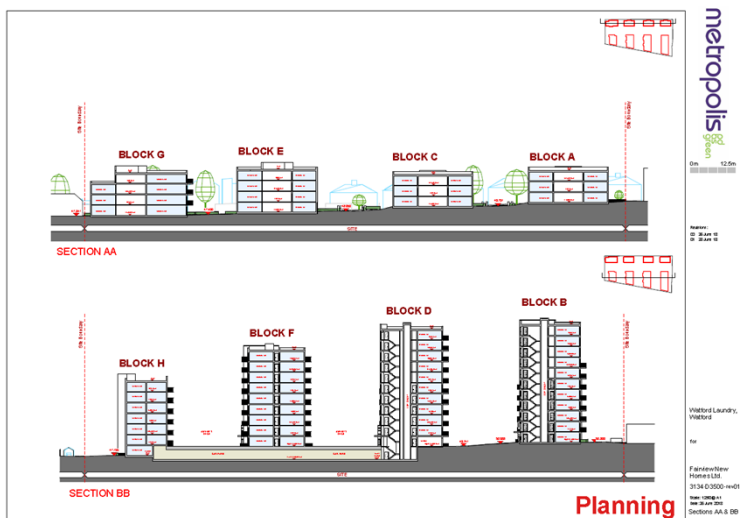
19 - Elevations GG and HH



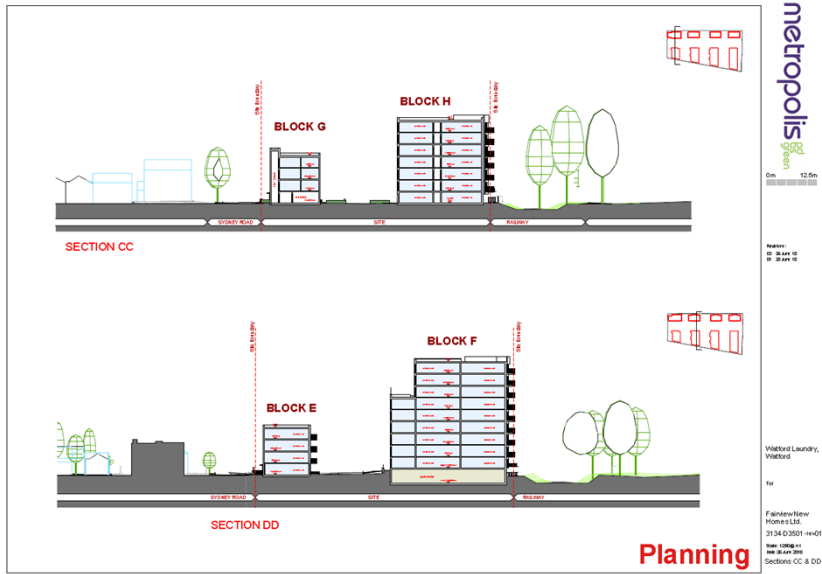
20 Aerial View from south



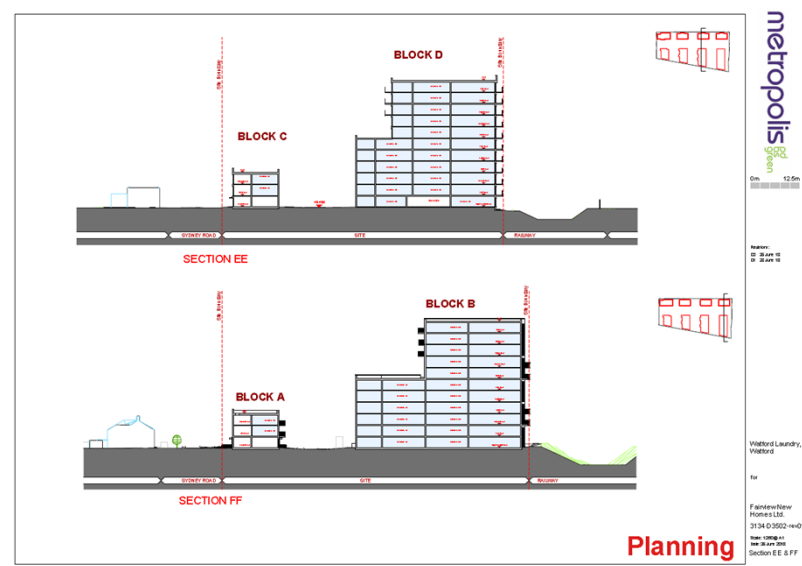
21 - Sections AA and BB



22 - sections CC and DD



23 Sections EE and FF



Agenda Item 6

Committee date	3 rd October 2018
Application reference	18/00936/FULM
Site address	Former Happy Hour Public House, Eastbury Road
Proposal	Planning application for the demolition of existing building and erection of 32 dwellings together with a means of access from Eastbury Road, provision of associated parking, amenity space and landscaping.
Applicant	Eastbury Road Developments Ltd
Agent	Woolf Bond Planning
Type of Application	Full planning application
Reason for committee item	Major Application
Target decision date	29 th October 2018
Statutory publicity	Site Notice and Press Notification expiring 31 st August 2018
Case officer	Alice Reade alice.reamde@watford.gov.uk
Ward	Oxhey

1. Recommendation

Approve subject to conditions and the completion of a s.106 unilateral undertaking, as set out in section 8 of this report.

2. Site and surroundings

- 2.1 The site is positioned fronting Eastbury Road at the junction with Silk Mill Road. It currently contains a detached two storey building formally the Happy Hour Public House with access from Eastbury Road.
- 2.2 The site is elevated slightly from the adjacent Silk Mill Road and there is a bank verge between the site and Silk Mill Road.
- 2.3 Adjacent to the north-east of the site are semi detached houses fronting Eastbury Road with No88 immediately adjacent to the site. Nos 1a, 1b, 1c and 1d Silk Mill Road are a group of terraced houses which front onto Silk Mill Road and the south-west boundary of the site. Nos 77, 77a, 79a, 79, 79b and 81 Eastbury Road are a group of two storey houses which front onto the site. To the immediate rear of the site is a public footpath beyond which are the rears of two storey flats at Longcroft.
- 2.4 The immediate context is predominantly two storey houses although there is a single storey nursery building located nearby along Eastbury Road. Further up Eastbury Road to the north east is a cluster of 3 and 4 storey flats, opposite Oxhey Park and adjacent to Bushey train station.

- 2.5 The site is within a predominantly residential area. The site is not within a conservation area and there are no listed or locally listed buildings within or adjoining the site. No trees on the site are subject to a Tree Preservation Order.

Further information is available in the appendices to the report and on our [website](#).

3. Summary of the proposal

3.1 Proposal

Demolition of the existing building and erection of a residential building as follows:

- i) 32 residential units (17 no 1B2P, 10 no 2B4P and 5 no 3B5P)
- ii) 3 storey building
- iii) Car parking for 32 cars
- iv) Private amenity areas or balconies for all units plus communal amenity area.

3.2 Changes to the scheme from the previous refused scheme include:

- Removed the 3rd floor with loss of 5 units. (37 to 32 units)
- Affordable housing offer reduced from 5No. 3 bed social rent units of original scheme to 2No. 3 bed units (1 social rent and 1 affordable rent).
- No roof top amenity space
- Parking provision now 1 space to 1 unit.

3.3 Conclusion

The height of the building has been reduced to 3 storeys with the loss of the 5 units at 3rd floor. This has reduced the height, scale and bulk of the building and so it has fully overcome the grounds for refusal of the previous scheme.

- 3.4 As a consequence of the reduction, the development can no longer provide a policy compliant (or equivalent) level of affordable housing. The development has been subject to a viability assessment and review by consultants. The affordable housing provision is in accordance with what can be reasonably provided by the development.

- 3.5 The relationships of the development with neighbours are fully compliant with the Residential Design Guide (RDG) and would not constitute unreasonable harm to light, outlook or privacy of neighbours. It is considered that the development would achieve the right balance of providing sufficient on site parking whilst not providing excessive parking that would worsen traffic and

congestion in the area, compliant with the 'saved' policies T22 and T24.

4. Relevant policies

Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application was determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. Relevant site history/background information

5.1 Relevant Planning History

18/00248/FULM Planning application for the demolition of existing building and erection of 37 dwellings, together with a means of access from Eastbury Road, provision of associated parking for 33 cars, amenity space and landscaping. (Affordable housing option A preferred for 5No.x 3bed Social rent units)

Refused at Committee 4th July 2018 for the following reasons:

1. Planning permission be refused on the grounds that the development height, scale and massing would adversely affect the character of the neighbouring residential area and as such is contrary to policy UD1 of the Watford Local Plan Core Strategy 2006-31.
2. The application has not been accompanied by a s106 agreement and fails to provide affordable housing units to meet urgent housing needs within the Borough, contrary to paragraph 50 of the NPPF and Policy HS3 of the Watford Local Plan Core Strategy 2006-31.

Appeal Pending

17/01468/PREAPP Pre-application enquiry for redevelopment to 53 apartments.

5.2 Other relevant history

A nomination for the public house to be listed as an Asset of Community Value. was submitted under the Localism Act 2011 on 1st December 2017 to the property services team of WBC. This was reviewed by the property services team in accordance with the legislation and it was determined that the public house did not merit listing as an Asset of Community Value. The retention of the public house was also supported by the submission of a petition submitted to the property services department of WBC.

6. Main considerations

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

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

6.2 (a) Principle of the development

6.2.1 The site contains a vacant public house and the development would result in the loss of this premises. Saved policy CS3 of the Watford District Plan 2000 seeks to prevent the loss of community facilities. The policy does not include a public house as a community facility and refers to community, health, and education centres and churches. Nonetheless, the social benefits of a public house are acknowledged to provide community benefit.

6.2.2 The closure of the public house has however demonstrated that there may not have been sufficient demand to warrant its retention in the market. It is further noted that Watford does contain a variety of public houses. As such, it is considered that the loss of the public house would not warrant harm and is in accordance with policy CS7 of the Watford District Plan 2000.

6.2.3 It is also noted that a nomination was made under section 88 of the Localism Act 2011 to seek the retention of the pub as an Asset of Community Value. This was however not accepted as it did not meet the relevant criteria for designation due to its closure and lack of evidence to demonstrate its future success and viability as a pub. This unsuccessful application further supports that there is insufficient justification for the retention of the pub for community benefit.

6.2.4 The site is within a predominantly residential location and offers an opportunity for brownfield residential development pursuant to housing delivery required by the NPPF and also meeting housing needs pursuant to Priority 1 of the Corporate Plan for Watford Borough Council and the Core Strategy.

6.2.5 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 not at risk of flooding and has good access to public transport and a wide range of local services. Furthermore, the site has no heritage significance or biodiversity or landscape value. The residential

provision would be in keeping with the residential use of the context. The development provides a suitable mix of 1, 2 and 3 bed homes, compliant with policy HS2 of the Core Strategy.

6.2.6 For these reasons, the loss of the pub and the residential development are acceptable in policy terms and are supported in principle.

6.3 (b) Scale and design

6.3.1 The contemporary design approach is supported to make efficient use of the site and does not create demonstrable harm to the area. Following the refusal of the previous application for a part 3 and part 4 storey building, the height of the building has been reduced to 3 storeys only. This 3 storey, flat roof height, sits approximately level with the two storey pitched roofs of the surrounding buildings. This height would therefore be appropriate in Eastbury Road and would not appear as dominant or harmful.

6.3.2 It is further noted that the wider context includes flatted 3 and 4 storey buildings at the North-East of Eastbury Road, there is a cluster of 3 and 4 storey flat buildings and at Eastbury Court which is a 3 storey flatted building. The development would therefore be entirely appropriate within the immediate and wider context.

6.3.3 The position, layout and detailing of the building remains supported. The building respects the front building line of Eastbury Road and would sit behind the flank of No 1A Silk Mill Road meaning it would not be dominant in the street. The design of the building again includes good articulation and vertical emphasis which adds rhythm and successfully breaks up the width of the building.

6.3.4 By reducing the height of the building from part 4 storey to all 3 storey, the development has reduced the height, scale and massing of the building and fully overcome reason 1 of the previous refusal.

6.4 (c) Quality of residential accommodation

6.4.1 The proposal will provide 32 residential units. All will comply with the minimum floorspace of the nationally described space standard. All comply with RDG guidance and would have good levels of outlook, natural light and privacy.

6.4.2 Guidance seeks a communal amenity area for the development would be required at 530sqm in accordance with the RDG. With the loss of the top floor,

the development loses 222sqm of roof top amenity area leaving only the communal area of 76sqm at the rear of the development. Every dwelling would still benefit from an area of private amenity space with ground floor garden areas for each ground floor unit and private balconies for all first and second floor flats. The total of the private and communal amenity areas for the development would provide 511sqm of amenity area, this is only 4% short of the RDG guidance and is supported.

6.4.3 It is further noted that Oxhey Park is a short walk away from the development and this will provide a larger amenity area.

6.4.4 The development would provide high quality residential accommodation and an appropriate mix of unit sizes, pursuant to policies HS1 and HS2 of the Local Plan Core Strategy.

6.5 (d) Impacts on surrounding properties

6.5.1 *Silk Mill Road*

Nos. 1a, 1b, 1c and 1d Silk Mill Road face north-east and front onto the south-west side of the application site. The application site is also slightly elevated in relation to these properties. There is a minimum distance of 27.5m between the nearest ground floor window of this group (at No1c) and the flank of the development. The 25 degree line taken up from this window would not be infringed by the 4 storey scheme formally proposed nor the reduced scheme now under consideration. This relationship is compliant with the RDG guidance. By virtue of the distance and relationship of the development with the Silk Mill Road properties, it is not foreseen that there would be any unreasonable loss of light or outlook to the fronts of these properties. Due to the distance between the buildings and the northerly position of the development, it is not considered that it would create a dominant or overshadowing impact to the front of the Silk Mill Road properties.

6.5.2 The upper floors of the south west elevation of the development contain bedroom and habitable room windows. These would have a front to front relationship with the Silk Mill Road properties which is reasonable and indeed to be expected in a residential area and would not create harmful overlooking. Notwithstanding this, a minimum distance of 27.5m is maintained between the south west upper floor windows and the front windows of Nos1a, 1b, 1c and 1d Silk Mill Road and this is compliant with minimum privacy distances.

6.5.3 *No88 Eastbury Road*

The development would be adjacent to No 88 Eastbury Road. The three storey building adjacent to this side would be set 12m from the boundary with No88.

The building would be deeper than the building at No88 however it would not infringe the 45 degree lines taken on plan or elevation from the rear windows of No88. The relationship is fully compliant with the Residential Design Guide and would not create unacceptable loss of light, outlook or amenity for No88.

6.5.4 The north-east side elevation of the development contains side facing windows. At first floor and second floor 4 windows are secondary windows or not serving habitable rooms meaning they can be obscurely glazed/fixed closed, if this is appropriate. At second floor, there are 2 windows which are the sole windows to bedrooms and these will need to be clear glazed to allow for an outlook. All these side windows are however set in a minimum of 12m from the common boundary with the side garden boundary of No88 , exceeding the 11m minimum garden depth requirement of the RDG. These windows would also not fall within the privacy arc taken from the rear windows of No88 and as such, these side windows of the development are acceptable in accordance with the RDG and would not facilitate harmful overlooking or loss of privacy. These windows are therefore not required to be restricted by condition.

6.5.5 *Longcroft*

The rear windows and balconies of the development would be sited 14m from the rear boundary of the site and 29m minimum from the rear of the Longcroft properties. These depths exceed the minimum depths of the 11m and 27.5m stated in the RDG. There is also a public footpath and row of mature trees between the two sites creating further separation and privacy. The development would sit substantially below the 25 degree line taken up from the nearest windows of the Longcroft properties (No11), compliant with the RDG. There is therefore no foreseen adverse loss of light, outlook or amenity to the Longcroft properties.

6.5.6 *Nos 77, 77a, 79a, 79, 79b and 81 Eastbury Road*

This group of houses on Eastbury Road are opposite the application site and will front onto the development. There is a minimum distance of 33m between the nearest ground floor window of this group (at No79b) and the front of the development. The 25 degree line taken up from this window would not be infringed and this relationship is compliant with the RDG guidance. By virtue of the distance and relationship of the development with the Eastbury Road properties, it is not foreseen that there would be any notable loss of light or outlook to the fronts of these properties.

6.5.7 The development includes upper floor windows and balconies on the front elevations. These would have a front to front relationship with the Eastbury Road properties which is reasonable and indeed to be expected in a

residential area and would not create harmful overlooking. Notwithstanding this, a minimum distance of 27.5m is exceeded with a distance of 33m between the frontages of the development and the Eastbury Road group. There would therefore be no unreasonable overlooking to this group.

6.5.8 *Conclusion*

As with the previous scheme, all relationships between the development and surrounding properties are fully compliant with the guidance of the RDG. Compliance with all RDG guidance means that the development would not constitute harm to their amenity or reasonable enjoyment of their properties.

6.6 (e) Affordable housing provision

6.6.1 The previous application was presented to Committee with two options for affordable housing provision. Option B was fully policy compliant, Option A was however the preferred option with affordable housing of a policy equivalent amount with the provision of 5No. 3bed units of social rent. These options were both agreed by the applicant and option A was preferred by members, however at the applicant's request, the application was decided without a S106 agreement to secure the affordable housing (reason 2 of the refusal).

6.6.2 The reduction of the height of the building has lost 5 units reducing the scheme from 37 to 32. In line with Council policy, we would expect 11 units (35%) affordable housing. The policy then requires the majority (85%) of those 11 units to be rented affordable housing (60% affordable rents and 20% social rents), then just 15% LCHO. That would result in 7No. affordable rent, 2No. social rent and 2 x shared ownership.

6.6.3 The application has offered 2 units of affordable housing (2no 3B5P duplex units). This is 6% of the development in unit numbers and 9.5% of the development in habitable rooms. This therefore fails to achieve 35% of the development on unit number or on habitable rooms. Furthermore both of the 2 units were initially proposed as shared ownership with no social or affordable rented housing. This is below the targets sought by policy and as such the viability of the scheme must be considered.

6.6.4 The applicant has submitted a viability assessment for the development which has been review by consultants (BNP Paribas) appointed by the Council. This has concluded that the development can feasible provide either 6 units of shared ownership or 1 unit of social rent tenure (a 3 bed duplex).

