

PART A	
Report of: <b>DEVELOPMENT MANAGEMENT SECTION HEAD</b>	
Date of Committee:	<b>10 December 2015</b>
Site address:	<b>North Watford Police Station</b>
Reference Number:	<b>15/01068/FULM</b>
Description of Development:	<b>Development of 12 no. 3 bed semi-detached houses, 16 no. 2 bed flats and associated car parking and landscaping.</b>
Applicant:	<b>Watford Community Housing Trust</b>
Date received:	<b>31 July 2015</b>
13 week date (major):	<b>30 October 2015</b>
Ward:	<b>Woodside</b>

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## **BACKGROUND**

### **SITE AND SURROUNDINGS**

The subject of this application is North Watford Police Station (NWPS), a disused Sub Divisional Police Station built in the 1950s located adjacent to the North Orbital Road (Kingsway). Bounding the site to southeast is Leavesden Green Primary School and its environs to the northwest, and Leveret Close to the west of the site; an established, primarily residential area. The approximate area of the plot is 0.32Ha (3200sqm).

Leveret Close is characterised by semi-detached dwellings sited along a meandering roadway with the rear gardens of nos. 57, 55, 53, 51, 49 and 47 adjoining the subject site. Other properties in Leveret Close that are nearby or adjoining the subject site include nos. 45, 43, 41, 39, 37, 35, 33, and 31 orientated at approximately 90° to the subject site. These dwellings typically feature gardens of between 60m<sup>2</sup> and 80m<sup>2</sup> and can be considered to be a characteristic of the area.

The topography of the site is characterised by its flatness however there is a noticeable fall at the site entrance from the carriageway to the interior of the site. Furthermore, the

easternmost corner adjacent the highway is in a slight hollow relative to the remainder of the site.

The perimeter of the NWPS is partly composed of mature deciduous trees located on the southwest boundary with Leveret Close and adjacent North Orbital Road bringing a degree of visual and audible separation from the heavily trafficked road. None of these trees are the subject of a Tree Preservation Order (TPO).

The site is not in a conservation area nor does it affect the setting of a listed building.

### **PROPOSED DEVELOPMENT**

Full planning permission is sought for the erection of erect 12 no. 3 bed semi-detached houses, 16 no. 2 bed flats and associated car parking and landscaping. All existing buildings on the site are to be demolished. The houses are to be erected along the southwest and northwest boundaries with the rear elevations addressing Leveret Close. The apartment building (4 storeys plus roof accommodation and undercroft parking) is to be sited eastern corner of the site (adjacent Kingsway). Access is as existing and no direct access to Leveret Close is proposed. Bin and cycle stores are also incorporated within the parking area. A total of 34 parking bays are proposed.

### **RELEVANT PLANNING HISTORY**

99/00100/FUL Formation of 4 car parking spaces adjoining site entrance. Conditional planning permission.

72/08192/OUT Use of land adjacent to Police Station for car parking. Outline Application. Non-determination.

63/01633/FUL Accommodation for Police transport and administration office for Police traffic division. Conditional planning permission.

56/00044/FUL New Sub Divisional Police Station. Conditional planning permission.

55/01059/FUL Use of land for the erection of a Sub Divisional Police Station. Conditional planning permission.

## **PLANNING POLICIES**

### **National Planning Policy Framework**

Section 1 Building a strong, competitive economy

Section 4 Promoting sustainable transport

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Section 8 Promoting healthy communities

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

### **Hertfordshire Waste Core Strategy 2011 - 2026**

1 Strategy for the Provision for Waste Management Facilities

1a Presumption in Favour of Sustainable Development

2 Waste Prevention and Reduction

12 Sustainable Design, Construction and Demolition

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

No relevant policies.

