

PART A	
Report of: HEAD OF DEVELOPMENT MANAGEMENT	
Date of committee	18th February 2016
Site address:	37, Bucks Avenue, Watford
Reference Number:	15/01542/FUL
Description of Development:	Demolition of 37 Bucks Avenue and equestrian facility, removal of hardstanding, maneges, buildings and structures and the redevelopment of the site to include 34 dwellings (including 12 affordable dwellings) comprising 12 x 1 bed apartments, 4 x 2 bed apartments, 10 x 3 bed houses and 8 x 4 bed houses, parking, village green with pond and play area served by modifying existing access from Bucks Avenue/Sherwoods Road. Provision of public footpaths & cycleways connecting Bucks Avenue to footpath no. 17 and ecological enhancement of land to South East of dwellings to include biodiversity enhancement, landscaping, wildflower meadows, formation of ponds and communal orchard. (Duplicate application to Hertsmere Borough Council)
Applicant:	Clovercourt Fusion
Date Received:	29th October 2015
8 week date (minor):	24th November 2015 (extended by agreement to 22nd February 2016)
Ward:	Oxhey

1.0 SITE AND SURROUNDINGS

- 1.1 The site is located almost entirely within Hertsmere Borough with its access off Bucks Avenue, at the junction with Sherwoods Road, within Watford Borough. The overall area of the site is approximately 13 hectares and comprises a dwelling, the Bucks Meadow Riding School, outdoor manages, paddocks and extensive grazing fields extending from the site entrance to the east. The site itself is located within the Metropolitan Green Belt. The riding school closed in September 2015.
- 1.2 The site comprises a large number of existing buildings in various states of repair. The largest building on the site is an indoor manege (2 storey) with a number of other single storey buildings including stables, store buildings and other ancillary buildings. Various areas of parking and hardstanding also exist.
- 1.3 The site is adjoined to the north, west and south by the residential areas of Oxhey, with Talbot Avenue to the north, Bucks Avenue to the west and Sherwoods Road, Lowson Grove and Elm Avenue to the south. These roads are characterised by detached and semi-detached houses with detached bungalows on Lowson Grove on Elm Grove. Most of the dwellings were developed in the 1920s and 1930s as individual plots and are typical of their era. Consequently, designs and materials are very varied and include a number of mock-Tudor designs. Only those properties on Wilcot Avenue and Talbot Avenue are more uniform in their appearance. To the north-east, the site adjoins the Paddock Road Allotments site.

2.0 PROPOSED DEVELOPMENT

- 2.1 The overall proposal involves the demolition of all existing buildings on the site and the erection of 34 dwellings, comprising 16 flats (1 and 2 bed) and 18 houses (3 and 4 bed). The flats are provided in 3 blocks and the houses in 4 blocks of terraced houses and one pair of semi-detached houses. These 8 blocks are arranged around a 'courtyard' comprising the internal access road, car parking areas and landscaped open space. This development is located in the western corner of the site, adjacent to the access from Bucks Avenue and in the area of the

existing buildings on the site.

- 2.2 All of the proposed blocks are either single storey or two storey, with accommodation in the roofspace of some. The design approach is more rural than urban, with the extensive use of dark, timber cladding, to give the general appearance of traditional brick and timber barns. All of the blocks have an individual but complimentary design with common materials of dark red brick, dark timber cladding and brown roof tiles with elements of tile hanging and white render.
- 2.3 The single access from Bucks Avenue leads to 2 turning heads within the 'courtyard' and serves the various parking areas serving the blocks. Parking is provided in the form of frontage parking to the houses, small garage/parking courts and small parking areas, principally within the 'courtyard'.
- 2.4 Aside from the proposed dwellings, the application also includes environmental and ecological improvements to the open land to the east and footpath links to the existing footpath network linking to Merry Hill to the north and Carpenders Park to the south.
- 2.5 Due to the alignment of the borough boundary between Watford and Hertsmere, the main part of the development that falls within Watford Borough, and therefore the jurisdiction of Watford Council as the Local Planning Authority, is the modified access and the first 13m of the access road within the site. Also included is a small portion of 4 car parking spaces (P1-P4 on the site layout drawing) which just overlap the boundary. All other aspects of the proposal fall under the jurisdiction of Hertsmere Council. As such, only those matters relating to the access are relevant planning considerations for the Committee to consider.