6.6.5 In light of this, the applicant has agreed to provide the 2 affordable units as 1 social rent and 1 affordable rent. This is in excess of the minimum provision identified by the viability assessment and is supported by officers. Although the shared ownership tenure could have provided more units by number, the provision of 2 No 3 bed units of social and affordable rent is preferred to meet the most acute housing needs of the Borough.

6.7 (f) Transport, access and servicing

6.7.1 The site is located in an accessible location. The location is suited for new development in accordance with policy T2 of the Location of New Development. As supported by the Transport Assessment and response for the Highways Authority, there are no concerns or objections to the development in highway terms.

6.7.2 The development would see the replacement of two site entrances with the provision of one access/egress point. Swept Path analysis demonstrates that cars from all parking spaces, as well as a refuse lorry, will be able to turn within the site allowing for vehicles to always enter and leave in forward gear.

6.7.3 Hertfordshire County Council as the Highway Authority has raised no objection to the development subject to recommended conditions and s106 agreement for a travel plan statement. Some of the conditions recommended have not been included as the content of these is in duplication of details already submitted and agreed, duplicate other controls (for example under the highways act), or do not meet the relevant tests for conditions

6.8 (g) Car and cycle parking

6.8.1 The development proposes 32 car spaces to serve the 32 units (1 per flat). This has been increased from the initial proposal of 30 spaces for 43 units (0.69 spaces per flat) and the previously refused scheme of 33 car spaces to 37 flats (0.89 per flat).

6.8.2 The site is identified within zone 4 of the Car and Cycle Parking Standards Map of the Watford District Plan 2000. Appendix 2 of the Watford District Plan sets maximum standards for car parking provision based on the identified zone. In accordance with these standards, the development of 32 units should not have more than 47.5 car spaces. The proposed 32 spaces is within that maximum standard and is compliant with 'saved' policy T22 of the Watford District Plan 2000.

6.8.3 'Saved' policy T22 sets parking standards as a maximum to restrict over

provision, over capacity and to encourage the use of alternative transport modes to assist in reduction of traffic and congestion. This is however applied alongside 'saved' policy T24 which states that "significantly lower levels of parking provision may be acceptable where demand for parking is likely to be less and any tendency for overspill on street is or can be controlled."

- 6.8.4 The application site is not within a controlled parking zone (CPZ) and so residents of the development cannot be excluded from on road parking, however the site does meet the criteria of 'saved' policy T24 to support lower parking provision. Specifically, the site is 2km from the town centre, it is 1km from Bushey Train Station and has bus stops 110m and 120m away on the main bus route on Eastbury Road.
- 6.8.5 Other support for non-car use for the development is provided by the provision of secure cycle parking for the development pursuant to 'saved' policy T10. The conditions and s106 agreement of the application also secure a Travel Plan Statement and required contributions to facilitate non-car travel options for future residents.
- 6.8.6 This provision of parking lower than the maximum standards is further supported by the Transport Assessment submitted with the application (dated July 2018, prepared by EAS, Ref 1519/2018 Final 2). Sections 4.10 to 4.20 of the report consider the local evidence for parking needs appropriate to the development. This identifies that in this character area, the 2011 Census revealed car ownership as 0.55 per flat household. The provision of 1 space per flat is therefore in excess of the expected need and is supported. It is noted that the provision has been increased following the previous application although that application was not refused on parking or highway grounds.
- 6.8.7 It is therefore again considered that the development would achieve the right balance of providing sufficient on site parking whilst not providing excessive parking that would worsen traffic and congestion in the area. It is therefore considered that the car parking provision of the development is fully compliant with the standards and objectives of 'saved' policies T22 and T24.

7. Consultation responses received

7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
HCC Lead Local Flood	Surface Water Drainage	Noted and conditions

Authority	scheme supported. No objection. Conditions recommended	added.
HCC Local Highway Authority	No objections subject to conditions and S106 to secure Travel Plan and Contributions. Suggestion also to create a new CPZ for the area and exempt development from this.	Noted. Travel Plan set by condition and s106. Other conditions recommended are however deemed to be in duplication of details already submitted and acceptable or requesting details that are no relevant to planning and covered by Highways
HCC waste and minerals	Waste Matters are a material planning consideration.	Waste matters considered as part of the application.
HCC Property services	CIL relevant	Noted.
Herts Ecology	No significant ecological constraints on the site. No objections.	Noted
Herts Constabulary Crime Prevention Design Service	Support of crime prevention and secure by design recognition in the scheme.	Noted
HCC Fire and rescue service	Fire Hydrants to be secured by s106	Noted and included in S106 heads of terms.

7.2 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Planning Policy WBC	Awaiting comments.	Any comments will be provided in update sheet however case officer notes policy and design support for the previous scheme which is unlikely to have changed.
Head of Housing WBC	Initial comments- The scheme provides 2 units of Shared ownership with no rental units. On the basis	Following viability assessment and negotiation the AH provision has been

	off an unacceptable tenure mix and too few units, the Housing Service does not support this application.	bettered to 2No. 3 bed units with 1 social rent and 1 affordable rent. Awaiting final housing comments.
Waste & Recycling Team, WBC	Bin allocation requirements provided.	Bin storage is provided. Swept path analysis shows that refuse vehicles can turn within the site and so can enter and leave in forward gear.
Arboricultural Officer, WBC	No objection subject to tree replacement and tree protection measures.	Conditions included.
Economic development	Response with no comments to make	Noted

7.3 Representations received from interested parties

48 letters of objection have been received

Objection comment	Officer comments
The development is too tall. Its scale, design and bulk is out of keeping with the area.	The development of part 3 and part 4 storeys was refused due to its 'height, scale and massing'. By virtue of the loss of the top floor the 3 storey building with a flat roof would be of a height approximately level with the two storey pitched roof of neighbouring buildings. The height reduction has also reduced the mass and overall scale of the building. The massing is further broken up visually by the articulation of the building. This reason for refusal has therefore been overcome.
The revised scheme has not overcome the harm that would occur to neighbouring properties.	The original scheme was not refused on grounds of impact to neighbours. Both the original and this revised scheme are fully compliant with policy and guidance and the impact to neighbours is not deemed as harmful.
Only two affordable homes are provided	As a result of the loss of the top floor, the development has lost 5 dwellings. The applicant has asserted that the scheme

	can therefore no longer provide the policy required amount of affordable housing and a reduced provision has been proposed.
The development provides insufficient parking and fails to meet the standards of the Watford District Plan 2000.	The original development with a 33 spaces for 37 was not refused on grounds on inadequate parking. This was therefore deemed as appropriate. The revised scheme has nonetheless increased the proportion to 32 spaces for 32 flats. This remains acceptable and in accordance with maximum standards.
Existing problems of inconsiderate on road parking making it difficult for people to access their drives. Particularly bad on match days.	This is an existing situation and outside planning control. As set out in the report it is considered that the development would achieve the right balance of providing sufficient on site parking whilst not providing excessive parking that would worsen traffic and congestion in the area.
Objection to the loss of the pub which is a community asset.	The retention of the pub is not required in policy terms. An application for the protection of the pub as a community asset was made however this was refused as not appropriate. The previous application was not refused on the grounds of the loss of the pub and this is considered to be acceptable.
Watford is overpopulated. Insufficient amenities- NHS/Schools/Trains.	National Government sets a presumption in favour of sustainable development and in particular emphasizes support for residential development. This objection cannot be considered as a material consideration against the application.
The development should include a coffee shop/café/restaurant for local residents	This preference is noted, but the Local Planning authority must consider the application before it.
Subsidence issues in Silk Mill Lane should be considered	This is a situation outside of the application site and outside of planning control or intervention.

8. 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 2 No x 3 bed duplex units of the development to be Affordable Housing units comprising 1 no. social rented unit and 1 no. affordable rented unit.
- ii) To secure a review mechanism of the viability of the development to be undertaken towards the end of the project when actual build costs and sales values of the flats are known. This shall allow financial 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;
- iii) To secure a financial payment to Hertfordshire County Council of £2,000 for the long term monitoring of the proposed Travel Plan for the site;
- iv) To secure the provision of fire hydrants to serve the site as required by Hertfordshire County Council.

Conditions

1. The development to which this permission relates shall be begun within a period of 3 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:-

Drawing number	Rev	Title
PL-001	-	Site Location Plan
PL-002	-	Demolition Plan
SK-180219-i	-	Existing Building Areas
TS17-358M\1	-	Topographical Survey
TS17-358M\2	-	Floor Plans 1 of 4
TS17-358M\3	-	Floor Plans 2 of 4

TS17-358M\4	-	Floor Plans 3 of 4
TS17-358M\5	-	Floor Plans 4 of 4
TS17-358M\6	-	Existing elevations
PL-16	G	Proposed site plan
PL-14	B	Proposed Basement Plan
PL-10	H	Proposed Ground Floor
PL-11	H	Proposed First Floor
PL-12	H	Proposed 2 nd floor
PL-13	H	Proposed Roof Plan
PL-20	D	Front elevation
PL-21	D	Rear elevation
PL-22	D	East elevation
PL-23	B	West elevation
LP/THHERWH/020 B	-	Landscaping Scheme

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

3. Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

4. No external facing materials shall be installed on any building of the development until full details and samples of all the materials to be used for the external surfaces of the buildings have been submitted to and approved in writing by the Local Planning Authority.

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

5. No dwelling shall be occupied until a detailed Travel Plan Statement for the has been submitted to and approved by the Local Planning The Travel Plan Statement for the residential development shall consist of a written agreement with the County Council setting out a scheme to

encourage, regulate and promote green travel measures for residents, in accordance with the provisions of the County Council's 'Travel Plan Guidance for Business and Residential Development'. The approved Travel Plan Statement shall be implemented at all times.

Reason: To ensure the development encourages a wide range of sustainable 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.

6. No part of the development shall be occupied until a detailed hard landscaping scheme for the site, including details of the roof gardens, hard standing, site boundary treatments, play area and external lighting 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.

7. No part of the development shall be occupied until a detailed soft landscaping scheme for the site, including details of all trees to be lost and retained, all new replacement trees, details of the roof gardens and appropriate irrigation systems, and a landscape management and maintenance plan, has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be based upon the Landscape Proposals of the approved drawings. The approved soft 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.

8. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and

minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

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

9. The development permitted by this planning permission shall be carried out in accordance with the approved SUDS Strategy carried out by EAS job number 1519 draft2 dated July 2018 and the following mitigation measures;
 1. Limiting the surface water run-off to a maximum of 5 l/s with discharge into the Thames Water sewer.
 2. 2. 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.
 3. Undertake a drainage strategy to include the use oversized pipes, permeable paving, and a geo-cellular attenuation system.

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 to the proposed development and future occupants.

10. The measures of the Arboricultural Method Statement of the Arboricultural Report February 2018 prepared by David Clarke, including *tree protection, 'no-dig' construction and ground protection shall be applied*. No materials, vehicles, fuel or any other ancillary items shall be stored or buildings erected inside the protection fencing; no changes in ground level may be made within the spread of any tree or shrubs (including hedges) without the previous written consent of the Local Planning Authority.

Reason: To safeguard the existing trees and shrubs (including hedges) which represent an important visual amenity during the period of construction works in accordance with Policy SE37 of the Watford District Plan 2000.

11. No part of the development shall be occupied until the modified proposed access and egress arrangements from Eastbury Road, as shown in principle on the approved drawings has been completed in full.

Reason: In the interests of the safe operation of the site and the surrounding highway, in accordance with saved Policies T21 and SE7 of the Watford District Plan 2000.

12. No dwelling within the development shall be occupied until the bin and bicycle storage has been provided for the use of residents, in accordance with the approved drawings. These facilities shall be retained at all times for the use of the residential occupiers of the dwellings.

Reason: To ensure that adequate facilities exist for the future occupiers of the dwellings, in accordance with saved Policies T10 and SE7 of the Watford District Plan 2000, Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and the Residential Design Guide 2016.

13. 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.

14. No dwelling shall be occupied until the details of car parking allocation have been submitted to and approved in writing by the Local Planning Authority.

Reasons: To ensure a suitable allocation of car parking spaces to the units.

15. 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.

Informatives

IN912 Hours of Construction

IN913 Community Infrastructure Levy Liability

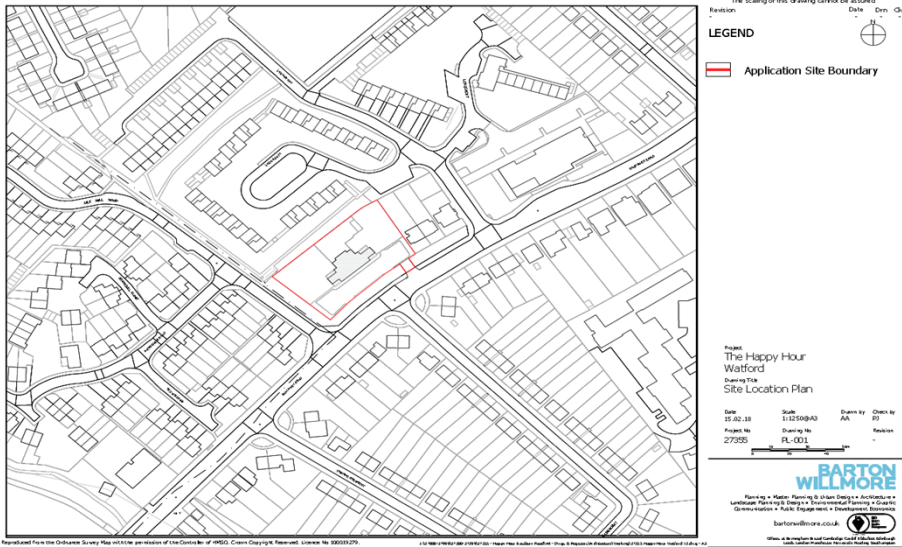
IN914 Section 106 Undertaking

IN909 Street naming and Numbering

IN907 Consideration of proposal in a positive and proactive manner

IN915 Highway Works – HCC agreement required

1 - Site location plan



2 - Proposed site Plan



3 - Ground floor plan



4 - 1st floor plan



5 - 2nd floor plan



6 - Front elevation



7 - West side elevation



The Happy Hour
 Building
 Proposed Elevation
 West Elevation
 Scale: 1/8" = 1'-0"
 Date: 08/20/2024
 Project: 24-00000000-0000-0000
 Drawing: 01-00000000-0000-0000
 Author: [Name]
 Checker: [Name]
 Approver: [Name]
BARTON WILLMORE
 ARCHITECTS
 1000 15th Street, Suite 1000
 Denver, CO 80202
 Phone: (303) 733-8800
 Website: bartonwillmore.com

8 - Rear elevation



The Happy Hour
 Building
 Proposed Elevation
 Rear Elevation
 Scale: 1/8" = 1'-0"
 Date: 08/20/2024
 Project: 24-00000000-0000-0000
 Drawing: 01-00000000-0000-0000
 Author: [Name]
 Checker: [Name]
 Approver: [Name]
BARTON WILLMORE
 ARCHITECTS
 1000 15th Street, Suite 1000
 Denver, CO 80202
 Phone: (303) 733-8800
 Website: bartonwillmore.com

9 - East side elevation



The Happy Hour
 Building
 Proposed Elevation
 East Elevation
 Scale: 1/8" = 1'-0"
 Date: 08/20/2024
 Project: 24-00000000-0000-0000
 Drawing: 01-00000000-0000-0000
 Author: [Name]
 Checker: [Name]
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10 - Perspective view



Agenda Item 7

Committee date	3 rd October 2018
Application reference	18/00163/FULM
Site address	8-12 Chalk Hill
Proposal	Redevelopment of the site to provide a mixed use scheme including 151 residential units (Class C3), 93m ² of retail units (Class A1 and/or A2 and/or A3 uses) and / or community floorspace (Class D1/D2), with associated cycle parking, car parking, landscaping and public realm improvements. (amended description)
Applicant	Mr Simcha Green
Agent	JLL partnership
Type of application	Full planning permission: Major
Reason for committee item	Major Application
Target decision date	25 th October 2018 – extension of time by mutual agreement
Statutory publicity	Press advertisement and site notice with overall expiry of 23 August 2018.
Case officer	Habib Neshat habib.neshat@watford.gov.uk
Ward	Oxhey

1. Recommendation

Approve subject to conditions and subject to the completion of a section106/Unilateral Undertaking with the heads of terms as set out in section 8 of this report.

2 Site and surroundings

- 2.1 The site is located immediately to the east of Bushey Arches Railway and comprises the property at 12, Chalk Hill, the former Massey waste transfer station and an existing industrial building to the north. It measures approximately 0.67 ha.
- 2.2 Along the western Boundary of the site, abutting the railway is an access road which joins Chalk Hill at Bushey Arches and extends through to Three Valleys Way to the north, although is gated at the boundary of the land.
- 2.3 The northern boundary of the site is marked by a heavily treed embankment with mature trees also extending along the eastern boundary. Beyond the trees lies a recent residential development comprising blocks of flats of up to

5 storeys high within Tree Rivers. To the east are the properties at 14, 16 and 18, Chalk Hill and 48, Aldenham Road.

- 2.4 The site has a limited road frontage to Chalk Hill in front of no. 12, which is set at a higher land level. The remainder of the Chalk Hill frontage is occupied by a small ground level car park owned by the Council. Vehicular and pedestrian access to the site is currently via the access road along the western boundary from Bushey Arches.
- 2.5 The site comprises of an industrial unit with associated car parking to the rear and the former Massey waste transfer facility to the front of the site (Use Class B8 in accordance with the Use Classes Order 1987 as amended). The waste transfer facility had ceased operation however the industrial unit is still currently occupied.
- 2.6 The levels across the site vary with the land rising to the north.
- 2.7 Number 14 Chalk Hill is a Grade II listed building, it is timber framed former farm house. However the most important structure is Bushey Arches Railway viaduct which is a Grade II listed brick and stone railway bridge. It comprises 5 Arches built in 1837. However, the fourth line facing the application site has been rebuilt in 1963 in modern materials. Number 48 Aldenham Road as well as number 18 Chalk Hill are locally listed.
- 2.8 The site located within a mixed use area. There is neighbourhood centre/ local shops located near the site which has a mix of small local retail and other uses. There are higher density apartment dwellings located to the north of the site with further lower density residential homes along Aldenham Road and Chalk Hill. There are a number of large car sales/ warehouse units in the Lower High Street Area. It is also within close proximity to Bushey Railway Station at 130 metres away, with access to bus routes and the site is not far from the town centre. Chalk Hill is a main route between Watford and Bushy and Harrow. Therefore, the site is located in a sustainable location.
- 2.9 The actual site does not have significant green space or trees but the boundary is heavily dotted with mature trees and greenery.
- 2.10 The site is currently accessed via a vehicular access along the boundary of the site, adjoining the railway arches. There is a palisade railing to the north of this access way blocking the passage to the recent residential development to the north within Three Rivers. However, the security fencing is currently breached in an unhealthy fashion and people walk through the broken fence. The access way appears to belong to network rail and in fact is outside of the

development site. But it appears there is right of way over it, as it is currently used by the businesses on the application site.

