



**WATFORD
BOROUGH
COUNCIL**

DEVELOPMENT MANAGEMENT COMMITTEE

4 July 2023

7.00 pm

Annexe, Watford

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Publication date: 26 June 2023

Committee Membership

Councillor P Jeffree (Chair)

Councillor R Martins (Vice-Chair)

Councillors N Bell, J Pattinson, A Saffery, G Saffery, R Smith, S Trebar and M Watkin

Agenda

Part A – Open to the Public

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.

1. Apologies for absence

2. Disclosure of interests

3. Minutes

The [minutes](#) of the meeting held on 16 May 2023 to be submitted and signed.

4. 22/01481/VARM 29-43 Sydney Road Watford WD18 7PZ (Pages 5 - 39)

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 Watford Local Plan 2021-2038 (adopted 17 October 2022); 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 2021) 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 off-site highways works.

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. This may take the form of conditions or planning obligations on any grant of planning permission or, in some cases, a refusal of planning permission. With regard to any infringement of third party human rights, where these are not considered to be of such a nature and degree as to override the human rights of the applicant the refusal of planning permission may not be warranted.

Committee date	Tuesday, 4 July 2023
Application reference	22/01481/VARM 29-43 Sydney Road Watford WD18 7PZ
Site address	
Proposal	Variation of Condition 2 (revisions of approved plans) of planning permission 18/00842/FULM
Applicant	Sydney Developments Limited
Agent	Woolf Bond Planning
Type of Application	S73 Variation of condition to Major Application
Reason for committee Item	Variation to a Major Application
Target decision date	24 th March 2023
Statutory publicity	Public advertisement in Watford Observer and site notices
Case officer	Alice Reade, alice.reamde@watford.gov.uk
Ward	Holywell

1. Recommendation

- 1.1 That planning permission be granted, subject to a Deed of Variation executed under s106 of the Town and Country Planning Act 1990 (as amended), subject to conditions 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 formerly contained single storey industrial buildings however these have now been cleared and redevelopment has commenced. The first phase of the development consisting of a new industrial building has been undertaken and that is now under occupation.
- 2.2 Adjacent to the west of the site is the ongoing residential development of the former Watford Laundry site. 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 a 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.

3. Summary of the proposal

3.1 Proposal

3.2 The proposed application is a Section 73 Minor Material Amendment Application which seeks to vary condition 2 (approved drawings) of the approved development reference 18/00842/FULM. The amendments to the drawings include to following main changes:

- Relocated new substation from the west side to the central area
- The addition of 6 residential apartments from 278 to 284 apartments (plus one house).
- Revised residential housing mix across the development
- Minor massing amendments to the two consented apartment buildings
- Design, technical and functional improvements

3.3 The application also seeks a variation to the agreed S106 to include a revised Affordable Housing mix and tenure to be secured by the planning permission.

3.4 Planning Balance and Conclusion

3.5 The proposed changes to the approved residential development would include modest changes to the massing of the development which would not increase the maximum heights of the buildings. The small elements of increased massing retain the overall sense of scale of the development and would not create new harm or notable increased dominance to the context or to the amenities of the neighbouring occupiers.

3.6 The details in respect of external elevations and landscaping strategy have been refined and would maintain the quality of external design as approved. The proposed mix of housing maintains a 20% provision of family sized dwellings (3 beds+). The quality of the residential homes in respect of layout, light and outlook is maintained as set out in the approved scheme and communal amenity space has been increased for the development by virtue of the changes.

3.7 The proposed changes include an overall reduction of affordable housing from 35.5% to 18% by habitable room provision, however, the provision remains in including a predominance of social rented housing to best meet local needs. The development remains in offering significant planning benefits including:

- New residential development of 285 dwellings
- 20% of the development as family sized housing

- 18% affordable housing (with 60% social rented housing)
- Increased energy efficiency and sustainability measures
- 252 of the dwellings now to be secured as Part M4 (2) Compliant

3.8 On the basis of viability and the retention of the height and overall quality of the scheme as approved, the changes are, on balance, supported by officers. The development remains in offering key benefits that support the development. The harm resulting from the development would not justify refusal in accordance with part 11(d) of the NPPF and presumption in favour of sustainable development.

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 is determined. Members should note that the original application 18/00842/FULM was considered against the Development Plan at the time of the Watford Local Plan Core Strategy 2006-2031 and the 'saved' policies of the Watford District Plan 2000. These policy documents have now been superseded by the Watford Local Plan 2021-2038. 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 compliant equivalent provision of affordable housing provision. This permission was not implemented.

5.2 The applicant then also obtained additional land to the south and conditional planning permission was granted for an enlarged scheme on the enlarged site for 279 dwellings in two blocks of 3 and 10 storeys plus a new industrial building (Ref 18/00842/FULM). This included a policy compliant equivalent provision of affordable housing provision. Full description:

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

- 5.3 This permission has been implemented and the first phase, of a new industrial building has been undertaken.
- 5.4 Various non material amendment applications and discharge of condition applications have been considered in relation to the implemented permission of 18/00842/FULM as follows:
- 5.5 22/00406/NONMAT - Non - material amendment to planning permission 18/00842/FULM to change the description of the development, Granted 28.04.2022. New description:
Erection of new Class E (g) (office, research & development, any Industrial process which can be carried out in any residential area without causing detriment to the amenity of the area) and B8 (storage and distribution) building and yard, and erection of two apartment buildings to provide residential 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.
- 5.6 In January 2022, pre-application advice was sought in relation to proposed S73 Minor Material Amendment Application to the approved scheme (ref 22/00005/PREAP6)
- 5.7 Section 73 application reference 22/00895/VARM was submitted to amend the scheme as follows:
- Application additions to massing and 2 additional storeys to Block A
 - Additions to massing of Block B/C
 - Changes to internal layouts and fenestration
 - The addition of 19 dwellings (increase from 279 to 297)
 - Revised residential housing mix to reduce 3 bed dwellings from 20% to 15%
 - Revised Affordable Housing mix and tenure (overall reduced from 35% to 15% by habitable rooms)
 - Relocated new substation
- 5.8 The applicants were advised that the application was unlikely to be supported due to the increased height, reduced design quality, reduced amenity for residents and detrimental changes to the housing mix and tenures.
- 5.9 Further pre-application was provided in respect of scheme alternations under reference 22/01206/PREAP3 concluding that:
- Additional height was unlikely to be justified whilst there is a loss of affordable housing
 - Design and residential quality would need to be maintained as approved

- Modest additional massing may be supported where this is balanced with façade improvements, where there is no harm to neighbours and residential quality is maintained
- Re-negotiated affordable housing would need to prioritise social rented units (minimum 60%) and include family sized social rents to maintain this benefit of the approved scheme.

6. Main considerations

6.1 The main issues to be considered in the determination of these applications are:

- (a) Principle of additional residential development
- (b) Changes to layout, scale and design
- (c) Housing mix and quality of residential accommodation
- (d) Affordable housing
- (e) Impacts to surrounding properties
- (f) Transport, access, parking and servicing
- (g) Environmental considerations
- (h) Community Infrastructure Levy (CIL), Section 106 and conditions

6.2 (a) Principle of additional residential development

Para 119 of the NPPF states that ‘Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions’.

6.3 Policy SS1.1 Spatial Strategy of the Local Plan states that, outside the Core Development Areas, ‘proposals will be supported where they optimise densities to make efficient use of land and manage change with greater regard to the existing context and local character’. Policy HO3.1 sets out the housing needs and targets for the town.

6.4 The proposed development to increase the dwelling provision at this brownfield site would accord with the principles of efficient use of land for housing development, subject to detailed matters.

6.5 (b) Changes to layout, scale and design

Chapter 12 of the NPPF sets out national policy for achieving well-designed places and key design qualities are set out in paragraph 130. Paragraph 135 of the NPPF states that ‘Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme’.

- 6.6 Policies QD6.1 and QD6.2 of the Local Plan set out key design principles which should be considered when designing a proposal. Policies QD6.3 and QD6.4 set out that 'Development should create high quality new buildings and places which respect and enhance the character of its area'. Policy QD6.5 states that buildings proposed above the base line expected height of an area should demonstrate, amongst other things, outstanding design and public benefits.
- 6.7 The variations include the expansion of the lift overrun on Block A to create a new floor of accommodation at 10th floor level. At a height up to 11 storeys the development would be above the base building height of 4 storeys expected in this 'established' area of the town as set out in chapter 6 of the Local Plan. Policy QD6.5 of the Local Plan would therefore be relevant. The development would, however, be no greater in height than the approved scheme and would be of similar physical and visual massing and characteristics. It is therefore considered that despite the new policy approach to tall buildings, the changes proposed would not be of a differing nature to require reconsideration of the development under the new policy approach for height.
- 6.8 The layout and scaling approach of the development is predominantly unchanged from the approved scheme and remains suitable in its relationship to the road, context and neighbouring development site. The frontage of Block A retains a 4 storey element onto Sydney Road with appropriate set back and space to the side boundary to maintain the cohesive design approach with the adjacent emerging development. The maximum heights of Blocks A and B are unchanged and the siting, form and height of the development remains appropriate when viewed in the context of the emerging adjacent development.
- 6.9 Some elements of Blocks A and B have been increased in footprint and massing, however, these are marginal changes and coincide with some areas of reduction. Furthermore, the design detailing of the elevations of the building has been refined and improved which mitigates the visual massing changes. The perceivable visual change is therefore minimal and the height and overall sense of scale and massing remains acceptable in accordance with the approved scheme.
- 6.10 **(c) Housing mix and quality of residential accommodation**
Policy HO3.2 of the Local Plan seeks for a minimum of 20% family sized homes of 3 bedrooms or more to be included in major housing developments. The approved development included 21% family sized homes totalling 60 units. The proposed development would see a loss of one of those units, now

proposing 59 family sized units, however, this remains as 20% of the mix as 3 or 4 bedroom dwellings. This therefore complies with Policy HO3.2 and remains as a benefit of the development.