### **Watford Local Plan Core Strategy 2006-31**

WBC1 Presumption in favour of sustainable development

SS1 Spatial Strategy

SD1 Sustainable Design

SD2 Water and Wastewater

SD3 Climate Change

HS1 Housing Supply

HS2 Housing Mix

HS3 Affordable Housing

T2 Location of New Development

T3 Improving Accessibility

T5 Providing New Infrastructure

INF1 Infrastructure Delivery and Planning Obligations

UD1 Delivering High Quality Design

## **Watford District Plan 2000 (saved Policies)**

- SE7 Waste Storage, Recovery and Recycling in New Development
- SE20 Air Quality
- SE21 Air Quality Management Areas
- SE22 Noise
- SE27 Flood Prevention
- T10 Cycle Parking Standards
- T21 Access and Servicing
- T22 Car Parking Standards
- T24 Residential Development
- T26 Car Free Residential Development
- S9 Non-Retail Uses in North Watford Shopping Centre/Local Shopping Frontages
- U17 Setting of Conservation Areas

## **Supplementary Planning Documents**

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

### *Residential Design Guide*

The Residential Design Guide was adopted in July 2014. It provides a robust set of design principles to assist in the creation and preservation of high quality residential environments in the Borough which will apply to proposals ranging from new individual dwellings to large-scale, mixed-use, town centre redevelopment schemes. The guide is a material consideration in the determination of relevant planning applications.

### *Watford Character of Area Study*

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

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## CONSULTATIONS

### Neighbour consultations

Letters were sent to 47 properties in the environs of the site. The following is a summary of the representations that have been received:

102 Langley Court,  
33, 35, 49, 55, 57 Leveret Close  
2 Heath Farm Court,

Number of original notifications:	47
Number of objections:	5
Number in support:	1
TOTAL REPRESENTATIONS:	6

The main issues raised by the residents are the:

- Loss of privacy
- Inadequate parking resulting in overspill onto Leveret Close
- Overdevelopment of the site
- The alleged potential danger posed by paedophiles overlooking the playing fields associated with Leavesden School.

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

Representations	Officer's response
Concern from a Member relating to overlooking onto the adjacent Leavesden School and potential for the playing field to be overlooked by "sex offenders"	The proposal is adjacent to the playing fields associated with the school. From desktop analysis it was apparent that actual school buildings are at least 110m from the proposed apartment block. While it is accepted that there may be occasional potential for overlooking onto the playing fields it is highly unlikely to result in a threat to the safety of children. Indeed, the increased overlooking onto

	<p>the fields (and not directly onto any of the school buildings) would provide natural surveillance from said apartments thereby enhancing the safety of the children at the school.</p>
<p>Response to the above concern from a resident of Leveret Close disagreeing with the comments outlined in the preceding comment</p>	<p>Officer response is above</p>
<p>Loss of privacy arising as a result of the relationship between the rear elevations of the houses to the west of the site (Leveret Close) and the potential for overlooking from proposed apartments due to height</p>	<p>The apartment building is at least 50 metres from the rear windows of the existing dwellings in Leveret Close. The proposed dwellings are a minimum of 22 metres from the rear windows of the existing dwellings in Leveret Close. This is within the guidance provided within the Residential Design Guidelines. The proposed semi-detached dwellings would lie between the existing dwellings at the 4 storey apartment building which would block some views across the site.</p>
<p>Inadequate parking</p>	<p>The proposal provides 1 parking space for each unit plus 6 additional for guests. This is within the Council's maximum parking standards. Further, the lack of vehicular permeability between the application site and Leveret Close means that significantly increased impact in terms of overspill parking is unlikely.</p>
<p>Overdevelopment</p>	<p>The proposal represents 28 units on 0.31Ha site which cannot be considered overdevelopment in a suburban context.</p>

	In addition, each property has access to open space.
Noise & disturbance	The proposal would give rise to rates of noise and disturbance commensurate with a construction site of its size. Appropriate conditions regarding hours of work will be applied in the event that the application is granted.