- 2.11 The site is not located within a conservation area. However, Oxhey Conservation Area in Oxhey Village is located about 125m to the south of the site. The site is not located within a Residential Control Parking Zone.

3. **Summary of the proposal**

3.1 **Proposal**

The proposal involves the demolition of the existing buildings and the redevelopment of the site with 6 blocks rising from 3 to 9 storeys of residential use, providing a total of 151 apartments. The proposal will also include a small retail unit at 93m².

- 3.2 The proposed blocks are divided into two groups of 3, on a concave curve facing each other around a landscape area to the centre. There will also be significant landscaping to the front of the site, where lorries currently park and also to the rear of the proposed blocks of flats. The pavement will also be widened.

- 3.3 The proposal will provide 69 car parking spaces. There will be two vehicular accesses to the site. The existing vehicular access will be retained and will be upgraded and will connect to the residential development to north. This access way will primarily be used for service vehicles (including the refuse vehicles) as well as providing a shared access to the existing residential development to the north of the site and will incorporate a cycle route.

- 3.4 The second vehicular access will be provided to the east of the site, directly from Chalk Hill. This access will be used for the proposed underground car parking.

Conclusion

- 3.5 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 strategy to adopt a contemporary approach is to be welcomed as this will create a high quality environment that offers a suitable relationship with its surroundings.

- 3.6 The proposal to provide car parking at a 46% ratio 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.

- 3.7 The present scheme will regenerate this neglected site in a key location within the townscape, by providing a highly imaginative and innovative style development with significant benefit to public realm in terms of landscaping, cycle routes and widening of the pavement thereby considerably enhancing the character of the area.
- 3.8 Given its location the proposal will not have any significant impact upon the amenities of the adjoining occupiers.
- 3.9 The provision of 151 dwelling units additional will significantly boost the supply of housing in the local area. The provision of affordable housing, while below 35%, has been subject to viability review and been demonstrated to be the maximum possible provision.

4. Relevant Policies

- 4.1 Members should refer to the background papers attached to the agenda. These highlight the Policy Framework under which this application was determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. Relevant site history/background information

- 5.1 The application site has been subject to a number of historical schemes and some recent schemes. The historical permissions date circa early 1960s and mid 1980s where a series of planning permissions were granted for the use of the site for the manufacturing of optical glass.
- 5.2 The more recent planning history of the site reveals that from 2006 to 2016 attempts were made to develop the site for residential development. A series of outline planning applications were made ranging up to 176 dwellings. All such applications were refused planning permissions by the council and a number were dismissed on appeal.
- 5.3 There is however, an extant planning permission (Ref; 15/00115/OUTM) granted on 14.04.2016, for the demolition of existing building and the construction of up to 121 dwelling and a basement car park for residents of up to 197 spaces with access from a new junction on Chalk Hill.

5.4 The history with respect to the current scheme;

Pre-application scheme

- 5.5 The first pre application scheme was received by the council in June 2017. This proposal included the providing of 6 individual blocks of flats dotted around the site. Officers did not consider the scheme or layout to be appropriate. The applicants were reminded that only high quality design would be accepted in this location.
- 5.6 The second Pre-Application was submitted in August 2017. This scheme incorporated a single stepped bock rising from 5 to 11 storeys and then dropping back to 5 storeys. The scheme incorporated curved features and wings with landscaping on either side of the block, providing 229 residential units. This scheme was considered innovative and more interesting than any other previous schemes for this site. It was agreed that design development continue to progress with this scheme and consultation with the public, the Council's Major Application Forum and Design South East takes place.
- 5.7 After the Public Consultation and the Design Review Panel in September 2017, the scheme was substantially redesigned. The residential typology was changed to smaller scale multi-core layouts with 4-5 units on each floor accessed directly from the lift lobbies. The blocks were laid out to provide a private garden in the middle. The accesses to blocks were from the side of the blocks. The proposal comprised of 3 to 9 storey blocks providing 151 new residential units.
- 5.8 In November 2017, the scheme was presented to the council Major Application Review Forum (MARF). The scheme generally received a positive response. The main outstanding issues to resolve were potential site contamination, servicing and refuse, and affordable housing. There were suggestions to proceed with a warmer brown coloured brick cladding and a less solid, more open facade design especially on the ends of the blocks where it is most visible from a distance.

5.9 The proposal

- 5.10 The proposal as submitted included; the redevelopment of the site to provide a mixed use scheme including 151 residential units (Class C3), 510m² (GIA) of retail units (Class A1 and/or A2 and/or A3 uses) and / or community floorspace (Class D1/D2), with associated cycle parking, car parking, landscaping and public realm improvements. The scheme comprises six residential blocks ranging in height from 3 storeys to 9 storeys.

- 5.11 The revised scheme is principally as above. However, the 500m² retail/community element has largely been omitted (only 93m² in now provided). The landscaping scheme as well as entrances to the blocks has also been altered.

The proposed scheme will incorporate a mix of dwelling units comprising one bed, two bed and three bedroom flats.

6 Main considerations

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) Mix of dwellings
- (e) Affordable housing provision
- (f) Quality of residential accommodation
- (g) Air quality
- (h) Car parking, access and transportation
- (i) Security
- (j) Contamination
- (k) Trees
- (l) Sustainable drain strategy
- (m) Impacts on surrounding properties
- (n) Refuse and recycling,
- (o) Section 106 and Community Infrastructure Levy (CIL)

6.2 (a) Principle of development

- 6.2.1 An outline planning permission has already been granted for a housing scheme, and at one stage the site has been allocated for housing. Therefore, the loss of employment is not an issue here.

- 6.2.2 The scheme as originally submitted included 500m² of retail element. However, this aspect of the development has been revised and the proposed retail element will now amount to 90m² which is considered acceptable in this location.

- 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. Therefore the proposal in principle is considered acceptable.

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

6.3.1 The design of the scheme has been subject to significant negotiation with the applicant and the scheme has seen several revisions since the idea of the redevelopment was originally put forward to the council.

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 will 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 is mixed in character – being surrounded by varying residential development, and the commercial uses and the rather haphazard commercial development that has taken place within the site itself.

6.3.4 The existing physical condition of the site is far from ideal. At present, the site comprises neglected industrial buildings in poor condition and a large expanse of car parking spaces. None of the buildings contained within the site have any historic or architectural significance. There are a number of vehicles (Lorries) 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 contribution to public realm. Therefore, there is no objection to the demolition of the industrial buildings.

6.3.5 The proposed development comprises six residential blocks stepping in height from 5 storeys to 9 storeys. The height and massing of the development is now considered acceptable. The scheme has sought to ensure the lower storey block front the highways with the tallest away from the road frontage. The height will drop again at the furthest point to integrate with the lower blocks on the adjoining lands.

- 6.3.6 The design and layout is dictated by the red line boundary which leaves a narrow road frontage facing the street. The layout follows the shape of the site, with the blocks curving slightly with interval breaks in the building line to provide the 6 development blocks. There is a core amenity area in a central location between the two sets of residential blocks. Initially the landscaped area was at different level. This stepped level change formed a separation between the public area outside the proposed retail/community use and more private space on the upper level. This separation also created a campus style effect to the residential blocks. The revised scheme has sought to open up by connecting the public plaza area to the core green amenity area which was originally separated. This allows this space to have clearer street profile and would improve legibility across the site.
- 6.3.7 The proposed “6 development blocks” approach used here is successful in breaking up the building mass across the site and avoids the issues associated with single monolithic block. This has the added benefit of requiring 6 cores, each one serving a smaller number of units, across the site which is supported.
- 6.3.8 The façades are characterised by a mix of both vertical and horizontal fenestration; however there is a level of verticality maintained by virtue of the relatively narrow width of the blocks and the approach to sections of fenestration. The roofs are also set back which further reduces the bulk of the building. In general the reduced bulk is extremely important for the setting of Bushey Arches Listed Building.
- 6.3.9 The basement layout is acceptable. The ratio of parking spaces has enabled underground parking with different areas for cycle storage and large item storage secure fob/ key access for residents here can provide an extra layer of security for cycles.
- 6.3.10 The new public realm will be extremely important here. This is important as the site has the potential to increase activity in this area, by creating a clear pedestrian connection between the apartment developments at Cockram Road and the other residential areas to the north of the site and Bushey Station. The pedestrian permeability through the site is designed in a way that will enable these connections to be established in the future.
- 6.3.11 The landscape proposals seek to create a range of garden spaces to cater for a variety of user needs and activities with civic spaces fronting the development and more private gardens to the rear. Creating new links and routes through the site to the surrounding urban context, the new proposals will encourage and promote sustainable modes of transport and healthy living. The existing

belt of mature vegetation to the periphery will be retained and protected as a visual buffer to adjacent properties and a valuable ecological resource.

6.3.12 Access to the site is via patterned hard landscaping that will replace the existing tarmac. Rows of low level planting in front of the ground floor apartments will provide additional screening and privacy towards the living areas obstructing direct views in the apartments. Non-accessible biodiverse green roofs will support the existing ecology on the site improving the health and wellbeing of the residents and increasing the performance of the building.

6.3.13 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 scheme will create new quarter in highly innovative design

6.3.14 The submitted elevations show the principal material for the external walls of the building to be brick. The applicant has indicated that high quality materials will be used. 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.

6.3.15 It is considered that the proposed development is highly innovative which will respond well to the site’s specific location constraints by providing buildings of balance proportions suitable to the site and its surroundings. The significant benefit to the public realm is the proposed integrated landscaping both within as well as public realm which considerably enhances the character of the area transforming the currently poor setting into an attractive environment.

6.4 (c) Impacts on heritage assets

6.4.1 For design purposes it is important to note that the site is not far from Oxhey Conservation Area, but more importantly there are a number of heritage assets near the site. Firstly Bushey Arches Railway Viaduct is a Grade II Nationally Listed Building, while the Pill Box is a locally listed building. Additionally, 14-16 Chalk Hill is a Grade II Nationally Listed Building while there are further locally listed buildings in the vicinity. There are a substantial number of Trees with preservation orders close to the site boundary.

6.4.2 The applicant has submitted a comprehensive heritage statement considering all designated and non-designated assets. The statement reviews the significance of the assets in terms of the Historic England guidance on this and

looks at the potential impacts of the proposed scheme on that significance. In all cases there is no physical alteration to the asset but there are changes to the setting and context of some of the assets.

- 6.4.3 The asset most affected is the railway viaduct and it is its setting and context which is affected not the actual structure. The heritage statement argues that the original setting in which the viaduct was located has been lost – which is the case; it also notes that the viaduct would have had a landmark role as the most significant structure in the industrial landscape in which it is set. Whilst the industrial landscape around the structure has altered and mostly lost – a few cottages remain – the viaduct is still the most prominent structure in the area and no other buildings break the top line of the viaduct at present. This will change as the proposed buildings will be clearly visible above this line. The views most affected are as the approaches from the Lower High Street and Eastbury Road. The views shown in the Appendix to the Heritage Statement show that the most affected is that from Eastbury Road, where the new building sits clearly above one of the arches; the Lower High Street view shows the bulk of the building to one side of the arches as they span the road and the impact of the structure is full appreciated.
- 6.4.4 Following the guidance on assessing impact the setting must be seen to contribute to the significance for the impact to be given weight; in this instance the setting has not changed a great deal and it is only the single view which is already compromised by other modern development which is affected. On this basis it is considered that significance of the railway arches will be preserved if the development goes ahead. Other assets are affected in a similar way but to a lesser degree than the railway arches and in no case does the change to the setting/context affect the significance of the asset.
- 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 It is therefore concluded that the scheme will not cause harm to the heritage assets because the scheme is well designed and in particular with significant enhancement to the public realm around the railway arches.

6.5 (d) *Housing mix*

6.5.1 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, two and three bedroom flats, which is considered to be an acceptable housing mix for a sustainable location such as this. The proposed mixes of dwelling units are as follows;

- 1 bed flat 87
- 2 bed flat 57
- 3 bed flat 7
- Total 151**

6.5.2 The scheme provides a minimum of 10% of the dwellings as wheelchair adaptable units. These dwellings are designed into all tenures and across a range of dwelling types. The total no. of wheelchair adaptable units: 40 (26%) which is considered acceptable.

6.6 (e) Affordable housing

6.6.1 Policy HS3 of the Core Strategy seeks a 35% provision of affordable housing in all schemes of 10 units or more. This provision should have a tenure mix of 65% affordable rent, 20% social rent and 15% intermediate tenures. This policy and national policy indicate that affordable housing requirements should be reduced if there are demonstrated viability issues.

6.6.2 With respect to the pre-application scheme at 229 dwelling units the applicant was confident that the development could meet affordable objective. However, taking on board comments arising from public consultation the number of dwellings was reduced by about 70 units and the applicant considers that the scheme will not be able to deliver the required affordable housing in accordance to the policies.

6.6.3 In accordance with policy, the applicant provided a Financial Viability Assessment (FVA) to be considered. The applicant also agreed to make payment for an independent consultant to test their viability assessment.

6.6.4 The initial FVA by the applicant indicated that the scheme even with no financial contribution would be viable. However, the council's consultant did not agree with the initial assessment. The applicant revised FVA indicated that the scheme may be viable, by providing 15% of units being viable. However, the council's consultant has come to the conclusion that a scheme in excess of

15% may be viable but not only marginally. The applicant has now accepted that 17% of units could be viable. This will equate to 26 units.

6.6.5 The applicant has agreed to provide 17% affordable housing provision as follows;

- 18 shall be Affordable Rented Housing Units comprising four (6) one-bedroom Units and ten (12) two-bedroom Units;
- 5 shall be Social Rented Housing Units comprising two (2) two-bedroom Units and two (3) three- bedroom Units;
- 3 shall be Intermediate Tenure Housing Units one (1) being one-bedroom Units and two (2) two bedroom units.

6.6.6 The applicant has also agreed 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 financial 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.

6.7 (f) Quality of residential accommodation

6.7.1 The proposal provides a mix of 1, 2 and bedroom units. All of the proposed unit will have an acceptable floor area in compliance with national and local policies. .

6.7.2 The floor plans were designed to provide clear separation of use and tenure, clear way finding and efficient use of space. The proposal comprises 6 blocks arranged in two main building forms. Each block has its own core serving 4-5 units on each floor.

6.7.3 One of the key principles of the design of the residential floor plate was to maximize the daylight & sunlight in the main living spaces of the proposed apartments. In order to provide this, the building blocks were angled and separated by gaps big enough to provide corner windows and increase the number of multiple aspect units.

6.7.4 External balconies provide private amenity space for significant number of apartments accessed directly from the main living space and from the bedrooms. The first floor and ground floor apartments that directly overlook either the main shared garden or the perimeter landscaping can potentially benefit from dedicated private gardens with direct access but with visual separation provided by rows of low level planting.

6.7.5 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'). A significant proportion of the flats will benefit from being dual aspect. Those which have only a single aspect will have acceptable outlook. It is felt that all of the proposed units will benefit from reasonable levels of sun lighting particularly given the site's built-up context.

6.7.6 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

6.7.7 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 2285 square metres in communal open amenity space. The amount of communal open space to be provided will be 3453m², comprising 2247 of Shared amenity space and 1206 of private amenity space. This is well in above this standard

6.7.8 The proposal provides multiple areas and forms of external amenity space for the residents and for the use of the community. The external space is landscaped to provide high quality outdoor areas for recreation under a shared communal garden that will benefit social interaction and will create a stronger sense of community. It is felt that the level of amenity space is acceptable in this context.

Noise

6.7.9 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 close to 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.

6.8 (g) Air quality

6.8.1 The site is located adjacent to an Air Quality Management Area (3A) on Chalk Hill, immediately to the east of the site. The application is supported by an Air Quality Assessment which considered the Council's monitoring data and Air Quality Action Plan (2011). The main source of air pollution at the site is from road traffic, particularly Particulate Matter (PM10) and nitrogen dioxide (NO2). There is no local monitoring data for particulate matter but data from the automatic monitoring station at the Town Hall, adjacent to the busy Rickmansworth Road, shows the (PM10) concentration is well below the national objective annual concentration of 40ug/m3)

6.8.2 With regard to nitrogen dioxide a diffusion tube monitoring station on Chalk Hill outside the site has recorded a mean annual concentration of 83 ll significantly in excess of the national objective annual concentration of 40 . In order to protect the future residents from this high level of pollution, a number of mitigation measures are proposed;

- The installation of mechanical ventilation and filtration systems (including air conditioning) with appropriate PM10 and NO2 filters
- Mechanical ventilation inlet location to be located so that it only draws air in from roof level.
- Non-opening windows on facades affected by air pollution, i.e. facing Chalk Hill especially on lower floors.

6.8.3 These can be secured by appropriately worded conditions.

6.8.4 In addition the applicant has agreed to incorporate a "City Tree" into the scheme. A "City Tree" is a piece of street furniture that works to clean the air, by absorbing 250g of pollutant particles a day (the equivalent of about 275

urban trees). In addition the applicant has also indicated that the electric charging points will be provided in accordance to the council's recommended condition.

6.8.5 The Air Quality assessment carried out by the consulted demonstrates that the impact of the development in terms of vehicular emission will be negligible. The report concludes that by incorporating the proposed mitigating measures, the pollutant concentrations will decrease, thereby resulting in improvement the air quality in the AQMA. It is considered the potential to improve air quality is a significant benefit of the scheme which will improve the quality of life of local residents.