- 6.11 Communal accesses have been moved, however, the articulation of these and the approach to landscaping will maintain the legibility and quality of these accesses.
- 6.12 The internal layout approach to the dwellings is largely unchanged in the revisions. The development includes the same approach to the provision of dual aspect dwellings and the layout of cores which, although not in accordance with new adopted policies, would remain acceptable in accordance with the approved scheme. The sunlight and daylight assessment carried out in accordance with BRE guidelines shows no deterioration in the light available to the dwellings or the proposed amenity spaces as a result of the proposed amendments.
- 6.13 The relocation of the sub station into the central area of the site has reduced some amenity space in this area, however, amenity space has been gained elsewhere in the development and overall, communal outdoor amenity space with increase from 2314sqm to 2438sqm. Although the central space is largely enclosed by parking, a key retained space at the front of Block B will allow good access and approach to the central space. The landscaping proposals also show that high quality and useable spaces can be provided. All dwellings would remain in having a private amenity area in the form of a balcony or terrace.
- 6.14 The quality of the homes proposed is therefore not reduced by way of the proposed amendments and remains acceptable in accordance with the approved scheme.
- 6.15 **(d) Affordable housing**
Policy HO3.3 of the Local Plan seeks 35% provision of affordable housing calculated on habitable rooms, with a tenure mix with at least 60% social rent.
- 6.16 The approved scheme included 79 affordable dwellings of the approved 279 (28% by unit). As these consisted of larger family sized units, the provision by habitable room calculation was 35.5% and accorded with the affordable housing policy objectives of the time and would be compliant with the new policy of the recently adopted Local Plan.
- 6.17 The variation application includes a reduced provision of affordable housing which has been supported by submission and review of a viability appraisal.

The proposals for affordable housing are now for 53 units representing 19% by unit number and 18% by habitable room calculation. The comparison of the affordable housing of the approved and proposed schemes is set out in the table below:

	Approved No.	Approved mix	Proposed No.	Proposed Mix
Social Rent	21	12 no. 4B7P 9 no. 3B5P	30 (plus 9)	2 x studios 12x 1 beds 4 x 2 beds 12 x 3 beds 2 x 4beds
Affordable Rent	19	19 no. 3B5P	0 (less 19)	0
Shared Ownership	39	4 no. 1B2P 25 no. 2B3P 10 no. 2B4P	23 (less 16)	3 x studios 15 x 1 beds 2 x 2 beds 3 x 3 beds
Totals	79 units		53 units (less 26)	

- 6.18 Although there is an overall loss of 26 affordable housing units, the revised provision has been amended following discussions with officers and retains merit in the tenure and housing mix of the units offered. The provision of social rented units represents 61% of the affordable housing provision by habitable rooms, compliant with this aspect of Policy H03.3, and also retains 14 family sized dwellings for social rent (including 2 x 4beds) meeting the most significant local housing needs at this time.
- 6.19 All affordable housing dwellings have been identified within the scheme and would have a position, layout and access that would appear to officers as likely to be suitable for delivery by a Registered Housing provider.
- 6.20 The viability appraisal review has found that the development would not be viable to provide a policy compliant affordable housing provision. The Council's review of viability disagreed with the approach to the Benchmark Land Value of the site provided by the applicant and found this should be reduced from their assertion of £4,884,165 to £2,650,869. The Council's

assessment concluded that despite this adjustment, the development would not be able to provide a policy compliant affordable housing provision. Indeed, with the affordable housing provision as proposed (53 units), the development would remain unviable with a deficit of c.£5,433,000. The reduction of the affordable housing provision from the approved scheme is therefore supported by the available information. The applicant team have not been able to detail how this deficit would be met, however, a review mechanism has been agreed to be secured under the variation to the S106 and in compliance with Policy HO3.3.

6.21 It is noted that the applicant states their intention to provide a further 95 dwellings as intermediate housing (shared ownership) with a registered provider with access to grant funding from Homes England. In order to benefit from such funding, this additional affordable housing cannot be secured under a S106 legal agreement and, as such, cannot be secured by the grant of planning permission. As this cannot be secured through the planning process, the potential for additional affordable housing cannot be given any weight in the assessment of this application.

6.22 (e) Impacts to surrounding properties

The development follows the same principles of layout as the approved scheme. The maximum heights have not increased; the modest increases to the footprint and massing are marginal changes and coincide with some areas of reduction. The overall potential for impact to neighbouring properties is therefore largely unchanged in the proposals. Specific relationships are considered below.

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

The upper floors of Block B are 30cm closer to the rears of these properties, however, the new minimum distance of 50.2m is notably in excess of the guidance of 27.5m and remains acceptable. The repositioned electricity substation would be of a height, proximity and massing that would not create harm to these neighbours.

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

The front element of Block A1 has, in part, been brought forward of the approved scheme, however, this change is marginal at less than 20cm. This would be level with the front building line of the adjacent development and the overall height and massing of the building relative to these neighbours is unchanged.

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

The unchanged, built out commercial element of the development is located between the residential element and the Hagden Lane properties meaning that the changes to the residential element of the scheme would be negligible from these properties.

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

The east side of Blocks B/C is opposite the rears of these properties. The upper floors of the approved scheme were a minimum distance of 27.5m to the rears of these properties. Although some elements of Blocks B/C will be moved further away, new projecting balconies are proposed to reduce this minimum back to back distance which is now proposed to be approximately 26m. Although this is below the minimum guidance, this is still a good distance and is further mitigated by the mature trees along the mutual boundary. This change is therefore not likely to create new adverse impacts.

6.27 *Impacts to homes of the adjacent Laundry site development*

The west side of Block A1/A2 is proposed to be between 20cm and 70cm closer to the west side boundary which is the common boundary with the residential development at the former Laundry site that is under construction. Due to the irregular line of the boundary, the proposed building would now, in part, have less than 11m distance to the boundary in places. The facing distance of the two sets of residential buildings will, however, remain over 22m for the most part, compliant with guidance. Where this distance is lower, there is a minimum of 21.3m distance between the buildings, which although is marginally below the guidance, is unlikely to give rise to any adverse impacts.