### **Statutory publicity**

The proposal was publicised via site notice (14<sup>th</sup> August 2015) and by public notice (14<sup>th</sup> August 2015) in the Watford Observer.

### **Technical consultations**

#### Hertfordshire County Council – Lead Local Flood Authority (LLFA)

After initial consultation the applicant was made aware that they were significant deficiencies in the FRA (flood risk assessment) as originally submitted most notably the absence of an acceptable surface water drainage assessment, as that submitted did not comply with Planning Practice Guidance (revised April 2015).

Additional and enhanced information was sought and received and the LLFA is now in a position to remove the initial objection on flood risk grounds. Herts County Council is therefore satisfied that the proposed development can be adequately drained and that flood risk can be mitigated if the development is carried out in accordance with the overall drainage strategy. Drainage calculations have been calculated and assessed by the LLFA and it is considered that the site would be able to drain a 1 in a 100 year flood event plus an additional 30% accounting for climate change (CC).

The recommended flood risk conditions are summarised below:

- Attenuation measures should be provided to ensure no increase in surface volumes for 1 in a 100 year events plus 30% accounting for climate change.
- Appropriate SUDs (Sustainable Urban Drainage) measures should be implemented in accordance with the submitted plans.
- An infiltration based drainage system should be implemented.

- A storage volume of 135m<sup>3</sup> should be provided through a combination of permeable paving, ring and geocell soakaways.
- A surface water drainage scheme based on that submitted as well as an assessment of the hydrological and hydrogeological context at the site is required.

### Thames Water

With regard to surface water drainage Thames Water note that it is the responsibility of a developer to make proper provision for water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application. There are public sewers crossing or close to the development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer.

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 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.



Hertfordshire County Council (Highway Authority)

The Highway Authority maintains no objection the proposed redevelopment subject to conditions as summarised below.

- . Prior to occupation of the development the proposed onsite car and cycle parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans
- A Construction Management Plan should be submitted and adhered to throughout the construction period.

**Crime Prevention Design Advisor (CPDA), Hertfordshire Constabulary**

On the basis of the information available the CPDA is satisfied with the overall design approach taken with some relatively minor exceptions.

Front Doors to Houses: Concern that one semidetached dwelling tucking into the corner with front door facing the side perimeter fence would result in the occupant being visually isolated when answering the door to a caller thereby reducing natural surveillance.

*Officer Response: The point is noted however there would be surveillance from inside the house through the adjacent kitchen window thereby giving the occupant an opportunity to risk assess the caller before answering the door.*

Cycle Storage Area: Concerned that the area was originally open and is tucked to the back of the apartments resulting in little passive surveillance.

*Officer Response : The cycle storage has been moved to the front of the building thus benefiting from passive surveillance.*

The Rear Garden Appears to be Open: No fencing or gates are shown securing the rear garden.

*Officer Response: Adequate fencing will be installed to secure the garden.*

### Arboricultural Officer

The proposed tree losses are considered acceptable. Providing all tree protection measures and the method statement are complied with the remaining trees should be safely retained. Compliance with the tree protections measures and the method statements should be made a condition of the consent.

### Environmental Health (EH)

The outstanding EH consideration is the noise impact generated from the adjacent Kingsway (North Orbital Road) and its effect on the southeast facing elevation of the apartment block. Further to an acoustic survey carried out on the 28.05.15 and the 01.06.15 it is recommended that the impacts be mitigated by the use of mechanical ventilation system to the affected units to provide necessary ventilation without the need to open the windows or trickle vents. When combined with the use of appropriate glazing specific to this elevation it is considered that the measures outlined are adequate to mitigate the impact. These measures are secured by appropriate conditions.

## **APPRAISAL**

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

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

### Main issues

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

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

(a) Principle of the development and proposed uses

The site is located adjacent to a primarily residential area with access to public transport within 400m. The proposal represents the redevelopment of a brownfield site immediately adjacent to a residential area where the proposed land use is established. It is also not at risk of flooding and the former police station has already closed. As such, the proposal accords with Policy HS1 of the Core Strategy.