6.9 (h) Car parking, access and transportation

6.9.1 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 residential development is in accordance with national and local policy to encourage sustainable development. However, the area around the arches is particularly congested, there is severe shortage of parking spaces and the environment for walking and cycling is particularly poor. Further, the site is not located within a Residential Control Parking Zone where the already severely overfilled parking spaces could be protected from the future occupiers of the proposed development.

6.9.2 Therefore, there are significant challenges to any high density development facing the site and any scheme will have to incorporate appropriate plans and mitigating measures are in place to ensure the safe and free flow of traffic would not be compromised and the need for the existing users and the future occupiers of the site are adequately catered for.

6.9.3 The accesses (pedestrian and vehicular) and the provision for parking spaces have been subject to significant negotiation with the applicant and the scheme has incorporated the comments made by the councils' officers as well HCC high way officers. This section of the reports address the manner in which the challenges to the scheme have sought to be addressed the parking, access and traffic issues.

6.9.4 In summary the development will allow two vehicular accesses to the site and will provide 69 car parking spaces. The HCC have considered that the trip generation from the site in general is acceptable. It is estimated that the proposed development will a see a reduction in the number of trips being

generated in comparison with the existing uses of site, or from the extant planning permission which provides 120 car parking spaces.

- 6.9.5 The existing access via the Bushey Arches roundabout junction will be retained but will be significantly improved with new surface as well as landscaping. This will provide shared access with pedestrian and cyclist but it will accommodate delivery, refuse collection and emergency vehicles only. Therefore, there will be a significant reduction in reliance on the access compared with the most recent operation. HCC has confirmed that such an access arrangement for these demands would be acceptable. Vehicles would enter the site from the existing access, reflecting the existing arrangement, follow the internal access road and then turn within a dedicated area of hardstanding that has been sized to accommodate vehicle swept path analysis (for variety of vehicles) , before leaving the site in forward gear.
- 6.9.6 Adjacent to this turning area is a large residential bin store. A management company will be appointed to move bins from other satellite bin stores around the site to a temporary holding area adjacent the turning area on collection day. (Please also see paras in waste section)
- 6.9.7 The scheme will provide a total of 69 car parking spaces allocated to the residents situated in the proposed under-croft structure. This includes 4 disabled car parking spaces and 2 car club/visitor spaces that will provide residents with a flexible alternative to owning a car. Further, the development would comply with Watford Borough Council (WBC) requirements for electric charging provision (10% active and 10% passive).
- 6.9.8 Residential vehicles accessing the site do so via a single point of entry to the South East of the site off Chalk Hill. This will be a new simple priority left in/left out junction that is located in the same approximate location as the recent planning approvals which is to eastern side of the site. This will be a shared surface road off from Chalk Hill which provides a link to the under-croft car park via a ramp.
- 6.9.9 The proposed access will achieve visibility splay of 2.4m x 43m in the primary direction. Pedestrian visibility splays of 1.5m x 1.5m are also achieved to the east of the access. The entry radius for this junction is approximately 6m in order to ensure that vehicles can leave the Chalk Hill carriageway and access the site smoothly. The internal access road then serves a 5.5m wide access ramp with a gradient of 1:12, which provides access to the under-croft /basement parking area.
- 6.9.10 Vehicle swept path analysis indicating that this junction and access route can

be accessed by variety of cars. Clear signage and level access will be provided to ensure ease of movement from the parking spaces to the vertical cores. All floors are fully accessible by lifts from the basement. There will be no off-street parking for the proposed retail unit.

- 6.9.11 The applicant has confirmed that discussions have been initiated with a national car club operator, which have confirmed that for a fee of £30,000+VAT they will provide a car club on-site for a minimum term of 3 years, covering three years membership for each resident and £50 driver credit. The applicant has confirmed they will fund this provision and that this can be secured as part of a S106 obligation.
- 6.9.12 The proposed layout incorporates a car parking space adjacent to the car park access ramp to accommodate the car club vehicles. An additional space is provided adjacent to this space in order to future proof expansion of the car club, if demand is noticed. Vehicle swept path analysis indicates the access for the car club parking spaces is acceptable.
- 6.9.13 HCC considers that the proposed car parking provision is acceptable, subject to a suitable Controlled Parking Management Plan and agreement to fund a Traffic Regulation Order for a Car Parking Zone. As part of this, the applicant has agreed that they would agree that residents of the development cannot obtain permits for the new CPZ, HCC agree with this approach.
- 6.9.14 The applicant has provided a Travel Plan (TP) which is considered to be satisfactory as it includes a variety of appropriate measures to encourage sustainable transport modes with targets set for a reduction in single occupancy car use over the period of the plan. The physical measures proposed in the vicinity of the site are also positive.
- 6.9.15 Herts Highways have advised that the cost of administrating and monitoring the objectives of the Travel Plan and engaging in any Travel Plan Review for the residential developments, consisting of a written agreement with the County Council setting out a scheme to encourage, regulate, and promote green travel measures for owners, occupiers, and visitors to the would be in the region of £6,000. This could be secured through s.106 agreement.
- 6.9.16 The proposed development will allow secure and sheltered cycle parking, for at least one space per residential unit. Additional visitor provision to the retail/community floor space is incorporated within the landscape area adjacent to the larger units, to ensure natural surveillance.
- 6.9.17 To reflect the recently adopted WBC SPD, a significant proportion of the cycle

parking requirements will be accommodated within large item storage cages, amounting to 40% of the total residential units.

6.9.18 The cycle access into the site is directly from Chalk Hill and via the improved service road located along the rail viaduct structure. A high level of secure cycle storage and large item storage has been provided for both the residential and the commercial use, as the required by the council's standards. For every one bedroom apartment, 1 cycle rack space is provided in dedicated secure communal cycle storage in close proximity to its lift core at the lower ground floor. For the larger, 2-3 bedroom apartments, 1 no. secure, large item storage cage is proposed per unit. The size of the large item storage cage will be 1.4mx2m in accordance with the recently adopted Cycle Parking SPD. For the commercial/community element of the proposal, there will be 5 short term cycle parking spaces provided situated near the entrance of the commercial/community space in the public realm. In total, this equates to:

- 88 no. secure bicycle racks and
- 63 no. large item storages
- 10 no. short term, visitor parking space in the public realm.

6.9.19 The closest bus stops to the site are located on Lower High Street to the north west of the site. The closest eastbound stop is approx. 75m away, and the closest westbound stop is approx. 100m away. Both these stops consist of a flagpole, timetable and shelter. These bus stops provide access to; Mount Vernon Hospital, Abbots Langley, Brent Cross, South Harrow, Borehamwood, Potters Bar, Hatfield, South Oxhey, North Watford and Carpenders Park. The bus stops located on Lower High Street are approx. a 1 minute walk from the site, making buses a viable method of travel for potential future residents of the development.

6.9.20 The nearest bus stops have a shelter but not easy access kerbing. The applicants Transport Assessment makes reference to a possible contribution towards the provision of real time information which could be provided if display screens were added to both stops. Therefore, in order to better encourage the use of bus services, live timetables at each of the bus stops should be provided which provides up to date information for expected buses. Display screens cost approximately £8000 each so a contribution of £16,000 would cover screens for both stops. This will be secured through s.106 agreement.

6.9.21 Bushey railway station is located approximately 150m to the south of the site on Pinner Road (2-minute walk). The station provides regular services to a variety of popular destinations, including London. There are approximately 5

direct services per hour to London Euston. There are bicycle facilities already available in the station plus there is also a café/retail. Therefore, there is no financial requirement for improvement to the site. It should be noted that the trains on peak times are crowded, but, it is not anticipated that the demand rising from the proposed development could have any significant impact with respect to the trains' congestion.

6.9.22 Watford town centre and many of its facilities are located within easy walking and cycling times (approx. 11 minutes and 5 minutes respectively), including Waterfields Shopping Park and Watford General Hospital.

6.9.23 There is footway provision on both sides of Chalk Hill and other streets within the vicinity of the site, safe pedestrian crossing facilities are located to the west near the bus stops on Lower High Street.

6.9.24 There are no formal cycling facilities within the vicinity of the development site. However, Chalk Hill and the other streets within the vicinity of the site are considered suitable for cyclists due to the road width and the 30mph speed limit.

6.9.25 The development will connect with the existing footway provision along Chalk Hill, with pedestrians able to access the site via the existing vehicular access, a footpath adjacent the proposed vehicle access that will operate as a shared surface within the site, and a dedicated pedestrian only access to the north of Block A, which will be publicly accessible in order to serve the retail / community land uses. Secure pedestrian access into each of the blocks is then achieved internally within the site via a series of steps and ramps located in the central landscape area in order to address the change in levels across the site.

6.9.26 The building frontages have been set back from Chalk Hill to ensure there is footway provision of at least 2m width along the site boundary. Whilst the adjacent car park area is not within the control of the applicant, the proposals indicate that if this site came forward for development it could also be set back from the existing back of footway, which would allow the delivery of a continuous 2m footway from the site to Watford town centre via the footway under Bushey Arches. The Applicant will also agree to resurface the existing footway from the site access toward the Bushey Arches, with the introduction of tactile paving along the existing and proposed site access.

6.9.27 HCC concludes that walking and cycling are viable travel options for potential future residents of the development and that the local area is conducive to both. The accessibility of the area is deemed suitable for the proposed level of

development.

6.9.28 The proposed physical improvement to the public is welcomed and will make a positive contribution to the safety of the existing users and the future occupier of the site.

6.9.29 Personal Injury Collision (PIC) data has been sourced from HCC for a period of 5 years from August 2012 to July 2017, encompassing the local highway network surrounding the site. Over the study period, there were a total of 24 collisions, with 22 classified as slight and 2 classified as serious, with no fatalities. The majority of the PICs involved just vehicle collisions, however 8 included the most vulnerable road users, pedestrians and pedal cyclists, with 5 and 3 collisions respectively. There does not appear to be a geographical clustering of collisions within the study area. A review of the collisions suggests that they are mainly the result of drivers failing to look and/or misjudging speed, rather than a fault of the local highway network. HCC therefore considers that the proposed development is not likely to exacerbate any existing collision trends on the local highway network.

6.9.30 The proposal promotes sustainable methods of transportation due to the development's proximity to the National Rail services and London public transport network. Therefore the residential development proposed has been encouraged to minimise the car parking provision after consulting with the officers. The provision of parking spaces at 46% ratio aims at reducing road congestion.

6.9.31 HCC as highway authority has reviewed the application submission and have no objections to the proposed development, subject to the conditions and terms of legal agreement. The trip generation rates were reviewed and are considered appropriate for the proposals. The collision data was reviewed and it was found that there were no clusters of collisions in the vicinity of the site that would likely be exacerbated by the proposed development. The applicant was provided a number of comments relating to the proposed access arrangements. The applicant has since provided amended drawings which address previous concerns raised and HCC consider the amended drawings acceptable. The proposed access will be subject to detailed design review at the Section 278 or Section 184, whichever is most appropriate, agreement stage.

6.9.32 The Local Highway Authority has recommended that conditions be imposed requiring 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 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.

6.10 (i) Secured by design

6.10.1 The Proposed Development has an integrated approach with respect to the 'Secured by Design' principles. The proposed scheme and the following strategy has been consulted, coordinated and developed with the Crime Prevention Design Service of the Hertfordshire Constabulary.

6.10.2 The perimeter of the site is defined by Chalk Hill Road on the front the proposed building and 1.8m high fencing running along the side boundaries and the back of the site. The configuration of the buildings creates a strong sense of orientation and direction with clear and obvious pedestrian routes to the main entrances. The revised scheme has ensured the ground floor entrance will be to the front of the blocks rather than the sides as was originally envisaged. The principle entry points to the building at ground floor are clearly visible. The community/commercial entrance will be open during the day and closed in out of hours. Access to the cycle store, service area and the car park will be controlled by entry cards.

6.10.3 The provision of quality landscaping materials and finishes make it attractive and easy to maintain. Risks are reduced by CCTV coverage and external lighting will be provided with uniformity and good illumination at human scale to exclude blind unlit pockets and corners.

6.11 (j) Contamination

6.11.1 The southern part of the site was formerly used as a waste transfer station and concrete batching plant and the northern part remains occupied by an industrial buildings. A ground investigation report has been submitted with the application which identified contamination of the ground by lead and organic compounds on the southern part of the site. This will need to be the subject of further investigation once the building has been demolished. A strategy for remediation and further investigation is proposed which is acceptable to the Environment Agency and the Council's pollution team in principle, subject to appropriate conditions.

6.12 (k) Trees

6.12.1 The site contains a number of individual trees and 1 group of trees covered by TPO33 land. However, it is evident from the arboriculture survey and aerial photographs that many of these trees have been lost since the Order was made in 1981. The remainder of these 9 trees will also be lost as a result of the proposal. The arboricultural officer explains “whilst the proposals indicate the loss of 15 trees these are all low quality or in poor health, none are subject to the TPO 33 which affects this and adjacent sites. Where retained trees have their Root Protection Areas (RPA) impacted, the Arboricultural Impact Assessment (AIA) indicates that using ‘no-dig’ construction there will be minimal impact upon the retained trees. A detailed Arboricultural Method statement should be submitted and approved prior to any work (including demolition) commencing on site.”

6.12.2 A detailed landscaping scheme should also be submitted and approved hence relevant conditions are imposed.

6.13 (l) Sustainable drainage

6.13.1 The submitted surface water drainage strategy incorporates surface water storage tanks to attenuate surface water flows to the mains sewer system.

The county is satisfied that the relevant information have been provided with respect to the drainage. However, they highlight that part of the drainage strategy scheme will fall outside of the boundary where the consent of the land owner should be obtained

6.14 (m) Impacts on surrounding properties

6.14.1 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.

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

6.14.3 The submitted daylight and sunlight assessment demonstrates that the scheme will result in no significant loss of natural light to the nearest residential properties.

6.14.4 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.

6.14.5 The proposed buildings will not cause any neighbouring properties to suffer from a significant heightened sense of enclosure or reduced outlook due to their distance from the nearest residential blocks.

6.14.6 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 not be sited less than 27.5 metres from the windows on the nearest residential properties to the south and east of the site.

6.14.7 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.

6.15 (n) Refuse and recycling

6.15.1 The provision for refuse and recycling has been designed with significant care. There will be 5 refuse storage area located in close proximity of the respective cores within the development in order to minimise walking. On the designated collection dates the building management company will be responsible for moving the waste containers from the storage areas from Blocks A, B, C, E and F to the designated collection point, this movement occurs externally. This is to ensure that waste collection operatives do not need to travel greater than 25m. The storage area for building D is accessible to the refuse crew. The management company will then return the containers back to stores.

6.15.2 The existing service road along the railway line will provide access to the designated collection point. Appropriately sized turning head will be provided at the end of the access road as demonstrated in transport assessment report. Each apartment will have “triple bin” facilities to enable waste to be stored at source into three waste types to encourage recycling. The residents will be

responsible for carrying their waste from their apartments to the refuse stores and disposing them in appropriate containers. Each bin store is sized adequately to accommodate the required amount of containers.

6.15.3 With respect to the commercial waste the refuse will be collected and stored separately from the residential refuse area. On the collection days the facilities management company will move the containers to the designated collection point. The containers will be collected from this point by a trade waste provider.

6.15.4 It is considered that the proposed refuse strategy will fully comply with the council's guidelines and hence is considered acceptable.

6.16 (o) Section 106 planning obligations and Community Infrastructure Levy (CIL)
Community Infrastructure Levy (CIL)

6.16.1 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.

6.16.2 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.

6.16.3 A s.106 agreement will be used to secure financial contribution towards highways related issues, affordable housing contribution for on-site provision, 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. 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.

7 Consultation responses received

7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Hertfordshire County Council (Highway Authority)	No objection subject to conditions / terms of legal agreement.	Noted. All conditions and recommendation agreed except for the Highways construction management condition, the issue has been addressed in body of the report
Hertfordshire County Council (Lead Local Flood Authority)	Information provided are acceptable, however, the consent of the owner shall of land where the discharge point is locates will have to be obtained.	Noted.
Hertfordshire County Council (Development Services)	No comments	Noted.
Hertfordshire Constabulary Crime Prevention Design Service	<p>This is a relatively low crime area.</p> <p>Concerns about the ramp and walkthrough between the buildings. Front doors are hidden from view.</p> <p>The site would need to be gated at each side to stop unauthorised access.</p> <p>Should build to the police preferred minimum security standard, Secured by Design.</p> <p>Parking is a concern because if there is not enough parking people will park in inappropriate places, this causes conflict and extra demand on police resources.</p>	<p>The scheme has incorporated security measures in according to Herts Constabulary, in particular the entrances have been relocated to the front of the buildings.</p> <p>Scheme has paid particular attention in providing car parking spaces. Further there will be mitigating measure with respect to additional demand for parking, servicing and delivery through s.106 as discussed in the body of the report.</p> <p>The issue with respect to police resources is not within the remit of planning regime</p>
Environment Agency	No response.	

Thames Water	No objection.	Noted.
Council's Environmental Health (pollution) team	No objections subject to conditions.	Noted.