6.28 **(f) Transport, access, parking and servicing**

The approved scheme included a car-lite approach to parking with the provision of 145 parking spaces to serve the 279 residential units (0.52 ratio). The amendments to the scheme include a reduction of parking spaces by 24 to 121 spaces for the proposed 285 dwellings (0.47 ratio). This number and ratio of parking provision is appropriate to prevent a significant increase in traffic and congestion in the area and particularly on Sydney Road. The s106 agreement will secure measures to restrict future occupiers from entitlement to park in the surrounding Controlled Parking Zone. This car-lite approach remains compliant with the policies of the Local Plan which set maximum parking standards to avoid highway impacts and to encourage sustainable transport. The proposed development retains the inclusion of 2 car spaces for the provision of a car club.

6.29 **(g) Environmental considerations**

Matters in respect of surface water drainage, contamination, piling and trees remains as assessed and can be conditioned as for the approved scheme.

- 6.30 An updated Energy Strategy prepared by Hadley Consulting Engineers has been issued with this revised Section 73 application. With the new proposals for mechanical ventilation with heat recovery to each dwelling, the review of the revised Section 73 scheme has an improved carbon emissions reduction of 42.8% improvement to Part L Target Emissions, where the consented scheme achieved 39.5%.
- 6.31 New environmental considerations as set out in the Local Plan in respect of EV charging and water use are also proposed to be secured by condition.
- 6.32 **(h) Community Infrastructure Levy (CIL), Section 106 and conditions**
The development remains liable for Community Infrastructure Levy (CIL). The Section 106 legal agreement accompanying the original planning permission under 18/00842/FULM remains in place, however, the affordable housing secured will be amended to that now proposed by means of a deed of variation from the applicant. As the affordable housing would now be below 35%, the deed of variation will also secure a viability review mechanism. This has been offered by the applicant as a two stage review mechanism to entail an early review to allow for additional on-site affordable housing if the development viability improves as well as a late stage review which would secure commuted payments.
- 6.33 The application seeks only to amend Condition 2 (approved drawings) of the original planning permission. Other conditions remain in accordance with those applied to the original permission and/or when amended by non-material amendments. Some original pre-commencement conditions have been discharged and these conditions are recommended to be amended to include the approved details. The conditions in respect of use class have been amended to reflect changes in the Town and Country Planning (Use Classes) Order 1987, specifically those amendments introduced in September 2020.
- 6.34 The consolidated conditions and planning obligations sought under a deed of variation for this development are set out in Section 8 of this report.

7 Consultation responses received

7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Lead Local Flood Authority (HCC)	No objection based on additional information provided	
Highways Authority (HCC)	No objection subject to additional conditions	Some of the matters of the conditions requested are already included within the original conditions. Some of the requested conditions are not proportionately relevant to the changes proposed under this application and would be inappropriate to apply retrospectively.
Environment Agency	Further detail of piling may be needed if there are additional piling depths.	The buildings are not increasing in height however conditions remain in place in respect to piling details if these are to be changed.
Thames Water	No comments	
Crime Prevention Officer	No response received	
Transport for London	No objection	
Network Rail	Applicant will need to make enquiries directly to Network Rail	
Herts Fire and Rescue Service	No response received	

7.2 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Land Contamination	No objection	
Environmental Health	No response received	
Waste and recycling	Bin allocation would be: 37 x 1100 for refuse	Noted. Swept path analysis for collection

	37 x 1100 for recycling and 37 x 240l for green waste Dropped kerbs would be required plus a mapped out route for collection vehicle	vehicle has been provided and is secured in drawing list of condition 2.
Tree officer	No objection	
Head of Housing	No comments yet received	

7.3 Interested parties

Letters were sent to 171 properties in the surrounding area. Responses have been received from 2 properties. The main comments are summarised below, the full letters are available to view online:

Comments	Officer response
Development is too dense for the area.	The development does significantly increase the density of the site from the existing commercial buildings however this of an acceptable design in accordance with the approved scheme 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 and in accordance with the approved scheme.
Insufficient parking for the development	The development provides one car parking space for only some of the flats (47%). 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-lite development is welcomed in this sustainable location to reduce car journeys in the area and prevent increased congestion in the area.
Development will create loss of light and outlook to neighbouring	The relationships of the revised scheme to neighbouring properties remain compliant

properties	with policy and guidance and would not create new or adverse harm.
The new play area in the centre of the site will create noise to neighbours and should be a car park	The central area of the site is a communal amenity space as previously approved. Being at ground level and in the centre of the site, this is ideal for door step play facilities for the occupiers of the development. This use would not create undue harm to the amenity of neighbours.
There is a loss of 3 bedroom family sized units.	There is a reduction of 1 larger family unit (3 and 4 bed units) from 60 of the approved scheme to 59 as proposed. This is a minimal loss and remains as 20% of the scheme compliant with the housing mix Policy HO3.2
Sydney Road should be made a 20mph road	The Highways Authority are responsible for the roads and setting of speed limits. This is therefore a matter for Hertfordshire County Council to consider and is not a matter for this application.
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.