3.0 RELEVANT PLANNING HISTORY

- 3.1 There is no planning history of relevance to the consideration of the proposed development. The riding school has been established on the site since the 1950s (albeit with a break in use in the 1980s, recommencing in 1991) with the indoor manege built in 1992. The existing house was built in the 1960s.

3.2 On 19 November 2015 the Committee considered a consultation from Hertsmere Borough Council relating to the planning application submitted to them for this proposal. The Committee resolved to respond as follows:

“That the Committee object to the application on the grounds that:

1. Across the site, the buildings extend beyond the footprint of the existing buildings, particularly so for Plots 23-26 and 27-30. There is also a narrowing of the gaps between buildings, especially in the aforementioned plots and Plots 15-22 where the development is closest to the open area of the Green Belt. As such, the proposal compromises the openness of the Green Belt, contrary to the provisions of Section 9, paragraph 89 of the National Planning Policy Framework and Policy GI2 of the Watford Local Plan Core Strategy 2006-31.
2. Notwithstanding the similarity in volume of space in the new development compared to existing buildings, the layout, scale, height and bulk of the buildings compromises the openness of the Green Belt, contrary to the provisions of Section 9, paragraph 89 of the National Planning Policy Framework and Policy GI2 of the Watford Local Plan Core Strategy 2006-31.
3. The terraced effect of many of the buildings means that they are of a size and scale that conflicts with the character of the adjacent residential streets, consisting as it does of mainly detached and semi-detached houses. As such, the proposal is contrary to Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and the Watford Character of Area Study 2011.

In the event that Hertsmere Borough Council are minded to grant planning permission for the application, Watford Borough Council would request that the following conditions are imposed:

1. That no part of the development shall be occupied until the existing access to Bucks Avenue has been modified and constructed in full, as shown in principle on drawing no. 150318-2D.
2. That the trees along the south-western boundary and along the northwestern boundary are retained and measures installed to protect the trees during demolition and construction works.
3. That the first floor window in the south elevation of Unit 15 shall be obscure glazed and non-opening.
4. The development shall provide at least 67 car parking spaces. Watford Borough Council would also request that the remaining Green Belt land within the application site is secured for public access in perpetuity and that the restoration and enhancement of the land is undertaken before commencement of any development, by means of an appropriate condition or s.106 planning obligation.”

4.0 PLANNING POLICIES

Development plan

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

4.2 The *Watford Local Plan Core Strategy 2006-31* was adopted in January 2013. The *Core Strategy* policies, together with the “saved policies” of the *Watford District Plan 2000* (adopted December 2003), constitute the “development plan” policies which, together with any relevant policies from the County Council’s *Waste Core Strategy* and the *Minerals Local Plan*, must be afforded considerable weight in decision making on planning applications. The following policies are relevant to this application.

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

- WBC1 Presumption in favour of sustainable development
- SS1 Spatial Strategy
- T2 Location of New Development
- T3 Improving Accessibility
- T4 Transport Assessments
- INF1 Infrastructure Delivery and Planning Obligations
- UD1 Delivering High Quality Design

4.4 **Watford District Plan 2000**

- T21 Access and Servicing

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

No relevant policies.

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

No relevant policies.

4.7 **Supplementary Planning Documents**

None relevant.

4.8 **National Planning Policy Framework**

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

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

Achieving sustainable development

The presumption in favour of sustainable development

Core planning principles

Section 4 Promoting sustainable transport

Decision taking

5.0 CONSULTATIONS

5.1 Neighbour consultations

All properties in Bucks Avenue, Sherwoods Road, Wilcot Avenue, Wilcot Close, Talbot Avenue, Elm Avenue and Lawson Grove were notified.

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

Number of original notifications:	257
Number of objections:	94
Number in support:	4
Number of representations:	98

5.3 The comments made in the representations received are wide ranging and many relate to the development within Hertsmere Borough, which are not relevant considerations in respect of the application being considered. These representations were considered by the Committee on 19 November 2015 when making its comments to Hertsmere Borough Council. For completeness, below is a summary of the main issues raised:

5.4 Character of the area

Scale and density of development.