7.2 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Services	Bin allocation should be 2 x 1100 litre bins for refuse; 2 x 1100 litre bins for recycling and 2 x 240 litre bins for green waste.	Noted. Bin storage is provided. Swept path analysis shows that refuse vehicles can turn within the site and so can enter and leave in forward gear.
Environmental Health	No objection.	Noted.
Design & Conservation	The design quality is now of a standard which is acceptable; the reduced footprint and altered design works better in the street scene and will not harm the character of the area. The detailed design will result in an interesting contemporary building. The living environment will be of good quality for residents and will not impact on neighbours. The scheme is now supported.	Noted.
Housing	The Housing Service was delighted at the original proposal which incorporated 35% affordable housing. However, the Housing service does not support this application for planning as 85% of the units have been proposed as market housing.	This is discussed in paragraph 6.8 of the report.
Arboricultural Officer	No objection subject to	Noted.

	conditions.	
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7.3 Representations received from interested parties

6 letters of objection were received

Objection comment	Officer comments
The scale and design of the new development is not in keeping with the character of the area. The buildings are too tall The proposal is an overdevelopment.	This is considered in the body of the report
Lack of parking.	This is considered in the body of the report – highways section
Trains are running at over-capacity at Bushy Station there is no more room at peak hours.	There will only be a marginal increase in the number of passengers in comparison with the existing demand
More traffic congestion.	These are addressed in highways issues in the body of the report.
Increased noise levels.	The proposed residential use would not cause a material increase in noise and disturbance.
Disruption during construction work.	This is not a material planning consideration. There are controls outside the planning system including the Environmental Protection Act, the Control of Pollution Act, the Health and Safety at Work Act, the Clean Air Act and the Highways Act.
Loss of light to neighbouring properties.	This is considered in the body of the report
Loss of trees.	None of the trees shown for removal are subject to a Tree Preservation Order and the Arboricultural Officer concurs with the assessment and comments in the submitted Arboricultural Impact Assessment.
Impact on local infrastructure. Any	The impact on infrastructure is mitigated

additional housing in the area needs to be backed up with more funding to public services.	through the Community Infrastructure Levy.
Loss of privacy	These have been address in the body of the report

8 Recommendation

8.1 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) To secure financial contribution for;
 - A contribution of £30,000 + VAT, for the provision of car club on-site and covering three years member ship for each resident with £50 driver credit.
 - A contribution of £16,000 towards improvement to two nearby bus stop to be equipped with Information Display Screen.
 - Funding for a traffic regulation order for CPZ and to agree that the future residents of the development cannot obtain permits for the new CPZ, if it were to be implemented.
 - Cost of monitoring travel plan to the sum of £6,000.

- ii) That of total of 151 Units to be constructed within the Development, 17% i.e. 26 Units shall be Affordable Housing Units provided as follows:
 - 18 shall be Affordable Rented Housing Units comprising four (6) one-bedroom Units and ten (12) two-bedroom Units;
 - 5 shall be Social Rented Housing Units comprising two (2) two-bedroom Units and two (3) three- bedroom Units;
 - 3 shall be Intermediate Tenure Housing Units one (1) being one-bedroom Units and two (2) two bedroom units.
 - A review mechanism of the viability of the development to be undertaken towards the end of the project when actual build costs and sales values of the flats are known. This shall allow financial 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.

- iii) To secure highways improvement including the widening of the pavement along Chalk Hill as well as the shared vehicle and pedestrian and cycle routes along the railway line and a stage II safety audit of any highway works.

Conditions

1. No development whatsoever shall take place until the applicant has demonstrated to the satisfaction of the Local Planning Authority (to be confirmed in writing) that they have gained appropriate ownership/rights/easements to:
 - a) Utilise the access road to the west of the site for access and servicing of the development (both during construction and for the life of the development)
 - b) To landscape the area to the south west of the site for public use and to enable pedestrian access to the residential entrances of the development in accordance with the approved plans and maintain it as such for the life of the development.

Reason: These areas have not been included within the red line plan for the development, but are fundamental to the successful delivery of the development and the impacts of the development being in line with those assessed by the Local Planning Authority. A full Grampian condition is considered an appropriate way to secure these matters and prevent any development from being undertaken until these issues are resolved. This condition has been placed first on the schedule of conditions to ensure the developer is aware that it must be resolved prior to the commencement of any works.

2. The development to which this permission relates shall be begun within 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.

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

Design and Access Statement revision: 1 date: 08/06/18

PL_001 Site Location Plan revision: 2

PL_009 Site Plan as Existing revision: 2

PL_010 Site Plan as Proposed revision: 2
PL_099 Lower Ground Floor Plan revision: 2
PL_100 Upper Ground Floor Plan revision: 2
PL_101 1st Floor Plan revision: 2
PL_102 2nd Floor Plan revision: 2
PL_103 3rd Floor Plan revision: 2
PL_104 4th Floor Plan revision: 2
PL_105 5th Floor Plan revision: 2
PL_106 6th Floor Plan revision: 2
PL_107 7th Floor Plan revision: 2
PL_108 Roof Plan revision: 2
PL_201 Sections revision: 2
PL_301 Site Street Elevations revision: 2
PL_302 North West & South East Garden Elevations revision: 2
PL_303 North West & South East Street Elevations revision: 2
PL_401 Façade Details revision: 2
PL_501 Apartment Layouts Upper Ground Building A Apt Type A1, C1, C2 revision: 2
PL_502 Apartment Layouts Upper Ground Building B Apt Type A2, A4, A14, A12, B11 revision: 2
PL_503 Apartment Layouts Upper Ground Building C Apt Type A13, B2, B3 revision: 2
PL_506 Apartment Layouts Upper Ground Building E Apt Type A5, A7, A9, B5 revision: 2
PL_507 Apartment Layouts Upper Ground Building F Apt Type A5, A7, A10, B4 revision: 2
PL_508 Apartment Layouts 1st Floor Building A&C Apt Type A6, B6, B7 revision: 2
PL_509 Apartment Layouts 1st Floor Building B Apt Type A2, A3, B8 revision: 2
PL_511 Apartment Layouts 1st Floor Building D&F Apt Type A7, A8, B5 revision: 2
PL_512 Apartment Layouts 1st Floor Building E Apt Type A7, A8, B5 revision: 2
PL_513 Apartment Layouts 2nd Floor Building A&C Apt Type A6, B3, B9 revision: 2
PL_514 Apartment Layouts 2nd Floor Building B Apt Type A2, A3, B1 revision: 2
PL_515 Apartment Layouts 2nd Floor Building D&F Apt Type A7, A8, B4 revision: 2
PL_516 Apartment Layouts 2nd Floor Building E Apt Type A7, A8, B5 revision: 2

PL_517 Apartment Layouts 3rd Floor Building A&C Apt Type A11, C3
revision: 2

PL_518 Apartment Layouts 5th 6th 7th Floor Building D&E&F Apt Type
A7, B10, C4 revision: 2

PL_519 1 Bed Wheelchair Adaptable Apartment revision: 2

PL_520 2 Bed Wheelchair Adaptable Apartment revision: 2

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

4. 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.

5. 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.

6. No construction works shall commence until details of the window reveals for 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.

7. The development hereby permitted shall be carried out in accordance with the approved surface water drainage assessment 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.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. The development 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 buildings 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.

18. No demolition or development shall commence within the site until a detailed tree protection plan (showing all trees and hedges to be retained, the siting and type of protective fencing and the use and type of no-dig construction methods where appropriate) has been submitted to and approved in writing by the Local Planning Authority and all tree protection measures have been installed as approved. The development shall only be carried out in accordance with the approved details and all protective fencing shall be retained throughout the construction period.

Reason: To safeguard the health and vitality of the existing trees which represent an important visual amenity during the period of construction works in accordance with Policies UD1 and GI3 of the Watford Local Plan Core Strategy 2006-31 and Policy SE37 of the Watford District Plan 2000.

19. No development shall commence within the site until details of the routing of all below ground services and cabling (electricity, gas, telephone, foul water, surface water, etc), including any temporary connections for site huts, showing depth, width and routing of all

trenches, have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure the retention of the existing trees on the site is not prejudiced by the development in accordance with Policy SE37 of the Watford District Plan 2000.

20. No trees, scrub or hedges on the site shall be lopped, topped, felled, grubbed up or otherwise removed from the site between 1st March and 31st August in any year unless a suitably qualified ecologist has previously surveyed the trees, scrub or hedges and certified in writing to the Local Planning Authority that such works of removal are unlikely to harm any protected species.

Reason: In order to avoid harm to any protected species, in accordance with Policies GI1 and GI3 of the Watford Local Plan Core Strategy 2006-31.

21. All windows directly facing Chalk Hill and the railway viaduct to the west 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.

22. No development shall commence until the specification of a mechanical air supply/extract system for each of the residential dwellings with windows directly facing Chalk Hill and the railway viaduct to the west 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 facing Chalk Hill and the railway viaduct 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.

23. No development shall commence until a noise mitigation scheme for the proposed residential dwellings facing Chalk Hill and the railway viaduct to the west, to achieve the recommended interior noise levels in BS 8233:2014, 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.

24. No part of the development shall be occupied until details of an external lighting scheme for the site has been submitted to and approved in writing by the Local Planning Authority and the approved has been installed.

Reason: To meet the needs for safety and security for users of the site in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

25. The approved soft landscaping scheme shall be carried out as approved not later than the first available planting and seeding season after completion of each phase of the 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 in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

26. 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).

27. No dwelling shall be occupied until a detailed scheme showing the provision of fire hydrants serving the development (as incorporated into the provision of the mains water 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.

28. No dwelling shall be occupied until a detailed scheme showing the citing and the detail of a "City Tree" to improve the air quality of the area has been provided and approved in writing by the local planning authority. The approved "City Tree" shall be installed and be operation prior to the first occupation of any dwelling forming part of the development and shall be maintained as such thereafter.

Reason: To ensure the air quality of the area is not deteriorated as a result of the proposed development.

29. No above ground construction may commence until a scheme for active and passive electric charging points for on-site vehicles has been submitted to and approved in writing by the Local Planning Authority. The electric charging infrastructure and charging points shall be installed in accordance with the approved scheme prior to the first occupation of the development.

Reason: To ensure that the proposed development achieves high levels of sustainability in accordance with Policies SD1 and SD3 of the Watford Local Plan Core Strategy 2006-31 and paragraph 110 of the National Planning Policy Framework revised July 2018.

30. Prior to the first occupation of the development hereby permitted (or Prior to the commencement of the use hereby permitted) the proposed access /on-site car parking shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety.

31. Prior to first occupation of the development, a Car Parking Management Plan shall be submitted to and approved in writing by the LPA. It shall include the following:

Details of car parking allocation and distribution;
Details of the car club regarding the operation, management, and implementation scheme;
Methods to minimise on-street car parking;
A scheme for the provision and parking of cycles; and,
Monitoring required of the Car Parking Management Plan to be submitted to and approved in writing in accordance with a timeframe to be agreed by the LPA.

The Car Parking Management Plan shall be fully implemented before the development is first occupied or brought into use, in accordance with a timeframe agreed by the LPA, and thereafter retained for this purpose.

Reason: In the interests of highway safety and to ensure sufficient available on-site car parking and the provision of adequate cycle

parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport.

32. The Servicing and Delivery Plan shall contain the delivery and servicing requirements (including refuse collection) for the proposed uses, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that would be used for loading and manoeuvring of delivery and servicing vehicles, and access to / from the site for delivery and servicing vehicles.

Reason: In the interests of maintaining highway efficiency and safety

Informatives

IN912 Hours of Construction

IN913 Community Infrastructure Levy Liability

IN914 Section 106 Agreement

IN909 Street Naming and Numbering

IN907 Considered in positive and proactive manner

IN915 Highway Works – HCC agreement required





Site plan



Aerial Photo of the existing site



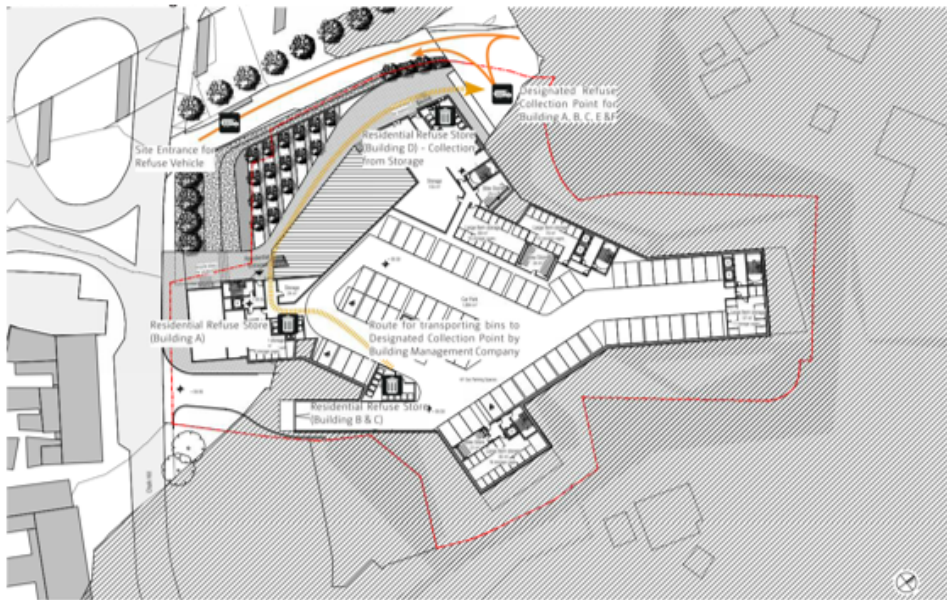
Proposed site layout



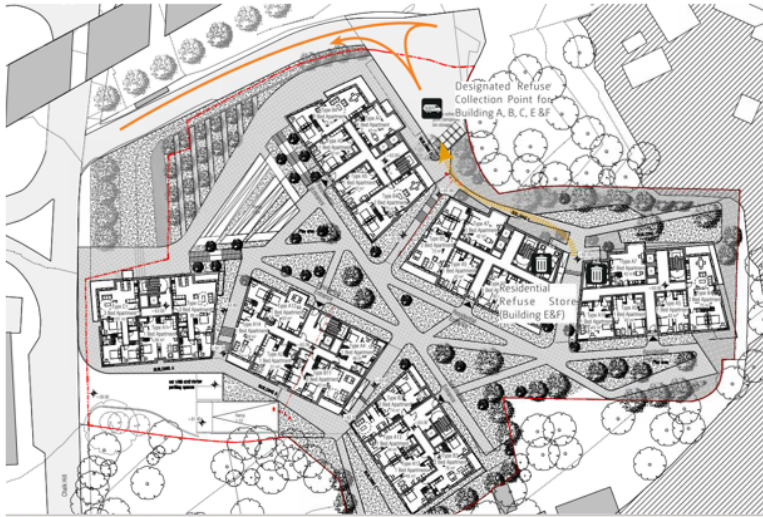
Elevation facing Railway Lines



Elevation facing Chalk Hill



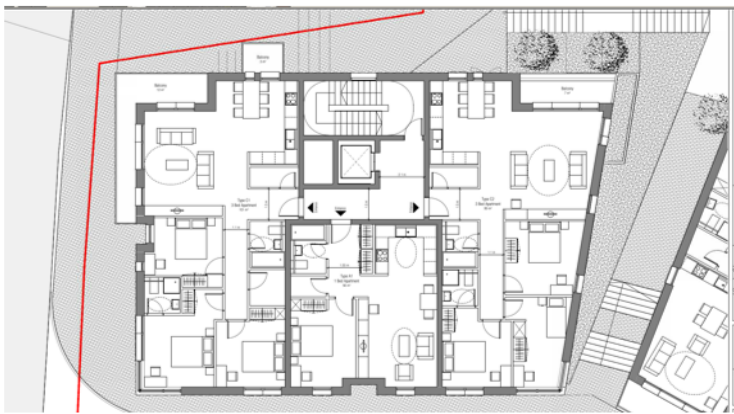
Lower ground floor layout



Upper Ground floor layout/floor plans



Apartment layout – 5th, 6th, 7th floors blocks D, E and F



Upper Ground floor block A



Landscape proposal



View from common amenity area



View from Chalk Hill



View from Lower High Street



View from Eastbury Road



View from Bushey Arches Round About

Committee date	3rd October 2018
Application reference	18/00973/VAR
Site address	Rembrandt House, Whippendell Road
Proposal	Variation of Condition 15 of planning permission ref. 14/00992/VAR to amend the landscaping and hardstanding at the above development to provide additional car parking on the decked car park for the use of residents of the development.
Applicant	Shanly Homes Limited
Agent	n/a
Type of Application	Variation of Condition (s.73)
Reason for Committee Item	Number of objections
Target decision date	8th November 2018
Statutory publicity	n/a
Case officer	Paul Baxter paul.baxter@watford.gov.uk
Ward	Holywell

1. Recommendation

Approve subject to conditions as set out in section 8 of this report.

2. Site and surroundings

2.1 The site is located on the northern side of Whippendell Road between the junctions with Hagden Lane and King George’s Avenue. It has recently been developed for 107 residential houses and flats by the applicant. Construction works are now complete.

2.2 Further information, including the site plan and drawings, is available in the appendices to the report and on the council’s [website](#).

3. Summary of the proposal

3.1 Proposal

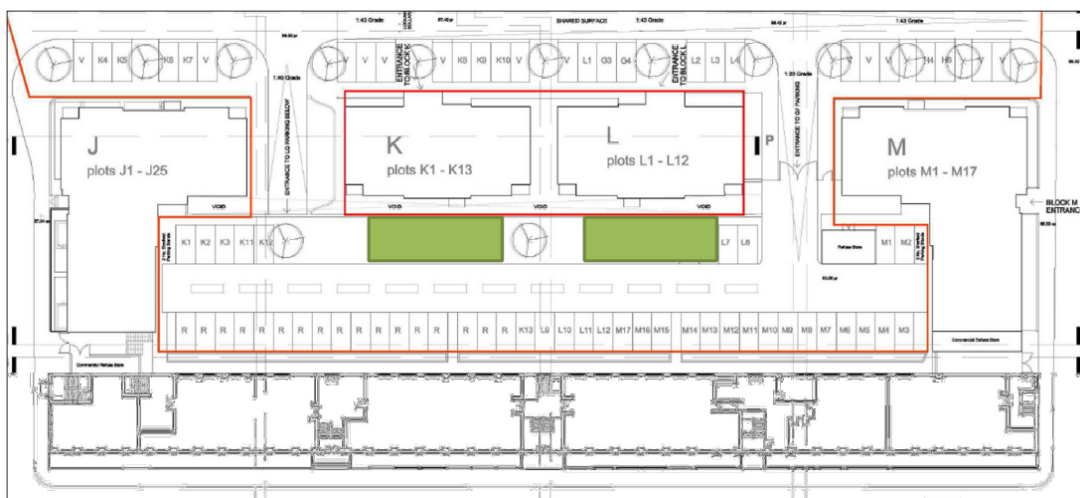
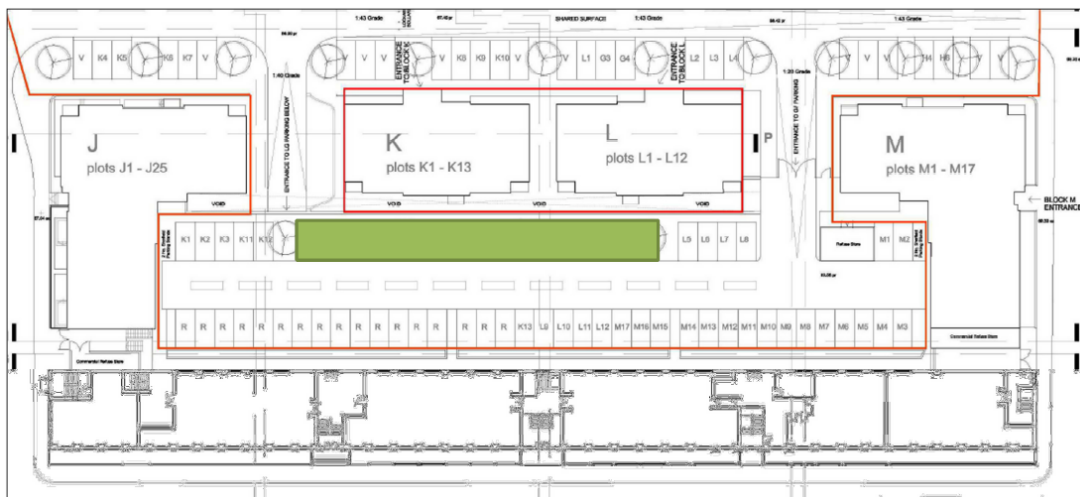
To vary the approved layout for the decked car park by reducing the area of soft landscaping and increasing the number of parking spaces for the use of residents.