8 Recommendation

That planning permission be granted, subject to a deed of variation under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following variations to the S106 agreement and subject to the below conditions:

S106 – Variations to be secured

- i) To secure 53 units of the development to be Affordable Housing units comprising:
 - a. 30 no. social rented units comprising:

- 2no. x 1bed 1person,
 - 12no.x 1 bed 2 person,
 - 4no. x 2 beds 4 person
 - 3no. x 3 bed 5 person duplex
 - 9no. x 3 bed 6 person
 - 1no. x 4 bed 6 person
 - 1no. x 4 bed 7 person
- b. 23 no. Shared Ownership units
- 3no. x 1bed 1person,
 - 15no.x 1 bed 2 person,
 - 1no. x 2 bed 3 person
 - 1no. x 2bed 4 person
 - 3no. x 3 bed 5 person
- ii) To secure a review mechanism of the financial viability of the development to be undertaken towards the end of the project (at 75% of flat sales/rentals) when actual build costs and sales/rental values of the flats are known. This shall allow a 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.

Conditions

1. Approved drawings (was 2)

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

PL_11 Rev B W H Humphreys Proposed Storage Units
 PL_001 Location Plan
 PL_002 Existing Site Plan
 PL_003 Rev D Proposed Site Plan
 PL_004 Rev E Proposed Ground Floor Plan
 PL_005 Rev D Proposed Landscape Plan
 PL-006 Rev C Site Elevation 01
 PL-007 Rev C Site Elevation 02
 PL-008 Rev C Site Section 01
 PL-009 Rev C Site Section 02
 PL-010 Rev C Site Section 03
 PL-011 Rev C Site Section 04

PL-012 Rev C Site Section 05
PL-013 Rev B Block Plan Consented, existing buildings and containers overlay
pL-014 Relocated New Substation
PL_A_100 Rev C Block A1 & A2 Residential Area Schedule
PL_A_101 Rev F Block A1 & A2 Ground Floor Plan
PL_A_102 Rev F Block A1 & A2 First Floor Plan
PL_A_103 Rev F Block A1 & A2 Second Floor Plan
PL_A_104 Rev E Block A1 & A2 Third Floor Plan
PL_A_105 Rev E Block A1 & A2 Fourth Floor Plan
PL_A_106 Rev E Block A1 & A2 Fifth Floor Plan
PL_A_107 Rev E Block A1 & A2 Sixth Floor Plan
PL_A_108 Rev E Block A1 & A2 Seventh, Eighth and Ninth Floor Plan
PL_A_109 Rev D Block A1 & A2 Tenth and Roof Floor Plan
PL_A_111 Rev C Block A1 & A2 North Elevation
PL_A_112 Rev C Block A1 & A2 South Elevation
PL_A_113 Rev C Block A1 & A2 East Elevation
PL_A_114 Rev C Block A1 & A2 West Elevation
PL_A_115 Rev C Block A1 & A2 Section 01
PL_B&C_100 Rev C Block B&C Residential Area Schedule
PL_B&C_101 Rev D Block B&C Ground Floor Plan
PL_B&C_102 Rev D Block B&C First Floor Plan
PL_B&C_103 Rev E Block B&C Second Floor Plan
PL_B&C_104 Rev D Block B&C Third Floor Plan
PL_B&C_105 Rev D Block B&C Fourth Floor Plan
PL_B&C_106 Rev E Block B&C Fifth Floor Plan
PL_B&C_107 Rev D Block B&C Sixth Floor Plan
PL_B&C_108 Rev D Block B&C Seventh Floor Plan
PL_B&C_109 Rev D Block B&C Eighth Floor Plan
PL_B&C_110 Rev D Block B&C Ninth and Tenth Floor Plan
PL_B&C_113 Rev C Block B&C North Elevation
PL_B&C_114 Rev C Block B&C South Elevation
PL_B&C_115 Rev C Block B&C East Elevation
PL_B&C_116 Rev C Block B&C West Elevation
PL_B&C_117 Rev C Block B&C Section 01
PL_B&C_118 Rev C Block B&C Section 02
PL_190 A Terrace Infill House
Appendix E 1 of 3 Rev E Refuse Vehicle Swept Path Residential
Design and Access Statement Addendum Report - December 2022
S73 Supplementary Design Document - March 2023
Communal Amenity - Illustrative Visualisation Aerial View 1
Communal Amenity - Illustrative Visualisation Aerial View 2
Communal Amenity - Illustrative Visualisation Aerial View 3
Communal Amenity - Illustrative Viewpoint 1

Communal Amenity - Illustrative Viewpoint 2
Communal Amenity - Illustrative Viewpoint 3
Communal Amenity - Illustrative Viewpoint 4
CGI Views to support Section 73 Application - December 22
CGI - View From Tolpits Lane Railway Bridge
CGI - View of Sydney Road Developments Looking East
CGI - View of Sydney Road Developments Looking West
CGI - Elevated View from Sydney Road Looking West
CGI - Elevated View from Sydney Road
CGI - View from Westfield Academy Looking East

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

2. Contamination verification (commercial) (was 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.

3. Contamination verification (residential) (was 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.

4. Contamination found (was 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.

5. Surface water drainage- residential (was 6A)

The detailed surface water drainage scheme for the residential section of the site shall be fully implemented in accordance with the details approved in respect of discharge of condition application reference 21/01516/DISCON as detailed below, unless otherwise approved in writing by the Local Planning Authority. The approved details in respect of original condition 6A are:

Drainage Statement (prepared by GTA, ref: 965489, dated: 29.09.2021)
Site Drainage Plan (ref: 10493/1601, rev: P3, dated: 29.09.2021)
Site Drainage Details (Sheet 1 and 2, ref: 10493/1701 and 10493/1702, dated: 15.05.2020)

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.