Unsuitable development for this area. No flats in the local area. Inappropriate.

Height of buildings exceeds existing buildings and adjacent properties.

Unattractive appearance.

Greater density than surrounding development. Far too high.

Development should be more open and less dense.

Green Belt should be preserved. Better areas for new housing.

Height, density, darkness of materials and design would dominate Lawson Grove.

Development in the Green Belt on this site was refused in 1986.

5.5 Green Belt

Reduction in openness of Green Belt.

No special circumstances for development in the Green Belt.

Dangerous precedent for future development in the Green Belt.

Volume, size and scale of units and parking will have severe impact on the openness of the Green Belt.

Gross overdevelopment.

5.6 Impact on surrounding properties

Overlooking and loss of privacy.

Layout too close to existing properties. Unacceptable mass and height.

Noise from proposed open space and play area.

Loss of daylight.

Loss of views towards Merry Hill.

Existing single storey farm buildings will be replaced by 2 storey dwellings.

5.7 Car parking

Fewer spaces than really needed.

Overflow parking will occur on Bucks Avenue.

5.8 Environmental matters

Adversely affect wildlife. Will destroy wildlife haven.

Unnecessary landscaping and green space amenities added, eating into Green Belt.

Proposal will worsen existing air quality on Pinner Road.

5.9 Services and utilities

Impact on local sewers and services.

Insufficient school places and medical facilities.

How would overcrowded trains and Watford Hospital cope?

5.10 The objections that have been raised and that are relevant to the current application are summarised below:

- Local roads are already gridlocked with traffic trying to turn right onto Pinner Road. Existing junctions already overloaded.
- Heavy traffic flows already on Pinner Road. Development will make this worse.
- Serious safety issues with the proposed access, situated on blind bend.
- Increased likelihood of accidents on Bucks Avenue and Sherwoods Road.
- Bushes Arches already heavily congested.
- Potential damage to roads from heavy construction vehicles.
- Existing traffic problems will be exacerbated.
- Increased noise and pollution from traffic.
- Bucks Avenue/Sherwoods Road junction is a dangerous right-angled bend with parked cars.
- Increased traffic flows on Bucks Avenue and Sherwoods Road. Extra 60-70 cars at peak times.
- Increased hazards for pedestrians and cyclists.
- Proposed access will conflict with existing driveways either side and cause

hazards.

5.11 A petition has also been received with 330 signatories which states:

“We the undersigned are opposed to this development as it will result in a significant increase in danger to the public. Extra traffic along Pinner Road, delays, hold ups, pollution and most importantly the increased risk of injury from traffic accidents are unacceptable.”

5.12 The comments made in support of the application can be summarised as follows:

Development on existing developed area so wont affect Green Belt.

Need more housing and family homes.

Development will not ruin countryside.

More affordable family homes.

Housing more beneficial than stables.

The Committee will be advised of any additional representations received after the date this report was written.

5.13 **Statutory publicity**

The application was publicised by site notice posted on 06 November 2016 and by advertisement in the Watford Observer published on 06 November 2016. The site notice period expired on 27 November 2016 and the newspaper advertisement period expired on 27 November 2016.

5.14 **Technical consultations**

The following responses have been received from technical consultees:

5.15 Hertfordshire County Council (Highway Authority)

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

1. No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.

2. Prior to the commencement of the use hereby permitted the vehicular access shall be upgraded as indicated on drawing number 150318-2G. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway. In addition the drainage system on the adjoining public highway will be adjusted so as to continue to operate to the satisfaction of the highway authority.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

3. Construction of the development hereby approved shall not commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

- a) Construction vehicle numbers, type, routing;

- b) Traffic management requirements;
- c) Construction and storage compounds (including areas designated for car parking);
- d) Siting and details of wheel washing facilities;
- e) Cleaning of site entrances, site tracks and the adjacent public highway;
- f) Timing of construction activities to avoid school pick up/ drop-off times;
- g) Provision of sufficient on-site parking prior to commencement of construction activities;
- h) Post construction restoration/ reinstatement of the working areas and temporary access to the public highway.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way.

[This condition is only relevant to Hertsmere Council in relation to the construction of the proposed dwellings. Works within the highway to modify the existing access junction will be controlled by Herts. County Council under a s.278 highways agreement].