3.2 The approved scheme incorporated a decked car park with parking on the lower level for the retained Rembrandt House building and parking on the upper deck for the occupiers of the proposed blocks of flats. However,

although 45 parking spaces were provided, a significant area of soft landscaping was also incorporated along the northern side, immediately to the rear of Blocks K and L. The number of spaces was subsequently increased to 50 under ref. 14/00992/FULM. A soft landscaping scheme was approved in November 2014 under ref. 14/00867/DISCON.

3.3 The development was constructed without the approved soft landscaping on the upper deck, with an additional 18 parking spaces provided instead. These have individual bollards to control their use and were originally being rented by the applicant to commuters. In the current application, the number of additional parking spaces provided is to be reduced from 18 to 5 and 2 areas of soft landscaping (each 80m²) are to be provided to the rear of Blocks K and L respectively. The applicant has stated that these additional spaces are to be retained for use by residents of the development and their visitors. None of the spaces are to be made available to non-residents.

3.4 The approved and proposed areas of soft landscaping are shown below:



3.5 Changes have also been proposed to the soft landscaping itself. The proposed natural grass has been replaced by high quality 'Vision' artificial grass for reasons of appearance, all weather use and long term maintenance. The proposed 4 small trees within standalone planters have also been deleted due to the viability of trees within planters and long term maintenance, in particular regular watering. The 'Grenadier' style planters, 920mm high and 1000mm wide with attached bench seating, are retained and are to be planted with a variety of shrubs.

3.6 **Conclusion**

The current proposal includes the provision of 2 areas of soft landscaping, adjacent to Weldon Court and North Court respectively, with a total area of 160m². The number of additional parking spaces for the use of residents is 5. This is considered to be an acceptable comprise compared to the originally approved layout which included a single area of soft landscaping totalling 204m².

4. **Relevant policies**

Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application was determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. **Relevant site history/background information**

5.1 11/00952/FULM - Planning permission granted 26th November 2012 for the demolition of all existing buildings and extensions to the rear of Rembrandt House; refurbishment of Rembrandt House for flexible commercial use (Class B1 and D1) including alterations to entrances; erection of 12 blocks (between 2 and 5 storeys in height) comprising 107 residential dwellings (28 x 1 bed, 46 x 2 bed, 22 x 3 bed and 11 x 4 bed); together with landscaping, ancillary structures and 215 car parking spaces.

13/01175/NONMAT – Non-material amendments to the rear elevation of Rembrandt House, the siting of the commercial bin stores and the retained electricity sub-station (provision of secure compound and parking space).
Granted 17th December 2013.

13/01156/NONMAT – Non-material amendments to the elevations of Blocks J-M. Granted 17th December 2013.

14/00263/NONMAT – Non-material amendments to the elevations of Rembrandt House. Granted 28th February 2014.

14/00262/FULM – Planning permission granted on 15th May 2014 for the construction of 40 dwelling houses comprising 12 no. 2 bed houses, 28 no. 3 bed houses and minor amendments to the car parking layout, as an amendment to the house types and car parking layout approved under planning permission ref. 11/00952/FULM.

14/00991/VAR – Variation of Conditions 2 and 19 of planning permission ref. 14/00262/FULM for the construction of 40 dwelling houses comprising 12 no. 2 bed houses, 28 no. 3 bed houses and minor amendments to the car parking layout, as an amendment to the house types and car parking layout approved under planning permission ref. 11/00952/FULM. Amendments to the car parking layout, amendments to the bin store provision to provide communal stores and amendments to the house designs; and to the time period for the submission of Code for Sustainable Homes final certificates. Planning permission granted 9th October 2014.

14/00992/VAR - Variation of Conditions 2 and 24 of planning permission ref. 11/00952/FULM for the demolition of all existing buildings and extensions to the rear of Rembrandt House; refurbishment of Rembrandt House for flexible commercial use (Class B1 and D1) including alterations to entrances; erection of 12 blocks (between 2 and 5 storeys in height) comprising 107 residential dwellings (28 no. 1 bed, 46 no. 2 bed, 22 no. 3 bed and 11 no. 4 bed); together with landscaping, ancillary structures and 215 car parking spaces. Amendments to the car parking layout and the elevational design of the blocks of flats; and to the time period for the submission of Code for Sustainable Homes final certificates. Planning permission granted 9th October 2014.

17/01114/NONMAT - Non-material amendment to planning permission ref. 11/00952/FULM to amend the soft landscaping on the decked car parking area to allow the provision of 18 additional car parking spaces for rent. Refused 2nd October 2017 as the proposed change was not considered to be non-material.

17/01513/VAR - Variation of Condition 15 of planning permission ref. 14/00992/VAR to amend the landscaping and hardstanding at the above development to retain the additional car parking provided on the decked car park for the use of residents of the development. This application was refused under delegated powers for the following reason:

“The proposed loss of the approved soft landscaping (204m²) and its replacement with 18 tarmaced parking spaces is considered to have a

significant harmful impact on the outlook from the adjoining ground and first floor flats in Weldon Court and North Court that overlook this area. As such, the amenities of the occupiers of these flats will be harmed. The proposal is therefore contrary to paragraph 17 of the NPPF which seeks to ensure high quality design and a good standard of amenity for existing and future occupiers.”

6. Main considerations

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

- (a) Design and appearance
- (b) Impact on surrounding properties.
- (c) Car parking.

6.2 (a) Design and appearance

The amended area of soft landscaping approved under ref. 14/00262/FULM measured 42.6m long by 4.8m deep (204m²). It was to comprise grass with 4 planters with seating, each containing 1 tree (*Amelanchier lamarckii*) and understorey planting. This was a significant area of soft landscaping which also provided some outdoor seating for the use of residents. The loss of this soft landscaping and its replacement with tarmac to provide 18 car parking spaces, as currently constructed, is a significant visual change to this part of the development.

6.3 The current proposal will introduce 2 areas of soft landscaping, each of 80m², sited adjacent to Weldon Court and North Court. This will introduce a significant amount of soft landscaping onto the upper decked car park. The reduction in soft landscaping from the approved scheme will be 44m², with 7 additional parking spaces being provided. The upper deck is not visible from the surrounding roads and has only very limited visibility from the public realm within the site. The additional parking spaces are only visible (other than from the windows of adjoining flats) once you enter the upper deck itself. In this respect, the loss of some of the soft landscaping, and the provision of 7 additional parking spaces, will not have a significant adverse impact on the overall character and appearance of the development.

6.4 (b) Impact on surrounding properties

The proposed landscaping areas and additional parking spaces are most visible from the adjoining blocks of flats and particularly those in Weldon Court and North Court that directly overlook this section of the parking deck. The loss of all the approved soft landscaping and its replacement with 18 additional parking spaces, as currently constructed, was considered to have a significant

impact on the outlook from these flats in the consideration of the previous application (ref. 17/01513/VAR), with the whole of the deck, and specifically the area outside these flats, being tarmaced. Several of the objectors have stated that the approved soft landscaping was one of the reasons they purchased their flats.

- 6.5 The current proposal will introduce 2 areas of soft landscaping on the parking deck, each adjoining Weldon Court and North Court respectively. This will introduce a significant amount of soft landscaping to the parking deck directly outside the flats in Weldon Court and North Court. The impact of the constructed scheme on these flats will be significantly mitigated as a result and is considered to be an appropriate and acceptable alternative to the approved scheme.
- 6.6 Although various objectors have raised concerns regarding increased noise and pollution arising from the additional cars, it is not considered that the limited movements during the course of the day from the additional 7 spaces would have any significant adverse impact in respect of noise or pollution.
- 6.7 (c) Car parking
The approved scheme had a car parking provision of 150 spaces for the proposed 107 dwellings, which was below the maximum standard of 186.5 spaces for the number and size of dwellings proposed. The current proposal will increase the number of spaces to 157, which remains below the maximum standard and is acceptable.

7. Consultation responses received

7.1 Statutory consultees and other organisations

None required.

7.2 Internal Consultees

None required.

7.3 Representations received from interested parties

Letters were sent to 40 properties in North Court and Weldon Court, Rembrandt Way and all those parties who commented on the previous application. Responses have been received from 20 properties, all objecting to the proposal.

Representations	Officer's response
Additional car parking is intended for renting.	The applicant has stated that the additional spaces will only be for the use of residents of the development. This could be on a rented basis. The spaces will not be rented to non-residents.
Additional noise from cars manoeuvring. Loss of landscaping further worsens this.	It is considered unlikely the limited movements arising from the additional cars would give rise to a noise nuisance.
Little space for children to play. Soft landscaping would make some provision for this.	Noted.
Question how safe it would be for children to play in this area.	The landscaped areas are not necessarily intended for children. They will soften the appearance of the parking deck.
The originally approved scheme should be installed. Properties were purchased on this basis.	Noted. If the properties were purchased on the basis of the approved landscaping scheme, this is a civil matter between the purchasers and Shanly Homes.
Loss of outlook from the adjoining flats.	It is considered that the proposed scheme will significantly mitigate the current situation and improve the outlook from the adjoining flats.
Loss of privacy to balconies and bedrooms from this area.	Any potential loss of privacy would be no greater than if this area were landscaped in accordance with the approved scheme.
Additional traffic generated would be hazardous to children.	There is no through traffic in the development. It is not considered the limited movements arising from the additional cars would give rise to any significant additional hazard where vehicle speeds are low.
Additional service charge to residents to pay for the upkeep of the parking spaces.	This is a civil matter. However, the approved and proposed landscaping areas will need to be maintained by the management company in the same way.

8. Recommendation

That planning permission be granted subject to the conditions listed below. As the development approved under planning permission ref. 14/00992/VAR has now been completed, with the conditions having been discharged and the requirements of accompanying Section 106 agreement having been satisfied,

Conditions

1. The development shall be retained in accordance with the following approved drawings, unless otherwise agreed in writing by the Local Planning Authority:

Site location plan

1248_PLN_602A, 603A, 604A, 605A, 606A, 607, 608A, 609A, 610A, 611, 612A, 613, 614A.

3173/PL 111C, 114A, 121A, 122A, 123A, 124A, 125A.

1248_CON600_D01, J01, J02, K01, K02, L01, L02 and M01.

Reason: For the avoidance of doubt as to what has been permitted.

2. The amended landscaping scheme for the upper parking deck, as shown on drawing nos. SH19186-15F (Sheets 1 of 2 and 2 of 2) by ACD, shall be implemented in full within 6 months from the date of this decision notice. Any 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 outlook from the adjoining flats in Weldon Court and North Court, pursuant to Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

3. The soft landscaping scheme approved for the whole site under ref. 15/00106/DISCON, as detailed in the following drawings and documents (all by ACD), shall be implemented in full:

Drawing no. SH19186-16A

Soft Landscape Specification (dated April 2014)

Landscape Management and maintenance Plan (dated June 2014)

Drawing no. SH19186-50D

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, pursuant to Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

4. No dwelling within Blocks D, J, K, L and M shall be occupied until the respective bin and cycle stores for that block have been constructed, as shown on drawing nos. 1248_CON600_D01, J01, J02, K01, K02, L01 and M01, unless otherwise agreed in writing by the Local Planning Authority. Each store shall be retained as approved at all times and shall not be used for any other purpose.

Reason: In the interests of the visual appearance of the site and to ensure that adequate facilities exist for residents of the proposed development, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and Policy T10 of the Watford District Plan 2000.

5. The boundary treatments shown on drawing no. SH19186-16A (ACD), as approved under ref. 15/00108/DISCON, shall be retained as approved at all times, unless otherwise agreed in writing by the Local Planning Authority.

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

6. No house in Blocks A, B, C, E, F, G and H shall be occupied until the refuse and re-cycling store shown on the approved drawings has been constructed. Each store shall be retained as approved at all times.

Reason: In the interests of the visual appearance of the site and to ensure that adequate facilities exist for residents of the proposed development, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and Policy SE7 of the Watford District Plan 2000.

7. The approved bollards (Rhino RS004 Stainless Steel Bollard) to prevent vehicular access between Hagden Lane and King George's Avenue, as shown on drawing no. SH19186-15C (Sheet 2 of 2) by ACD, approved under ref. 16/00930/DISCON, shall be retained at all times.

Reason: To prevent the access road being used as a rat-run to avoid the traffic light controlled junction at Whippendell Road/Hagden Lane, in accordance with Policy T4 of the Watford District Plan 2000.

8. No dwelling shall be occupied until the respective vehicle parking accommodation for that dwelling, as shown on the approved drawings (or any subsequent amendment agreed in writing with the Local Planning Authority), has been provided and made available for use. This parking accommodation shall be permanently retained and shall not be used for any other purpose than the parking of vehicles of occupants of the development or visitors to the residential units hereby approved.

Reason: To ensure that the development makes adequate provision for the parking of vehicles of the future occupiers of the development and their visitors in the interests of highway safety and to accord with Policy T22 of the Watford District Plan 2000.

9. The windows in the flank elevation of the buildings on Plots B1, B4, C1, C4, D1, D2, D5, D6 and F1 shall be non-opening and shall be fitted only with obscured glazing at all times.

Reason: To prevent overlooking and a loss of privacy to the adjoining properties and their garden areas, in accordance with Policy U2 of the Watford District Plan 2000.

10. No doors or other means of enclosure shall be installed to the undercroft parking spaces on Plots B2, B3, C2, C3, F2-F5, G2, G3, G5, G6 and H2-H5.

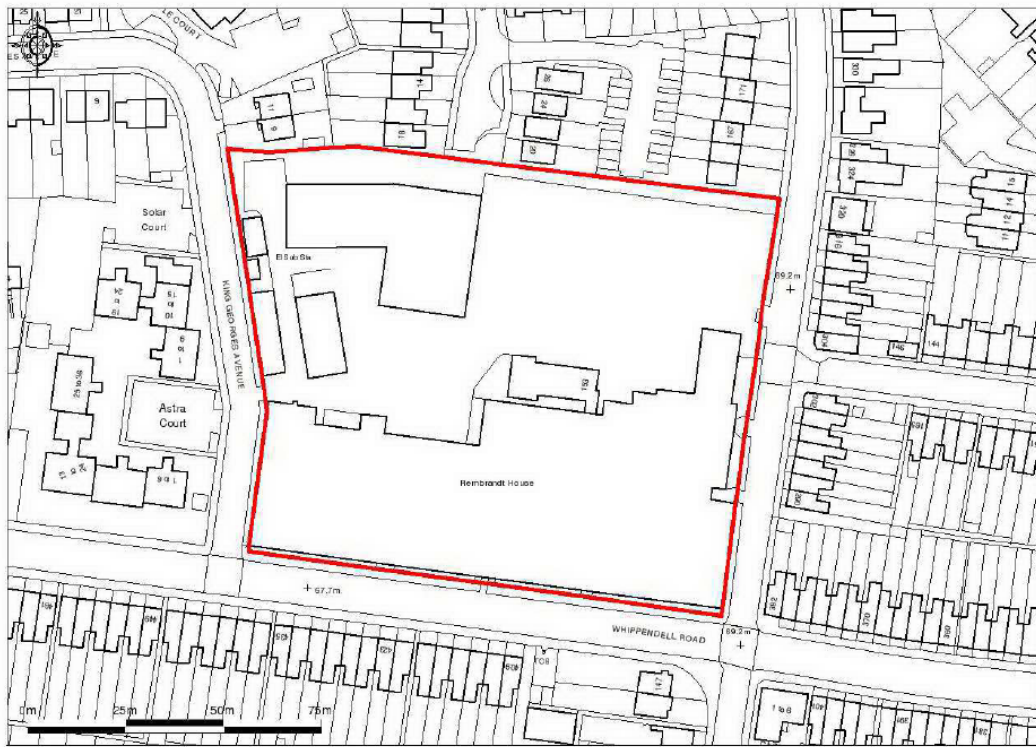
Reason: To ensure these parking spaces are available for parking cars at all times and are not used for storage or other purposes, in accordance with Policies H5 and T22 of the Watford District Plan 2000.

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

Reason: To enable the Local Planning Authority to ensure that any such developments are carried out in a manner which will not be harmful to the character and appearance of the proposed development and will not prove detrimental to the amenities of adjoining occupiers in accordance with Policies U1, U2 and U3 of the Watford District Plan 2000.

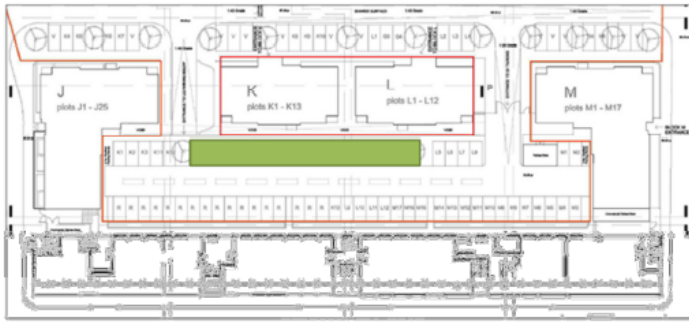
Informatives

IN907 Consideration of the proposal in a positive and proactive manner.