6. Surface water drainage- commercial (was 6B)

Other than demolition and site investigation works, no commercial development approved by this planning permission shall take place until a detailed surface water drainage scheme for the commercial section of the site 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. Piling for commercial (was 7)

No piling within the curtilage of the commercial building shall take place until a piling method statement for the land within the curtilage of the commercial building (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.

8. Materials residential (was 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 QD4 of the Watford Local Plan 2021-2038.

9. Materials commercial (was 9)

The external surfaces of the commercial building shall be finished in the materials as set out in the details of drawing WD_13-005 Rev C4 approved pursuant to the discharge of condition application reference 20/00526/DISCON unless otherwise 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 QD4 of the Watford Local Plan 2021-2038.

10. Hard landscaping residential (was 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 QD6.4 of the Watford Local Plan 2021-2038.

11. Soft landscaping residential (was 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 and amenity of residents in accordance with Policies QD6.2, QD6.3, QD6.4 and HO3.11 of the Watford Local Plan 2021-2038.

12. Hard landscaping commercial (was 12)

The hard landscaping in respect of the commercial building shall be finished as set out in the details of drawing WD_10-001 Rev P2 approved pursuant to the discharge of condition application reference 20/00526/DISCON unless otherwise 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 QD4 of the Watford Local Plan 2021-2038.

13. Access (was 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 Policy ST11.6 of the Watford Local Plan 2021-2038.

14. Visibility Splay (was 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 Policy ST11.6 of the Watford Local Plan 2021-2038.

15. Bins and bikes (was 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 Policies ST11.4, QD6.4 and CC8.3.

16. Aerials and Satellites (was 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. The approved details shall be installed in full.

Reason: In the interests of the character and appearance of the building, in accordance with Policy QD6.4 of the Watford Local Plan 2021-2038.

17. Car Parking allocation (was 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 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

Reasons: To ensure a suitable allocation of car parking spaces pursuant to Policy ST11.5 of the Watford Local Plan 2021-2038

18. Built drawings for drainage- residential (Was 18a)

Upon completion of the residential section of the site, a complete set of as built drawings for both site drainage and any exceedance flow route shall 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: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To reduce the risk of flooding to the proposed development and future users.

19. Built drawings for drainage- commercial (Was 18b)

Upon completion of the commercial section of the site, a complete set of as built drawings for both site drainage and any exceedance flow route shall 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

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

20. Drainage Management – residential (was 19a)

Upon completion of the drainage works for the residential section of the site, a management and maintenance plan for the SuDS features and drainage network

shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include maintenance and operational activities and arrangements for adoption.

Reason

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

21. Drainage Management – commercial (was 19b)

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

Reason

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

22. Internal Noise (was 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.

23. Commercial Use (was 21)

The commercial premises shall be used only as for uses within Classes E (g)(iii) and B8 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.

24. No comms development (was 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 QD6.4 of the Local Plan 2021-2038.

25. Piling (was 23)

Piling for the residential development shall be only in accordance with the details of the document '29-43 Sydney Road, Watford, Piling Risk Assessment, SLR Ref: 402.10903.00001 Version No: 2, November 2021, prepared by SLR Consulting Limited', approved under discharge of condition reference 21/01640/DISCON dated 27.01.2022, unless otherwise approved in writing by the Local Planning Authority.

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.

26. Water Use (new)

The residential development hereby approved shall not be occupied until details have been submitted to and approved in writing by the Local Planning Authority to confirm that the dwellings have been completed to meet the water efficiency optional requirement of 110 litres of water per person per day.

Reason: To minimise the impact of the development on the environment, in accordance with Policy CC8.3 of the Watford Local Plan 2021-2038.

27. Part M Compliance (new)

The residential development hereby approved shall not be occupied until details have been submitted to and approved in writing by the Local Planning Authority to confirm that all but the identified 33 of the dwellings hereby approved have been built to the Building Regulations (2010) Access to and use of Buildings, Approved Document M (2015 as amended), Volume 1: Dwellings, M4 (2): Accessible and adaptable dwellings. The dwellings not required to be included in this condition are as follows:

- Block A1, units A1-3-01, A1-3-02, A1-4-01, A1-4-04, A1-6-01 and A1-6-02;
- Block A2, units A2-1-02, A2-1-03, A2-1-04, A2-8-01, A2-8-08, A2-10-01, A2-10-02, A2-10-03 and A2-10-04;
- Block B, Units B-1-01, Unit B-1-02, Unit B-1-03, Unit B-1-04, Unit B-1-05, Unit B-1-06, Unit B-1-07 and Unit B-1-08; and
- Block C, Units C-1-01, C-1-02, C-1-03, C-1-04, C-1-05, C-1-06, C-1-07, C-1-09, C-5-04 and C-5-05.

Reason: To provide accessible housing, in accordance with Policy HO3.10 of the Watford Local Plan 2021-2038.

28. EV Charging (new)

Of the car parking spaces approved, a minimum of 20% shall be installed with active charging infrastructure for electric vehicles. All other spaces shall be installed to include passive provision for electric vehicle charging.

Reason: To ensure that the proposed development achieves high levels of sustainability in accordance with Policy ST11.5 of the Watford Local Plan 2021-2038.