Description of the proposal:

The views of the Highway Authority have been sought on an application by Clovercourt Fusion of Letchmore Heath to build 16 flats and 18 houses on the site of Bucks Meadow Riding School at 37 Bucks Avenue, Oxhey.

The application is supported by a 174-page Transport Statement (TS). An assessment report of this scale would not normally be required for a development of less than 50 dwellings (HCC highway design guide: Roads in Hertfordshire section 1 chapter 7) but was requested following pre-application discussions. This submission meets the requirements of the County Council and the recently archived Government guidance on such reports.

The Planning Statement and Design & Access Statement are combined into one document.

The design was revised after the original submission in response to a report commissioned by the Oxhey Village Environment Group (OVEG). These amendments also took account of points raised in a Road Safety Review carried out by a safety auditor employed by HCC but not part of the team reviewing this planning application. Additional design information supplied on 26 November 2015 consisted of a 4-page document headed 'Response to Milestone Transport Planning's Report Prepared on Behalf of OVEG' and 3 revised drawings: 'Access' (15 0318-2 G), 'On-Site Swept Paths' (15 0318-14 C) and 'Access Swept Paths' (15 0318-15 C).

Site description:

The site is located to the east of the intersection of Bucks Avenue and Sherwoods Road, Oxhey and comprises number 37 Bucks Avenue and the Bucks Meadow Stables and Riding School.

The majority of the site lies in the borough of Hertsmere. The connecting road network and the first 15 metres or so of the site access lie in Watford.

Bucks Avenue and Sherwoods Road are Local Access roads in the HCC hierarchy which link to Wilcot Avenue, Wilcot Close, Talbot Avenue, Elm Avenue and Lawson Grove. These roads serve a total of 194 properties and are all (with the exception of the 90m long Wilcot Close) adopted highway maintained at public expense. In the vicinity of the site access Bucks Avenue and Sherwoods Road have carriageway widths of 8m with 2m footways each side. Both roads are fully lit and subject to a 30 mph speed limit.

Their connections to the wider road network are via junctions with the A4008 Pinner Road. These are laid out in the form of priority junctions with raised blockwork tables on the minor arm to reduce entry and exit speeds and assist crossing pedestrians. Both junctions benefit from right turn lanes on the A4008 to enable vehicles entering the side roads from the south to wait without disrupting northbound traffic. Visibility (and the pedestrian crossing route) at each junction is

protected by the presence of double yellow lines which extend a short distance into the side roads.

Pinner Road is a Main Distributor and links Oxhey and Watford with Harrow. It is subject to a 30 mph speed limit which extends from approximately 340m to the south of Sherwoods Road. This is enforced by safety cameras close to both junctions. The A4008 is a busy link, particularly in the commuter rush ('peak') hours. HCC fixed traffic count site number 252 just north of Greenfield Avenue, Carpenders Park indicate Annual Average Weekday flow of 16,448 vehicles in 2010. This is likely to have risen given the trends evident from the HCC Traffic and Transport data report.

In the light of concerns expressed by residents a Safety Review of the scheme was carried out by a highly experienced (over 20 years' experience in Road Safety Engineering including Road Safety Audit and the design of casualty reduction proposals) safety auditor in the HCC Highways Development Management team who, until then, had had no involvement in the assessment of this scheme. He confirmed that visibility from both junctions with the A4008 is acceptable. The Road Safety Review assessment of the existing road network confirmed that during the 3 years period ending 31/8/15 there had not been any recorded Personal Injury Collisions at the junction of Pinner Road and Bucks Avenue and only one at the junction with Sherwoods Road. This last involved a vehicle turning from the side road and a pedestrian crossing Pinner Road from the south side where on-street parking is accommodated. This incident is not considered to demonstrate a significant problem with the operation of the junction.

Analysis:

Relevant transport and planning policy is discussed in Transport Statement paragraphs 4.12 to 4.23 in relation to Hertfordshire and Herts mere since the site itself lies in that borough. Policy implications and pre-application discussions are discussed in the Planning, Design & Access Statement.

Key in the assessment of any planning application in transport terms is paragraph 32 of the National Planning Policy Framework (DCLG 2012) which states, inter alia, that: 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.