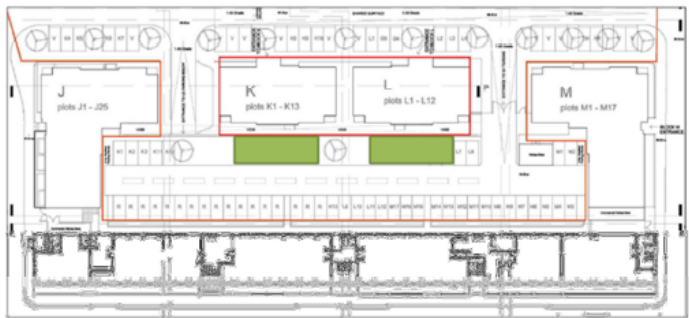


Gerald Eve (G3918) July 2011

Approved and proposed landscaped areas



Approved landscaping area



Proposed landscaping areas

Views of current situation



Photographs supplied by objector

Agenda Item 9

Committee date	3rd October 2018
Application reference	18/00994/FUL
Site address	116A, High Street
Proposal	The erection of a part one, part two storey first floor rear extension containing two self-contained residential units, and the conversion of the upper floors of the existing property into two self-contained residential units.
Applicant	116A Watford High Street 2013 Limited
Agent	GL Hearn
Type of Application	Full planning application
Reason for committee item	Number of objections
Target decision date	2nd October 2018
Statutory publicity	Site notice posted 15th August 2018 Public advertisement published 17th August 2018
Case officer	Paul Baxter paul.baxter@watford.gov.uk
Ward	Central

1. Recommendation

Approve subject to conditions and the completion of a s.106 unilateral undertaking, as set out in section 8 of this report.

2. Site and surroundings

- 2.1 The site is located on the south-western side of High Street and is within the prime retail frontage of the town centre. It is one of 4 locally listed buildings (114B, 114C, 114D and 116A) within a terrace of properties that back onto St Mary's View and The Cloisters. These 4 buildings fall within the south-eastern corner of the St Mary's Conservation Area.
- 2.2 The property is 2 storeys on the High Street frontage with accommodation in the roof and has a large, single storey extension to the rear. On the roof of the extension is a further flat roofed structure that currently houses plant and equipment associated with the ground floor occupation of the adjoining property by Tesco Express (also in the ownership of the applicant). The ground floor of the application property is currently in commercial use (Liberty Flights) although the upper floors appear to be vacant.
- 2.3 Further information, including the site plan and drawings, is available in the appendices to the report and on the council's [website](#).

3. Summary of the proposal

3.1 Proposal

To erect a part 2 storey, part single storey rear extension on the roof of the existing single storey rear extension at the property, to provide 2 self-contained flats, and to convert the existing first and second floors of the existing building into 2 self-contained flats, to provide a total of 4 flats. Access to all the proposed flats will be from the rear (St Mary's View) via the shared entrance and stairs to the flats at Addison Court (nos. 114C and 114D), which are also in the ownership of the applicant. The development is to be car-free.

3.2 Conclusion

There is no objection in principle to the provision of additional residential accommodation on the upper floors of the application property. The scale and design of the proposed 2 storey rear extension is considered to be high quality and appropriate for this site, and is considered to enhance the 2 heritage assets; the St Mary's Conservation Area and the application property, a locally listed building. The proposal will provide an acceptable level of accommodation for the 4 proposed flats and will have no significant adverse impact on the amenities of the existing flats in the adjoining Addison Court. There is also adequate bin storage to serve the proposed flats. A s.106 unilateral undertaking has been completed by the applicant to exclude the development from the local controlled parking zone. Although the proposal fails to provide any cycle parking facilities, this is not considered to be fatal to the scheme given the highly accessible and sustainable location of the site. The proposal has overcome the previous reasons for refusal and is recommended for approval.

4. Relevant policies

Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application was determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. Relevant site history/background information

5.1 114C and 114D, High Street (adjoining)

06/00305/FUL – Planning permission granted in May 2006 for conversion of first and second floors at 114D into 4 flats.

12/00795/FUL – Application withdrawn for change of use of 114C and two rear extensions to first and second floors to provide 8 residential units at 114C and 114D.

12/01026/FUL – Planning permission granted December 2012 for change of use to 114C and rear extensions to the first and second floors to provide 7 residential units at 114C and 114D. This development is known as Addison Court and is in the ownership of the applicant.

14/00928/FUL – Planning permission granted on 22nd August 2014 for the alteration to existing wall to the rear of 114C and 114D High Street to provide a new gated rear entrance to residential accommodation as well as the erection of 2no. enclosures for refuse and plant equipment (and relocation of plant equipment) associated with 114D High Street and the installation of a glass canopy to the entrance of the residential accommodation.

116A, High Street

14/01625/FUL – Planning permission refused in April 2015 for the erection of a part one, part two storey rear extension (at first and second floors) and alterations to existing roof to provide 6 residential units and erection of new bin store. The application was refused for 6 reasons.

16/01722/FUL - The erection of a part 2 storey, part single storey rear extension on the roof of the existing single storey rear extension at the property, to provide 2 self-contained flats, and to convert the existing first and second floors of the existing building into 2 self-contained flats, to provide a total of 4 flats. This application was refused on 3rd February 2017 for 5 reasons:

- 1. The proposed development, by reason of the scale and design of the proposed 2 storey extension, would result in harm to the character and appearance of the subject building, which is locally listed, and to the character and appearance of the St Mary's Conservation Area in which it is located, contrary to saved Policies U15, U18 and U19 of the Watford District Plan 2000 and Policies UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31. It is considered that the proposed works would fail to make a positive contribution to the local character and distinctiveness of the area, contrary to the advice contained within Section 12 of the National Planning Policy Framework (NPPF).*
- 2. The proposed development will fail to provide acceptable levels of accommodation for the proposed occupiers of Flats 1 and 3 by reason of poor levels of outlook and privacy, contrary to the guidelines in the Council's Residential Design Guide and the objectives of paragraph 17 of the National Planning Policy Framework (NPPF) which seek to ensure*

that a good standard of amenity for all existing and future occupants of land and buildings is achieved.

3. *The proposed development will result in a significant, harmful impact on the amenities of the occupiers of 2, 5 and 6 Addison Court by reason of loss of outlook, natural light and privacy, contrary to the guidelines in the Council's Residential Design Guide and the objectives of paragraph 17 of the National Planning Policy Framework (NPPF) which seek to ensure that a good standard of amenity for all existing and future occupants of land and buildings is achieved.*
4. *A Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 has not been completed by the owners of the site to secure a financial contribution towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude future residents of the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the site. Without such an agreement in place, the proposal has the potential to result in additional on-street parking in an already congested area contrary to saved Policies T24 and T26 of the Watford District Plan 2000.*
5. *The proposed development fails to provide secure and weatherproof cycle storage or adequate bin storage to serve the proposed flats, contrary to saved Policies T10 and SE7 of the Watford District Plan 2000 and Policy T3 of the Watford Local Plan Core Strategy 2006-31.*

6. Main considerations

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

- (a) Principle of development.
- (b) Scale and design.
- (c) Impact on heritage assets.
- (d) Quality of residential amenity for new dwellings.
- (e) Impact on residential amenity of adjoining dwellings.
- (f) Access, parking and servicing.

6.2 (a) Principle of development

The site is located in the town centre (Special Policy Area 1) and falls within the Primary Shopping Area, as defined in the Core Strategy. Policy SPA1 states that within the Primary Shopping Area, the main use will be retail with associated and complementary uses such as cafes and restaurants, mainly at

ground floor level. On upper floors, uses which encourage a lively and vibrant town centre will be encouraged including residential, office and leisure use. The upper floors are ancillary to the ground floor as they can only be accessed from within the ground floor unit, although are currently vacant. The site is in a highly sustainable and accessible location and is suitable as a windfall site for residential use, in accordance with Policy HS1. The conversion of the upper floors to residential use and the provision of additional residential accommodation on the site is therefore acceptable in principle.

6.3 (b) Scale and design

Policies SD1 and UD1 of the Watford Local Plan Core Strategy 2006-31 seek to ensure that all new development is based on an understanding of the local characteristics of the surrounding area. Particular regard should be paid to the height, size, roof pitch, use of materials, textures, finishes, size and scale of window and door openings and the impact on the streetscene. This is supported further by Section 3.1 of the Residential Design Guide. At a national level, the government's planning guidance places a strong emphasis towards the creation of high quality environments through good design.

6.4 The proposed scheme involves the erection of extensions at the rear of the building, on the existing single storey flat roof. The building is locally listed and lies within the St Mary's Conservation Area. Both the building itself and the conservation area are considered as heritage assets under Policy UD2 and the NPPF. The impact on these heritage assets is considered in paragraphs 6.11-6.17 below.

6.5 The proposed extension is to the rear of the main frontage building and comprises a part 2 storey, part single storey extension on the roof of the existing single storey extension. The 2 storey element is sited along the southern boundary and has a depth of 14.5m, extending to the rear boundary, and a width of 5.2m. It is set in 4.0-4.9m from the flank elevation of the adjoining Addison Court to the north. The single storey element is located between the 2 storey element and the upper floors of the existing frontage building. In order to overcome the concerns with the previous application, the new extension has been pulled away from the existing upper floors so that the two are only linked by the single storey element that gives internal access to both. The existing rear roofslope and large bay window remain as existing.

6.6 The area of roofspace between Addison Court and the proposed extension is open at its western end facing St Mary's View (in the previous scheme it was enclosed by a single storey element) and is proposed to be a 'green roof'. There will be no access to this space by existing or future residents.

- 6.7 The adjoining Addison Court incorporates several single storey and 2 storey rear extensions, with the second floor elements set back behind the first floor elements to give a stepped effect. Both elements have flat roofs with the first floor flat roof areas being used to provide roof terraces for the second floor flats above. The extensions are finished in a buff stock brick.
- 6.8 The proposed extension adopts a contemporary approach in contrast to the development at Addison Court. It incorporates steeply pitched roofs, angled windows and is clad in black stained timber panels. In contrast, the western end of the extension comprises a raised section of wall in traditional buff stock brick with a large feature window facing St Mary's View. This wall also conceals an open terrace to the second floor flat.
- 6.9 The scale of the proposal is considered to be acceptable, reflecting the scale of the adjoining Addison Court. It also respects the existing locally listed frontage building, comfortably sitting alongside both. The raised wall facing St Mary's View reflects the height of the adjoining building at nos. 118-130, High Street, but the inclusion of the large feature window helps to mitigate its scale and adds interest. It also adds intrigue to the proposal as a whole by 'concealing' the contemporary building behind and creating an element of surprise when this is revealed. The angled windows in the flank elevation 'peer' around the edge of the wall and give the impression of observing passers-by.
- 6.10 Although not visible from High Street, the rear of the property is fully visible from St Mary's View which contains 16 dwellings (The Cloisters) and also gives access to other properties. It also provides a pedestrian link between St Mary's Churchyard to the north and King Street to the south although is dominated by tarmaced car parking areas which lessen the quality of the space. In this context, the proposal is considered to provide a high quality addition to the urban form and to enhance the character and appearance of the immediate locality.
- 6.11 (c) Impact on heritage assets
The building is locally listed and lies within the St Mary's Conservation Area. Both the building itself and the conservation area are considered as heritage assets under Policy UD2 and the NPPF.
- 6.12 The NPPF advises (paragraph 192) that in determining planning applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development

making a positive contribution to local character and distinctiveness.

6.13 Paragraph 193 of the NPPF states “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm.”

6.14 i) St Mary’s Conservation Area.

The application site is within St Mary’s Conservation Area which also includes The Cloisters to the west. Although the open parking area is not within the conservation area, the conservation area is fully visible from St Mary’s View. As described in paragraphs 6.3-6.10 above, the proposal is considered to provide a high quality addition to the urban form and to enhance the character and appearance of the immediate locality. As such, the proposal is considered to enhance the character and appearance of the conservation area and would not give rise to harm to this heritage asset.

6.15 ii) Locally listed building at 116A, High Street.

The local listing description is as follows:

Brief description:

Purpose built shop unit from the 1910s, with other uses above on first floor and attic levels. Brick built structure with a gabled slate roof. Interesting detailing on upper storeys of front elevation. Located on the west side of the High Street, next to a row of Locally Listed Buildings.

Architectural interest:

The building was designed by the architect Albert Dunning, who had an office on Derby Road in Watford. Although the original shopfront has subsequently been replaced, the building retains the interesting detailing on the upper floors of the front elevation.

Streetscape quality:

The building forms an important component of this part of the High Street, the upper floor detailing and roof form lending it variety and adding to its character.

Historical interest:

Built on the footprint of an older building, the cellar may be considerably older than the rest of the 1915 building.

6.16 In the previous scheme (ref. 16/01722/FUL) the 2 storey extension adjoined the rear roof of the frontage building with the consequent loss of the rear dormer and much of the rear roofslope. In this scheme, the extension adjoins as a single storey element only, below eaves level, and replaces an existing

single storey extension. As such, the rear roofslope and rear dormer window are retained as existing. In respect of the front elevation facing High Street, the only alterations proposed are the insertion of 2 rooflights in the front roofslope. Providing these are low profile conservation style rooflights, these will not cause any significant harm to the appearance of the building. Although internal changes will be undertaken to create the proposed 2 flats, the significance of the building is only in its external elevations. In this respect, therefore, the proposal will cause no harm to the locally listed building.

6.17 The existing single storey extension on the flat roof of the building is of poor quality and detracts from the appearance of the locally listed building. The proposed 2 storey extension will be of high quality and, although larger in scale, will still allow views of the rear roofslope and rear dormer from St Mary's View. Overall, it is considered that the proposal will give rise to less than substantial harm to the building and its setting.

6.18 (d) Quality of residential amenity for new dwellings
The proposed flats will have the following floorareas:

	Beds/Persons	Floorarea (m ²)	Nationally Described Space Standard
Extension			
Unit 3	1 bed/2 person	56m ²	50m ²
Unit 4	1 bed/2 person (over 2 levels)	55m ²	58m ²
Conversion			
Unit 1	2 bed/3 person	61m ²	61m ²
Unit 2	2 bed/3 person	67m ²	61m ²

6.19 Three of the proposed flats will exceed the nationally described space standard with one flat, Unit 4, being slightly below. This is due to the fact that the bathroom is at the lower entrance level and the unit is therefore technically over 2 levels, requiring a larger floorspace than a unit on a single level. However, in this case, this shortfall is considered acceptable.

6.20 A report has been submitted with the application assessing all of the windows of the proposed flats for sunlight and daylight in accordance with the British Research Establishment's document 'Site layout planning for daylight and sunlight: a guide to good practice' (2011). This has concluded that all of the windows will meet or exceed the BRE guidelines.

6.21 Units 1 and 2 (on the upper floors of the existing front building) will have their

main windows facing High Street and all will have good levels of outlook and privacy. Unit 2 also has the retained large dormer window serving the main double bedroom. Although this window will face the proposed 2 storey extension, its position at roof level ensures that it will still benefit from good levels of outlook and privacy. Both are considered to provide a good level of accommodation.

- 6.22 Units 3 and 4 are within the rear extension. Both have their main living/dining/kitchen room facing west overlooking St Mary's View with Unit 4 also having an open terrace area. These rooms will both have good levels of outlook and privacy. Unit 3 has its bedroom window on the flank elevation facing Addison Court. In order to overcome previous concerns regarding outlook and privacy, this window is angled towards the rear, ensuring good levels of outlook and privacy. The bedroom to Unit 4 faces towards the existing front building. In order to prevent overlooking of the rear dormer window of Unit 2, this window is angled towards Addison Court. Given its position at second floor level, this window will still have an acceptable level of outlook. In respect of privacy, it will face towards an existing bedroom window in Addison Court at a distance of 8m and an oblique angle of 40°. Having regard to this context and the orientation and internal arrangement of the respective bedrooms, it is not considered that an unacceptable degree of overlooking would occur.
- 6.23 In the proposed scheme, only Unit 4 will benefit from a roof terrace, providing outdoor amenity space. Additional roof terraces included within the previous scheme were considered to give rise to overlooking so these have been removed. Although there is no communal amenity space (the roof area between Addison Court and the proposal will not be accessible for privacy reasons), this is considered acceptable in this town centre location.
- 6.24 Overall, the proposed flats will provide a good level of accommodation for future residents.
- 6.25 (e) Impact on residential amenity of adjoining dwellings
The submitted sunlight and daylight report also assessed the light to the windows of the adjoining flats in Addison Court. Using the measure of average daylight factor (ADF) which is the most appropriate measure given the location of the windows on the boundary of the site, all of the windows to these flats will retain levels of natural light that meet or exceed the BRE guidelines.
- 6.26 i) 2, Addison Court (first floor rear)
The bedroom, bathroom and kitchen windows of this flat face onto the flat

roof and towards the proposed extension. The kitchen and bathroom are not habitable rooms and so limited weight can be given to these windows. Although they will experience some loss of outlook from the 2 storey extension, there will be no loss of privacy due to the angled windows in the flank elevation of the extension.