Policy HS2 of the Core Strategy refers to housing mix and seeks a mix of dwelling types and sizes at local level. Medium density developments such as flats and houses may be considered appropriate close to neighbourhood centres where well served by transport links. Low density family houses with gardens will be sought in more suburban areas. In this case, the scheme provides 12 no. 3 bed family houses and 16 no. 2 bed flats. Although higher density flats would not normally be the most appropriate type of dwelling in this suburban area, they are 2 bed flats and are being proposed by the applicant to meet a need for smaller family units (as all of the flats will be affordable housing, they will be occupied by families with children). As such, this is considered acceptable.

Policy HS3 refers to the provision of affordable housing and seeks a provision of 35% from all developments of 10 or more dwellings. In this case, the applicant is a registered provider and is proposing that all of the dwellings will be affordable, with 50% for affordable rent and 50% for low cost home ownership. This is acceptable.

The proposed redevelopment and change to residential use accords with policies contained within the National Planning Policy Framework and with the Council's own Core Strategy document and as such is acceptable in principle.

(b) Scale, design and impact on the character and appearance of the area

The scale the proposal is considered to complement the existing development in terms of the siting of the two storey units adjacent to the boundary with Leveret Close. The two storey form continues the existing scale as established by the dwellings on Leveret Close. Moving from west to east the proposed 4 storey apartment block is sited within a hollow which serves to soften the transition in scale from two storey semi-detached to four storey plus roof accommodation apartment block.

The North Orbital Road (Kingsway): The site as existing lies adjacent to the roadside however due to the screening provided by the deciduous trees and the topography of the site (it lies at a lower level than the road) it is only partially visible from the roadside. This proposal would alter this perception due to the presence of the apartment block however due to its siting in the lowest part of the site and adjoining the significant boundary trees, the proposal would not significantly change the visual amenity of the area as perceived from the roadside, particularly as the aforementioned trees are to remain in situ.

Leveret Close: Despite the proximity of Leveret Close to the site, the proposal is considered likely to only minimally impact the visual amenity of the area. The gardens of the two storey semi-detached dwellings would face onto the rear and flank elevations of existing properties and would be partially visible from these properties. The apartment block would be visible from Leveret Close due to its height, however due to the distance from the street ( approximately 80m) and the topography of the application site, the long views would create a minor impact and would not significantly affect the visual amenity of the area.

The elevational treatment of the proposed apartment block features walls clad in either light or dark grey facing brick and window treatments with deep architraves that serve to give a varied and interesting appearance to the dominant elevations. Furthermore, the roof treatment would include a setback to attenuate the building's potential to visually dominate the site while the roof itself would be finished in zinc seam cladding to match the proposed houses. Overall, it is considered that the apartment block is of good design and has been carefully considered to fit into the existing context of the site and to complement the subordinate scale of the proposed houses located to the western side of the plot.

The 2 storey semi-detached dwellings use a combination of brick, zinc cladding and concrete roof tiles to complement the design employed in the apartment block. The roof design featuring oversized dormers clad in zinc sheeting is a contemporary way to achieve extra roof space when compared to the existing dwellings on Leveret Close, successfully imitating the form and grain of the existing houses while adding an interesting design combination before the viewer's eye arrives at the apartment block. Similarly the window treatment echoes that of the apartment block giving a sense of design continuity throughout the development. Overall, it is considered that the proposal will make a

positive contribution to the streetscene and surrounding area and is therefore acceptable in terms of national and local policy in terms of design and appearance.