Informatives

IN912 Hours of Construction

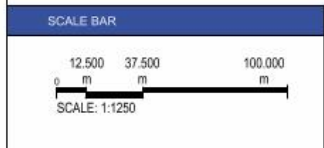
IN913 Community Infrastructure Levy Liability

IN914 Section 106 Undertaking

IN909 Street Naming and Numbering

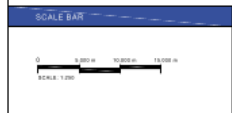
IN907 Consideration of proposal in a positive and proactive manner

IN915 Highway Works – HCC agreement required

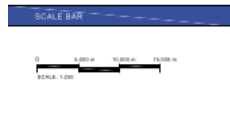


Rev	Date	Revit Chld	Description
Status	Description		
Project			
SYDNEY ROAD			
WATFORD			
WEST SUSSEX			
WORKS PKZ			
Drawing			
Location Plan			
Scale	Size	Engineer	Date
1 : 1250	A2		NOV'21
Drawing No.			Revision
10911-PL_001			A





SISMEP SOLUTIONS			
Rev	Date	By	Checked
Project: SYDNEY ROAD			
Location: 100/101 SYDNEY ROAD			
Drawing: Proposed Landscape Plan			
Scale	Site	Discipline	Date
1:200	A1		JUN 22
Drawing No.	Revision		
10911-PC_005	D		



Outlines of consented scheme ref: 18/00842/FULM

— typical main upper floor level
 - - - - - typical ground floor level

Outline of neighbouring development under construction

- - - - - typical main upper floor level

SISMEP SOLUTIONS

Proj: Site 1001 PHL
 Scale: 1:250

Project: SYDNEY ROAD
 Services: Urban Design
 Drawing: 10911-PL_005

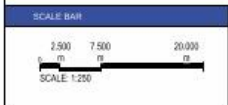
Proposed Site Plan
 & OUTLINE OF ORIGINAL CONSENT