- 6.27 The bedroom is a habitable room and its window is adjacent to the single storey link element between Addison Court and the extension and faces the single storey element that links the extension to the front building. This will not result in any significant loss of outlook. Where the proposed extension rises to 2 storeys, via a steeply pitched roof, some loss of outlook will occur to this window. However, it is not considered this would be so significant to merit a refusal of permission in this case. The window is sited on the boundary of the property and the proposal has been designed to respect this window as much as possible.
- 6.28 ii) 5, Addison Court (second floor front)
This flat has a kitchen and secondary living room window in the flank elevation and a small roof terrace adjoining the existing building. No additional windows are proposed in the flank elevation of the existing building and the relationship to this flat will remain unchanged.
- 6.29 iii) 6, Addison Court (second floor rear)
This flat has a bedroom window facing the flank elevation of the existing building and a small kitchen window facing the proposed 2 storey extension. As the flat is at second floor level, the 2 storey element of the proposed extension will have no significant impact on the outlook to these windows. In terms of privacy, the angled bedroom window of the second floor flat (Unit 4) will face towards an existing bedroom window in this flat at a distance of 8m and an oblique angle of 40°. Having regard to this context and the orientation and internal arrangement of the respective bedrooms, it is not considered that an unacceptable degree of overlooking would occur. The angle to the kitchen window is even more extreme at 18°, minimising any opportunity for overlooking, and the kitchen window itself is small.
- 6.30 Overall, it is not considered that the proposed extension will have any significant adverse impact on the existing flats at Addison Court by reason of loss of outlook, privacy or natural light.
- 6.31 (f) Access, parking and servicing
The site is within the town centre and is in a highly accessible and sustainable location, with good access to public transport and a wide range of services. Numerous bus stops are located within the High Street and High Street

railway station is a short distance to the south of the site. No car parking provision is proposed for the new units and this is acceptable in this location, subject to the exclusion of the development from the local controlled parking zone. This would ensure future occupiers are not entitled to permits to park on-street. The applicant has completed a s.106 unilateral undertaking to secure this.

6.32 No cycle parking provision is shown on the drawings and none can be provided due to the lack of available space. The adjoining 7 flats in Addison Court also have no cycle parking facilities. Although this is regrettable, it is not considered that this would merit the refusal of permission for 4 additional flats in this town centre location.

6.33 A bin store is indicated on the submitted drawings adjacent to the entrance door to the adjoining Addison Court (which will also be used as the sole entrance to the proposed flats). The proposed 4 flats will require 140L of capacity for both waste and dry recycling each (4 x 240L bins or 2 x 660L bins) and provision for green recycling (1 x 240L). The proposed bin area is of sufficient size to meet this requirement.

7. Consultation responses received

7.1 Statutory consultees and other organisations

None required.

7.2 Internal Consultees

Waste and recycling

Expressed concern over the adequacy of the original proposal for the proposed flats to share the existing bin store of Addison Court. A separate bin store has now been provided for the proposed flats.

7.3 Representations received from interested parties

Letters were sent to 37 properties in the surrounding area. Responses have been received from 5 properties, all objecting to the proposal or raising concerns about aspects of the proposal. The comments are summarised below:

Representations	Officer's response
Loss of daylight to flat at 2, Addison Court, especially the	The submitted sunlight and daylight report concludes that the daylight levels will still

kitchen window.	exceed the BRE guidelines. Furthermore, the kitchen window is only a secondary window to the main living area.
Loss of outlook and increased sense of enclosure to flat at 2, Addison Court.	Some loss of outlook will occur, particularly to the kitchen window, however, this is only a secondary window to the main living area.
Proposed flats will encourage more car parking within the existing car park. Car park is already mis-used.	This is a private car park. Use of the spaces is a matter for the management company.
No additional bin provision has been made.	Additional bin provision has now been incorporated into the proposal.
Increase in use of the existing main entrance to Addison Court.	The additional use by the occupiers of the 4 proposed flats is not considered significant. Issues of wear and tear are matters for the management company.
Loss of daylight to flat at 6, Addison Court.	The submitted sunlight and daylight report concludes that the daylight levels will still exceed the BRE guidelines.
Loss of privacy to kitchen and bedroom windows of flat at 6, Addison Court.	This is discussed at paragraph 6.29 of the report.
What will the open roof area be used for?	The applicant has stated that this is to be a green roof with no access for residents.
Impacts of construction work on the car park and existing residents of Addison Court.	This is not a material planning consideration.
Existing plant in first floor extension to be re-housed in car park.	This has already been granted planning permission under ref. 14/00928/FUL which has been partially implemented.
Lighting should be increased in the car park and CCTV installed to discourage anti-social behaviour.	This is a matter for the management company.

8. Recommendation

That planning permission be granted, subject to the completion of a Section 106 unilateral undertaking to secure the heads of terms listed below and the following conditions:

Section 106 Heads of Terms

- i) 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 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:-

A1947-PL-001A, 010A

A1947-PL-100, 101, 102, 103, 121, 122, 123, 124, 125

A1947-PL-200B, 201, 202, 203, 301, 302, 303, 401, 402, 403, 404, 405

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

3. No construction works shall commence until details of the materials to be used for all the external finishes of the building, including walls, roofs, doors, windows, rooflights, fascias and balustrades, 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 conservation area, in accordance with Policies UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31.

4. No part of the development shall be occupied until full details of the proposed green roof has been submitted to and approved in writing by the Local Planning Authority. The approved green roof shall be carried out not later than the first available planting and seeding season after completion of the development. Any plants within the green roof 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.

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

6. For the avoidance of doubt, no communications development permitted by Class 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 the building hereby approved.

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.

Informatives

IN907 Consideration of the proposal in a positive and proactive manner.

IN914 Section 106 undertaking.

IN910 Building Regulations.

IN911 Party Wall Act.

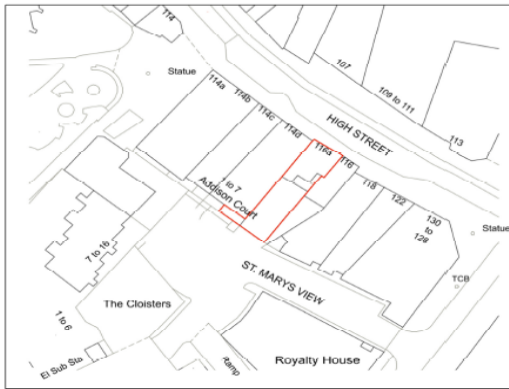
IN912 Hours of Construction.

IN913 Community Infrastructure Levy Liability.

IN909 Street Naming and Numbering.



1 - Site location plan



2 - Aerial view from south



3 - Street views



Street view from Google Maps



View from St Marys View to rear from Google Maps

4 - First floor plan



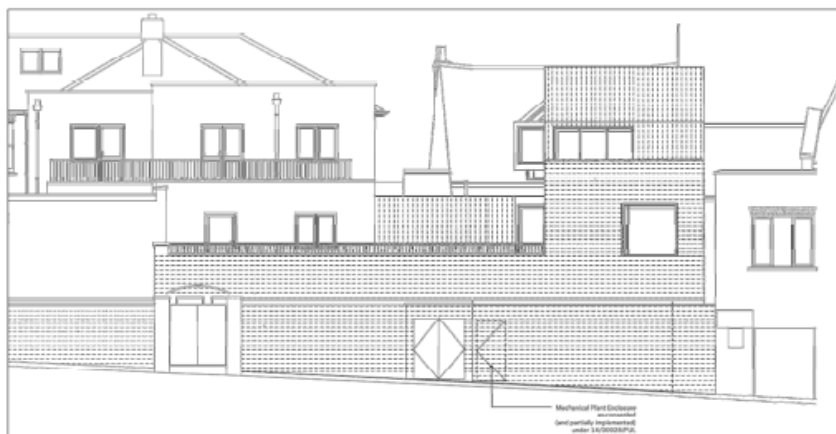
First floor plan

5 - Second floor plan



Second floor plan

6 - Rear southern elevation



Rear southern elevation to St Mary's View

7 - CGI view from St Mary's View



Agenda Item 10

Committee date	3rd October 2018
Application reference	17/00048/FULM
Site address	Land to the East of Ascot Road
Proposal	Variation of the S106 agreement associated with the application to: a) alter the provision of affordable housing; and b) to enable the affordable housing to be managed by the owner/developer
Applicant	Orion (Cassiobridge) Limited
Agent	JLL
Type of Application	Variation of Legal Agreement
Reason for Committee Item	S106 Variation on Major Application
Target decision date	n/a
Statutory publicity	n/a
Case officer	Adrien Waite adrien.waite@watford.gov.uk
Ward	Holywell

1. Recommendation

Amend the legal agreement as set out in section 8 of this report.

2. Site and surroundings

2.1 The request relates to a site is located in Special Policy Area 6 (Western Gateway) of the adopted Watford Local Plan Core Strategy 2006-31 (CS). Planning permission was granted for a mixed use development including 485 residential units following consideration by the Development Management Committee on the 5th July 2017.

2.2 Further information, including the site plan and drawings, is available in the appendices to the report and on the council's [website](#).

3. Summary of the proposal

3.1 Proposal

To vary the existing S106 agreement associated with the application to:

- a. alter the provision of affordable housing; and
- b. to enable the affordable housing to be managed by the owner/developer.

- 3.2 The approved scheme was subject to a legal agreement which would provide 35% (170 units) of affordable housing. The scheme was reported on the basis of 20% social rented, 65% affordable rented and 15% shared ownership. However, the legal agreement as drafted did provide some limited scope to alter the number of units and tenure mix in order to better meet current needs.
- 3.3 The signed legal agreement also provides the normal provisions in relation to the transfer of affordable housing units to an Registered Social Landlord which would require a legal transfer of ownership from the developer to another legal entity.
- 3.4 The Local Planning Authority is being asked to consider an alternative proposal for affordable housing based on a viability assessment and an alteration to the legal agreement which would allow the developer to manage the affordable units, subject to controls to ensure they are managed in a way similar to the expectations on a Registered Social Provided.
- 3.5 It is proposed that the legal agreement be amended to provide:
- 90 units of Affordable Rented Housing (linked to local housing allowance rates); and
 - A review mechanism which would enable uplift in the number of units available on site at reduced rents should viability improve.

3.6 **Conclusion**

The timely delivery of the development is important in respect of the master planning of the area and the realisation of regeneration objectives, overall housing provision and place shaping. It has been demonstrated that the level of affordable provision now proposed is the maximum possible, given the change in circumstances and a review mechanism is proposed to ensure affordable housing is maximised if viability is improved. The agreement will also include suitable clauses (negotiated by the Council's Housing Team) to ensure that the units are rented and managed in a responsible and appropriate way. For these reasons it is recommended that the legal agreement be varied.

4. **Relevant policies**

Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application was determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. Relevant site history/background information

- 5.1 17/00048/FULM- Planning permission granted 17th October 2017 for redevelopment of the site to provide a mixed use scheme including 485 residential units (Class C3), retail units (Class A1 and/or A2 and/or A3 uses), community floorspace (Class D1/D2), with associated cycle parking, car parking, playspace, landscaping and public realm improvements.
- 5.2 18/00703/NONMAT – Non-material amendment to planning permission 17/00048/FULM for- 1. Landscape enhancement; 2. Block A facade rationalisation; 3. Block C facade rationalisation; 4. Omission of a lift in Block C; 5. Block D facade rationalisation; 6. Substitution of Brickwork for Eternit on Block's D & E; 7. Substitution of dark standard brick for glazed brick; 8. Unit Number Adjustment; and 9. Alteration to time scale of Conditions 3, 4, 15, 16, 32, 33 and 34. Granted 13th July 2018.

6. Main considerations

- 6.1 The main issues to be considered in the determination of this application are:
- (a) Viability
 - (b) Affordable Housing Arrangements
- 6.2 (a) Viability
The applicants request was initially informed by a viability appraisal which was prepared by CBRE. This appraisal was reviewed by BNP acting on behalf of the Council and there have been numerous revisions to the document and re-appraisals as the Council and BNP have sought amendments and appropriate evidence which would ensure a robust and reliable assessment.
- 6.3 Following these extensive discussions Council's consultants have advised that, with the offer of 90 affordable housing units (at local housing allowance) the site development is in deficit, but recommend that a review mechanism is secured.
- 6.4 Both the Council's local policies and national policy required development to make the maximum viable provision of affordable housing (up to a cap of 35%). On the basis of the viability information and professional advice received the offer of 90 affordable housing units would accord with policy and the review mechanism would provide comfort that additional housing would be provided should the value of the scheme increase.

- 6.5 The Council must also take into account the overall housing need (including general needs housing) and the current lack of a 5 year supply of housing, alongside the other regeneration benefits of the schemes. Taking these matters into account the amendment would ensure the timely delivery of much needed housing and should be supported.
- 6.6 (b) Affordable Housing Arrangements
The existing legal agreement sought the transfer of the units to a Registered Social Landlord or similar organisation and was drafted on the basis of a traditional 'for sale' development project. However, the applicants are now intending to progress the scheme as a 'Private Rented Scheme' PRS which means the development will be investment led and the owner will retain ownership of the units to be rented in the long term. This model of housing provision is now becoming more common and gaining increasing policy support from Central Government and has some benefits, particularly in terms of ensuring the landowner has a long term incentive to ensure the buildings and public realm are well maintained.
- 6.7 The Council's housing team have been negotiating extensively with the developer on this aspect of the proposal in order to agree an Affordable Housing Policy and a Tenant Management Policy for the site. These documents would be enshrined in the legal agreement and would ensure that the units were managed and let in a socially responsible manner which one would expect for an affordable housing product and meet the same policy objectives.
- 6.8 Subject to the legal agreement ensuring such measures are agreed and implemented neither the Council's Housing or Planning Teams have no objection to the proposals.

7. Consultation responses received

7.1 Statutory consultees and other organisations

None required.

7.2 Internal Consultees

The Council's Housing Team have been extensively involved in the discussions to ensure an appropriate Affordable Housing Policy and Tenant Management Policy. As viability matters have only been concluded shortly before the drafting of this report the Housing Team has not yet provided formal comment. This will be provided by way of the update sheet.

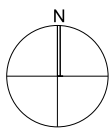
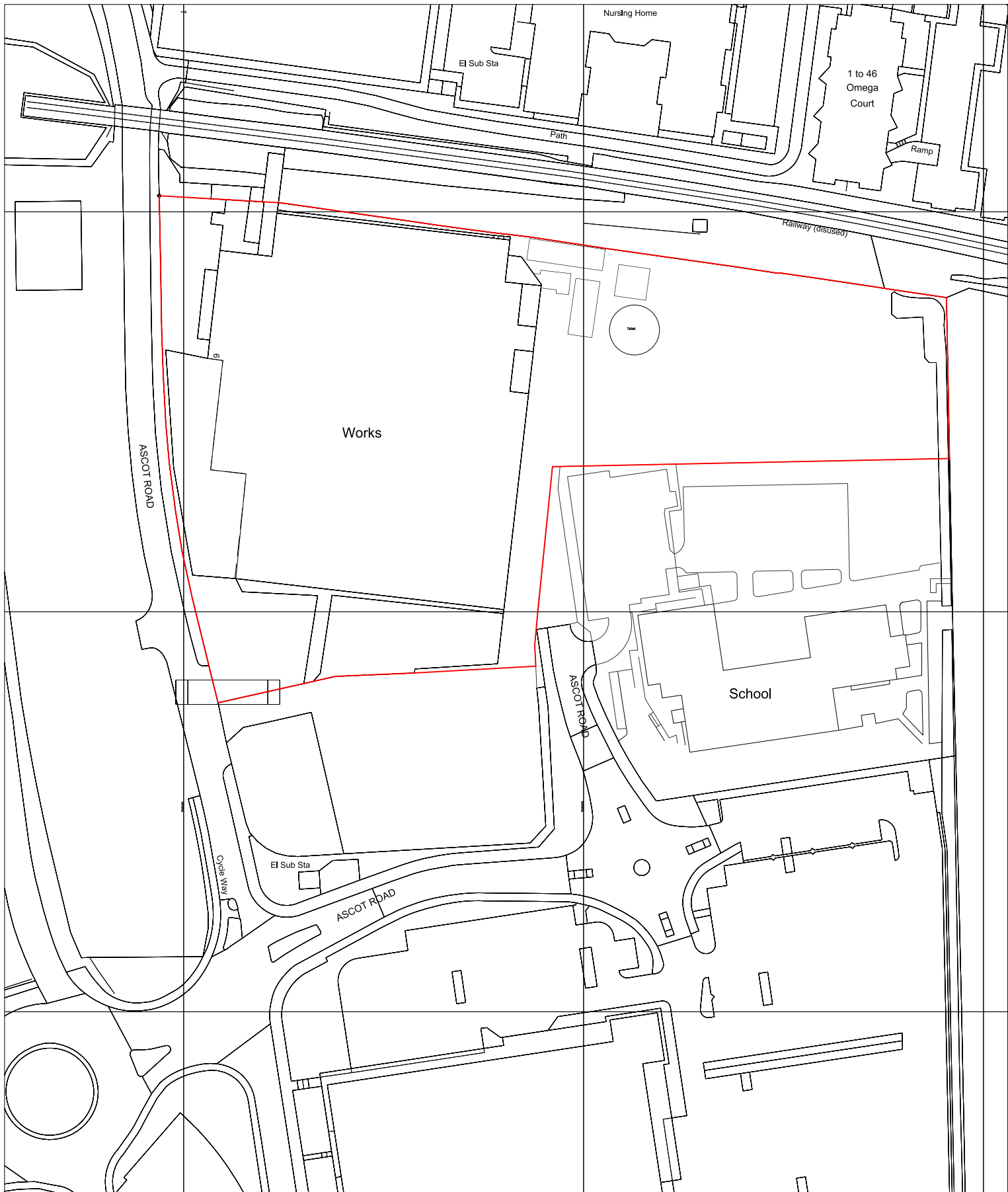
7.3 Representations received from interested parties

Not applicable

8. Recommendation

8.1 That the S106 associated with the planning permission be varied to:

- 1) Require the provision of 90 Affordable Housing Units (which will have rent linked to Local Housing Allowance)
- 2) Require a review mechanism which would enable uplift in the number of units available on site at reduced rents should viability improve. Enable the affordable housing to be managed by the landowner, subject to compliance with agreed documents setting out:
 - a. Affordable Housing Policy
 - b. Tenant Management Policy



esa

architecture | design | town planning
 75 Walks Street
 London W1T 3QH
 telephone 020 7681 8886
 fax 020 7612 9200
 info@esa-td.com

Registered at 75 Walks Street W1T 3QH
 ESA Design Limited, Registered in England No. 03145848

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General Notes

Page 187

Client Orion Ltd.			
Project Ascot Road Watford			
Title Site location plan			
Project No. 074611	Dwg No. 100_101	Rev. -	
Drawn	Checked	Appd	Date: Dec 2016 Scale: 1:1250 @ A4

All dimensions are in metres unless otherwise stated. Any discrepancies shall be immediately notified to the Architect in writing. Copyright ESA Design Limited