(c) Quality of accommodation and amenity of future residents

The semi-detached houses meet the latest Technical Housing Standards, as set out by the Department of Communities and Local Government, in terms of internal floor area, achieving 90sqm. When compared to Watford's own standards, again the houses compare favourably, comfortably exceeding the Residential Design Guide (RDG) standards of 74sqm. Living areas, kitchens and bathrooms are located towards the front of the respective houses and bedrooms to the rear with the exception of the dormer bedrooms in the front roofslope. Consequently, all of the houses will have good internal layout and good levels of outlook and natural light. Regarding the flats, all of which are two bedroom, again their floor areas exceed that recommended at national and local level, with the internal floor areas varying between 68 and 72sqm while the National Housing Standards require between 61 and 70sqm and Watford's RDG requires a minimum of 61sqm for a two bedroom dwelling.

In terms of privacy, the rear bedroom windows of the westernmost houses face onto the rear gardens of existing dwellings in Leveret Close meaning that there is some potential for loss of privacy. The distance between these elevations and the existing dwellings, namely nos. 57, 55, 53 and 51, is between 18 and 22m. Privacy is however ensured with the use of translucent lower and middle sections to the proposed windows and transparent panes at levels above 1.6m (internal floor level). Additionally, the existing trees would remain providing additional screening and privacy.

The development is in close proximity to the A405 North Orbital Road, a busy road, which is likely to be a significant noise source. Further to the receipt of an acoustics report the mitigation measures outlined in the Environmental Health response, including mechanical ventilation and a double glazing system in compliance with BS:8233:2014, have been agreed upon and have been added as a condition in the recommendation. These measures are considered acceptable by Environmental Health. The required measures include mechanical ventilation to the rooms to allow the rooms to be adequately ventilated (both background ventilation and rapid ventilation for cooling and odour removal) without the need to open the acoustically enhanced double glazed windows.

#### (d) Impacts on neighbouring properties

The proposed development is surrounded by a number of existing properties. The potential impacts are discussed below. Nos. 57, 55, 53, 51, 49, 47 Leveret Close as existing properties would have their rear elevations backing directly onto the westernmost of the proposed new semi-detached dwellings. The separation distance would be between 17 and 22m, which is below the standard outlined in the Residential Design Guide (27.5m), however there would be no direct overlooking of windows. As previously stated, the habitable windows on the new dwellings would only be transparent at high level i.e. at a height > 1.6m from the floor. Consequently the potential for overlooking from these bedrooms is negligible. The presence of trees between the existing and proposed development would further mitigate the perception of overlooking although officers point out that the abovementioned window treatment in itself would be more than adequate to secure privacy to existing residents.

The concerns of residents regarding loss of privacy in their back gardens is noted. There will be some mutual overlooking which is common in a residential area but the distances involved will ensure this mutual overlooking has a minimal impact on privacy. A floor was deleted from the apartment block to reduce the impact on adjoining residents and the distance between the proposed flats and the existing gardens is greater than 40 metres. It is now considered that given the distance between the apartments and the adjoining houses (between 40 and 50m) and accounting for the set back nature of the top floor apartments featuring angled windows, the impact on existing residents would be marginal. Furthermore, in suburban areas it is realistic to have some mutual overlooking.

Nos. 45, 43 and 41 Leveret Close have existing gardens that run adjacent the northwest flank of the site. It is considered that there would be an impact on amenity in that there would be overlooking where previously there was none however, again, the distances are such, when combined with the measures taken including translucent instead of transparent windows and balconies, that the effects have been mitigated to guarantee the continued amenity of existing rear gardens.

(e) Transportation, access and parking

The proposal incorporates 34 parking spaces and 28 cycle spaces. When compared with the previous use, data gathered on behalf of the Highway Authority suggests that there would not be a substantive increase in traffic movements in and out of the site as the movements of the patrol cars generated more trip numbers than those predicted for the proposed development.

The following measures are also incorporated into the proposal:

- The entry to the site would be moved 6m east of its current location.
- The removal of the gaps in the central reservation barrier thereby making access and exit a left turn manoeuvre only.
- The access road would be reduced to a width of 4.1m.