Scale	Site	Engineer	Date
1:250	A1		JUN 22

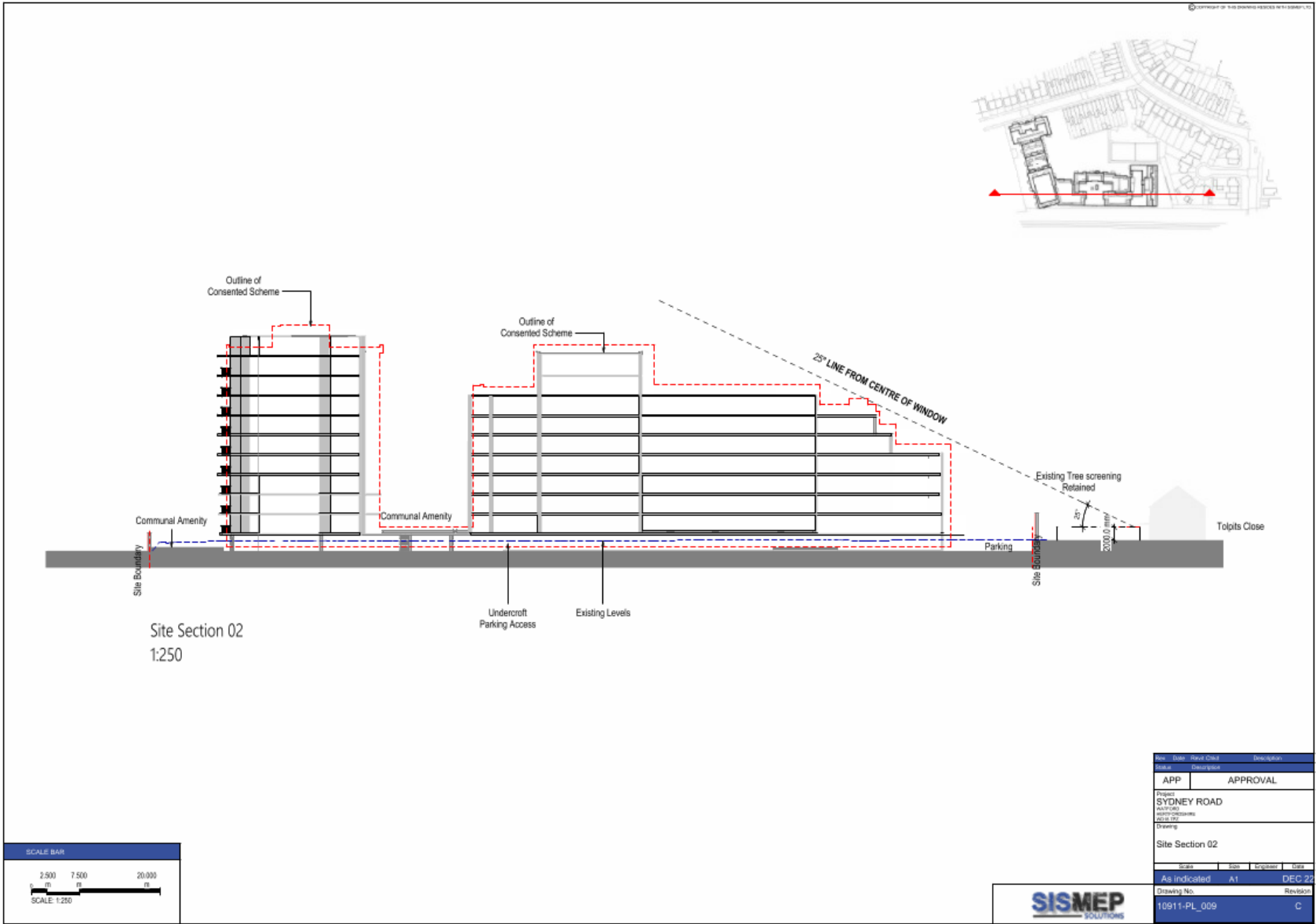
Drawing No.	Revision
10911-PL_005	D



North (Sydney Road) Elevation
1:250

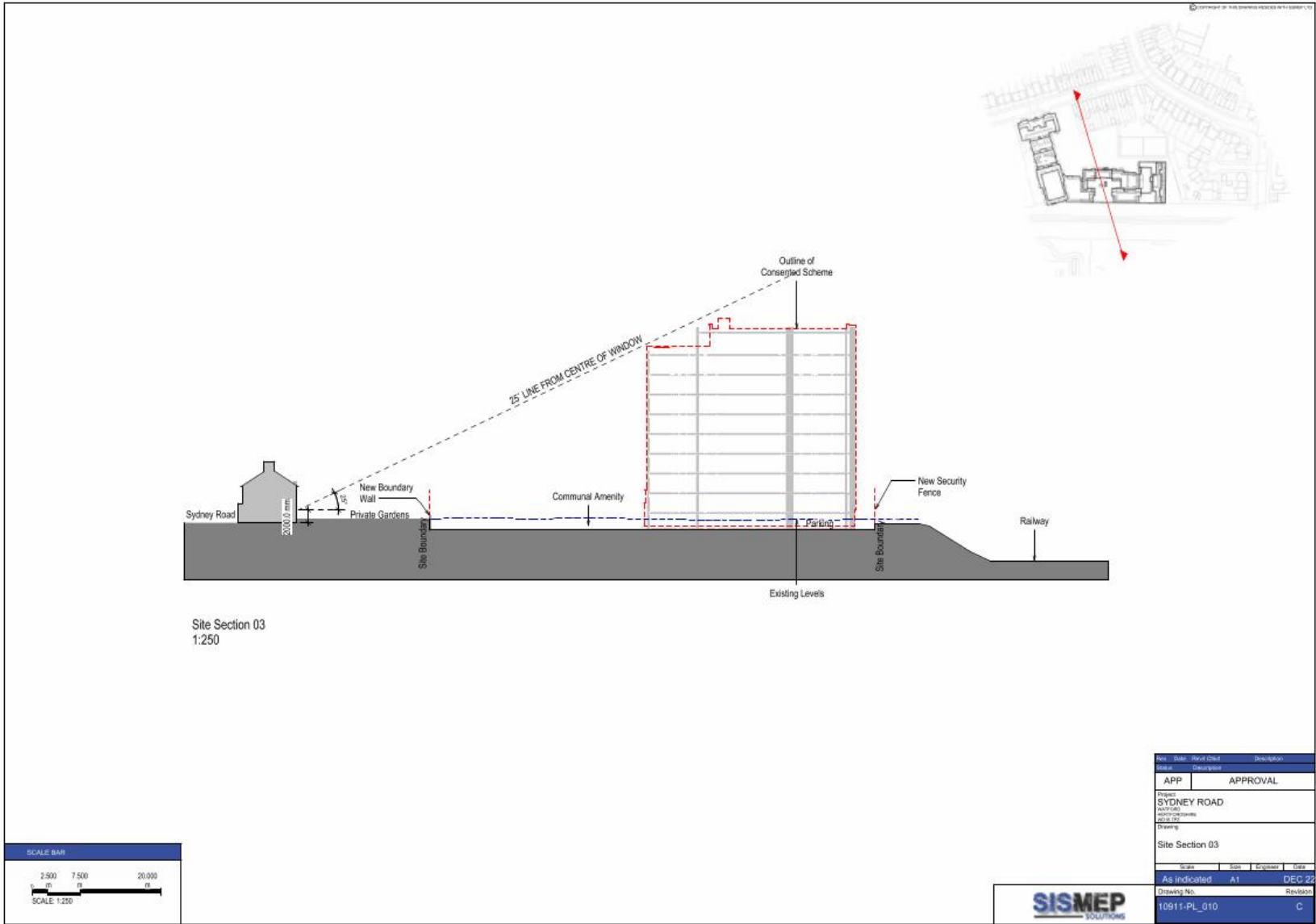


Rev.	Date	Rev'd By	Description
Project			
SYDNEY ROAD			
Planning			
Planning Conditions			
Approval			
Drawing			
Site Elevation 01			
As indicated	A1	DEC 22	
Drawing No.		Revision	
10911-PL_A_008		C	

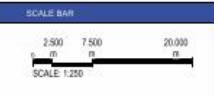


Rev.	Date	Rev'd By	Description
APP			APPROVAL
Project SYDNEY ROAD ARCHITECTURAL PROPOSALS AREA 02			
Drawing Site Section 02			
As Indicated	A1		DEC 22
Drawing No. 10911-PL_009			Revison C





Site Section 03
1:250



No.	Date	Revised By	Description
APP			APPROVAL
Project SYDNEY ROAD			
Drawing Site Section 03			
As indicated	A1		DEC 22
Drawing No.			Revision
10911-PL_010			C