The following bus services are available:

- 306C Leveret Close: Runs between St Michaels School and Borehamwood. Two to 3 services are available Monday to Friday and Saturday has 2 services only.
- 319 Trident Road: Is a circular route between Chipperfield and North Watford. This route has 2 services running Monday to Friday.
- 41 Trident Road: This is a circular route from Garston, Watford / Abbots Langley.
- 10 High Road: Runs from Garston/Woodside to Hollywell Estate. This service runs Monday to Friday every 10 minutes
- R8 Leveret Close: Runs from Watford to Bedmond. This route has 3 to 4 services Monday to Friday and 1 return service on Saturdays

The following rail services are available:

- Garston Station is the closest rail station at 2.5km and is located on the Abbey Line linking St. Albans Abbey to Watford Junction. Frequencies are every 45 minutes with a journey time of 5 minutes to Watford.
- Watford Junction is located 3.8km (2.3m) with a journey time of around 10 minutes by bus. Watford Junction Station is classified as a major interchange with access to

Virgin Intercity, TfL (Overground) and London Midland services, which operate to a wide variety of destinations. Trains into London (Euston) take 20-22 minutes.

- The site is also located in the Plus Bus area of Watford, which allows for integration of bus/rail tickets.

The proposed provision of 34 parking spaces is considered acceptable and appropriate in this location given that all of the dwellings will be affordable. This level of provision is proposed by the applicant having regard to its intended tenants. It equates to one parking space per dwelling and a visitor provision of 6 spaces. The cycle provision equates to one cycle space per dwelling, in accordance with the Council's standards. The houses will also have the option of additional cycle provision within their garden areas.

## **COMMUNITY INFRASTRUCTURE LEVY AND PLANNING OBLIGATION**

### **Community Infrastructure Levy (CIL)**

The Council's CIL charging schedule was implemented on 1st April 2015 and, as such, the proposed scheme will be liable for CIL charges. The CIL charge covers a wide range of infrastructure and community facilities including education, childcare, libraries, youth facilities, open space, children's playspace, transport and healthcare. Under the Community Infrastructure Levy Regulations 2010, payments towards infrastructure and facilities covered by CIL can no longer be sought by section 106 planning obligations unless there are site specific requirements which are necessary to make the development acceptable. CIL is charged on the relevant net additional floorspace created by the development. The charge for residential floorspace is £120m<sup>2</sup>. The CIL charge is non-negotiable and is calculated at the time planning permission is granted. An exemption can also be sought in respect of affordable housing, in which case no CIL charge will apply. As such, the development will not attract any CIL charge if this exemption is applied for.

### **Planning obligations under section 106**

With the implementation of the Council's CIL charging schedule on 1<sup>st</sup> April 2015, section 106 planning obligations can only be used to secure affordable housing provision and other site specific requirements. Tariff style financial payments can no longer be sought. Under Regulation 122 of the Community Infrastructure Levy Regulations 2010, where a



decision is made which results in planning permission being granted for development, a planning obligation may only constitute a reason for granting planning permission for that development if the obligation is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

In the case of the current planning application, the only planning obligations required to make the development acceptable are:

- i) Securing all of the units as affordable housing units, in accordance with the application submission and Policy HS3 of the Core Strategy.
- ii) The provision, as necessary, of fire hydrants to serve the development in accordance with Policy INF1 of the Core Strategy and saved Policy H10 of the Watford District Plan 2000.

These obligations meet the tests in Regulation 122 of the Community Infrastructure Regulations 2010 and, consequently, can be taken into account as a material planning consideration in the determination of the application. The applicant has agreed to enter into these planning obligations and a unilateral undertaking is currently in preparation.

The proposal represents a 100% affordable housing development split into 50% Low Cost Home Ownership (LCHO) and 50% affordable rented. With all 28 units being classified therefore as affordable housing the proposal represents a positive and meaningful contribution to the affordable housing mix of the borough.

## **Conclusion**

The siting and design of the houses and the apartment block have been designed to minimise any adverse impacts on surrounding residential properties. The Watford Community Housing Trust has also undertaken extensive consultation with residents. This consultation has resulted in the removal of one storey from the apartment block to ease concerns regarding overlooking onto back gardens and rear elevations. Each new unit is

provided with one car parking space plus an additional six for visitor parking thereby meeting Watford's maximum parking standards.

All of the proposed units would meet or exceed the standards set out in Watford's Residential Design Guide and therefore would provide a more than acceptable standard of amenity to occupants. The design of the houses and the apartment block is also contemporary, replicating the existing grain of development while adding a modern stylistic theme in terms of the elevational treatment on the houses and the apartment block.

The applicant is willing to complete a planning obligation to secure all of the units as affordable housing and the provision of fire hydrants, as necessary, to serve the development.

### **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.

### **RECOMMENDATION**

**(A)** That planning permission be granted, subject to the completion of a planning obligation under section 106 of the Town and Country Planning Act 1990 (as amended) as set out below, and subject to the following conditions:

#### Section 106 Heads of Terms

- i) To secure the provision of fire hydrants as required by the County Council in accordance with Policy INF1 of the Core Strategy and saved Policy H10 of the Watford District Plan 2000..
- ii) To secure all of the 28 dwellings as affordable housing comprising 14 affordable rented units and 14 units for Low Cost Home Ownership.

## 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:-

Location plan 010

0412\_01-05\_PL\_020

0412\_06-10\_PL\_021

0412\_PL\_100 Rev C

0412\_PL-101 Rev B

0412\_PL\_102 Rev C

0412\_PL\_200 Rev C

0412\_PL\_201 Rev C

0412\_PL\_202 Rev C

0412\_PL\_203 Rev A

0412-PL-204 Rev A

0412\_PL\_300 Rev A

0412\_PL\_400 Rev A

0412\_PL\_401 Rev A

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

3. No demolition or construction works shall take place before 8am or after 6pm Mondays to Fridays, or at any time on Saturdays, Sundays and Public Holidays.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties during the time that the development is being constructed, pursuant to Policy SE22 of the Watford District Plan 2000.

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

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

5. No demolition or construction works shall commence within the site until a Construction Environmental Management Plan has been submitted to and approved by the Local Planning Authority. This Plan shall include details of temporary access for demolition/construction vehicles, contractors parking, the delivery and storage of materials, measures to mitigate noise and dust, wheel washing facilities, plant and equipment and a contact procedure for complaints. The Plan as approved shall be implemented throughout the relevant demolition and construction periods.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties and prevent obstruction of the adjoining highway during the time that the demolition and construction phases. This is a pre-commencement condition as these details need to be agreed with the Local Planning Authority before the works commence.

6. No part of the development shall be occupied until the new access junction has been completed in full and the central reservation barrier has been reinstated on the North Orbital Road (Kingsway) adjacent to the site as shown in principle on drawing no. 0412-pl-100 Rev B.

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

7. No flats forming part of the development shall be occupied until the enhanced Type B glazing, as specified in the acoustic report 10179-NEA-01 Rev. A, has been fitted to all windows on the eastern elevation of the apartment block adjacent the North Orbital Road.

Reason: To preserve the amenity of future occupants by using enhanced glazing to ensure acceptable noise levels within the apartments, in accordance with BS 8233:2014.

8. No flats forming part of the development shall be occupied until the mechanical ventilation system, as set out in the acoustic report 10179-NEA-01 Rev. A, has been fitted to all rooms fitted with Type B glazing.

Reason: To preserve the amenity of future occupants by ensuring that it is not necessary to open windows to adequately ventilate the habitable rooms thereby ensuring acceptable ambient noise levels in accordance with BS 8233:2014.

9. No part of the development shall be occupied until the 34 car parking spaces shown on the approved drawings (unless otherwise approved in writing by the Local Planning Authority) have been laid out, demarcated and constructed in full. These spaces shall be retained at all times for the parking of cars of the residential occupiers only.

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

10. No part of the development shall be occupied until the bin stores for the houses and the flats have been provided in accordance with the approved drawings (unless otherwise approved in writing by the Local Planning Authority). The stores shall be retained at all times for bin storage only and shall not be used for any other purpose.

Reason: To ensure adequate facilities are provided for the occupiers of the site and in the interests of the visual appearance of the site and its impact on the street

scene and character of the surrounding area, in accordance with Policies SD1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

11. No part of the development shall be occupied until details of the cycle storage shown on the approved drawings, for a minimum of 28 cycles and providing weather protection, has been submitted to and approved in writing by the Local Planning Authority, and the cycle storage facilities have been provided in full. These shall be retained at all times.

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

12. The development shall be carried out only in accordance with the approved flood risk assessment carried out by SDP Consulting Engineers (referenced job no. E15.041 dated August 2015) and only in accordance with the following mitigation measures.

- i) Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.

- ii) Implementing appropriate SuDS measures as shown on drawing E15-041-10 dated August 2015.

- iii) Implementing appropriate drainage strategy based on infiltration.

- iv) Provide storage volume of 135m<sup>3</sup> through the use of permeable paving, ring and geocell soakaways.

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.

13. No development shall take place until a detailed surface water drainage scheme for the site based on the approved flood risk assessment carried out by SDP Consulting Engineers (referenced job E15.041 dated August 2015) and drawing E15-041-10 'sustainable drainage principles' and an assessment of the hydrogeological and hydrological context of the development has been submitted and approved in writing by the Local Planning Authority.

The drainage scheme should demonstrate the surface water runoff generated up to and including 1 in 100 year + climate change critical storm will not exceed the runoff 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.

- Detailed engineering drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
- Details of how the scheme shall be maintained and managed after completion.

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

14. The development shall be carried out only in accordance with the approved tree protection scheme and method statements (reference JPL/150257/AMsa/sh). The tree protection measures shall be installed in full before any demolition or construction works commence.

Reason: To ensure the ongoing health of the remaining trees during and after construction of the proposed development which represent an important visual and ecological asset within the area.

15. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B and F of the Order shall be carried out to any of the dwellings 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.

16. 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.

17. No part of the development shall be occupied until full details of a soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. This shall include the retention of existing trees and hedging where possible and measures to enhance the ecological biodiversity of the site. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion 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 and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

18. No part of the development shall be occupied until full details of a hard landscaping scheme, including details of all site boundary treatments and all fencing within the site, 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 local area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

### Informatives

1. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended.
2. The applicant is advised that the storage of materials associated with the construction of this development should be provided on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available from the Highway Authority via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
3. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly)

the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available from the Highway Authority via the website

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

4. Before commencing the development the applicant shall contact Hertfordshire County Council Highways (0300 123 4047) to obtain i) their permission/ requirements regarding access for vehicles involved in the construction of the new roads; ii) a condition survey of any adjacent highways which may be affected by construction vehicles together with an agreement with the highway authority that the developer will bear all costs in reinstating any damage to the highway.
5. Works to be undertaken on the adjoining Highway will require an agreement with the highway authority. Before commencing the development the applicant shall contact Hertfordshire County Council Highways (0300 123 4047) to obtain their permission and requirements. This is to ensure that any works undertaken in the highway are constructed in accordance with the specification of the highway authority and by a contractor who is authorised to work in the public highway.
6. Roads to remain private: The applicant is advised that all new internal roads and car parking areas associated with this development will remain unadopted and the developer should put in place a permanent arrangement for their long term maintenance. At the entrance to these private areas all road name plates should indicate their private status to inform users of their status and purchasers of their future maintenance liabilities. Further information is available via the web page <http://www.hertsdirect.org/services/transtreets/highways/info/roadadopting/> or by telephoning 0300 1234047.

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