Trip generation and distribution:

In the light of concerns expressed by local residents, analysis of the following local junctions was requested at the pre-application stage:

- Bucks Avenue with A4008 Pinner Road;
- Wilcot Avenue with Bucks Avenue;
- site access with Bucks Avenue and Sherwoods Road;
- Elm Avenue with Sherwoods Road; and
- Sherwoods Road with A4008.

Baseline flows were established from traffic counts taken on 5 February 2015.

These were taken over 2 hour periods (07:30 - 09:30 and 16:30 - 18:30) in order to identify the busiest ('peak') hours. These were found to be 07:30 - 08:30 and 17:15 - 18:15 and the flows during those periods are illustrated in figures 2 (morning) and 3 (evening) in the Transport Statement. These demonstrate the busy nature of Pinner Road with total two-way flows south of Sherwoods Roads of 1,737 in the morning and 1,541 in the evening. Corresponding figures north of Bucks Avenue were 1,264 and 1,220. The spatial reductions are explained by some traffic choosing to bypass the northern section by taking Watford Heath and the lower overall figures in the evening by the typically wider spread of this peak.

The greatest movements to/from the side roads was 70 on exit via Bucks Avenue in the morning followed by 46 in the same direction and location in the evening.

Likely trip generation arising from the proposed development is covered in Transport Statement section 6. This was derived from a sample of 30 of the over 7,000 sites from industry-standard TRICS (Trip Rate Information Computer System) database. This methodology is acceptable to the highway authority particularly as no discount for the 16 flats proposed has been applied. These would normally

generate lower numbers of trips and the overall assessment can therefore be considered to be a worst case.

Applying trip rates so derived to a scheme of 34 residential units gives peak hour and daytime arrival and departure flows as set out in paragraph 6.4 which I repeat for information:

	Arrivals	Departures	Total
Morning peak (8-9am)	5	13	18
Evening peak (5-6pm)	11	6	17
Daily (7am-7pm)	78	81	159

The analysis makes no reference to the traffic generated by the Equestrian Centre as this use has effectively ceased and any information is, at best, anecdotal. Whilst it is accepted that little traffic would have been generated in the morning peak period, it is possible that some traffic would have been generated in the evening peak hour. The assessment of the traffic impact arising from the proposed development is therefore considered to be robust.

Local residents concerned about the impact of this development employed Milestone Transport Planning to represent their views in analysing the impact of the development as set out by the developer's professional advisers. The analysis was presented in a Review of Submitted Transport Planning Statement (RSTPS) report dated November 2015. This offered a different selection of sites from the TRICS database but conceded that this would not give rise to material increases in predicted traffic above those set out in the Transport Statement.

Impact on highway network:

The future impact of the proposed scheme has been assessed for a 'design year' of 2021 and traffic growth predicted using the industry-standard TEMPro (Trip End Model Presentation Program) software. This approach was deemed acceptable to

the Highway Authority at pre-application stage and the results provided in the Transport Statement appear to be appropriate.

Key to an understanding of the likely future impact of the redevelopment of the stables is the picture of traffic likely to be generated and its flows at the local junctions as illustrated in figures 9 (morning) and 10 (evening peak). The highest figure is the 9 vehicles turning right out of Bucks Avenue in the morning. This equates to an average of one every 6.66 minutes. In the evening the greatest flow is 5 entering Bucks Avenue from the north (Watford) direction or an average of one every 12 minutes.

Flows predicted to leave and enter the site access are set out in table 6.2 of paragraph 6.4 in the Transport Statement.

	Arrivals	Departures	Total
Morning peak (8-9am)	5	13	18
Evening peak (5-6pm)	11	6	17
Daily (9am-5pm)	62	63	124

Air quality:

The Review of Submitted Transport Planning Statement (RSTPS) report prepared for OVEG suggests that the proposed development would have a material impact on pollution along the A4008. The monitoring and management of air quality is a borough function. The nearest Air Quality Management Area (AQMA) is 3 & 4/ 3A at Aldenham Road and Chalk Hill and is managed by Watford Borough Council. Given the relative traffic volumes it is the view of the Highway Authority that no significant increase would be generated by this development.

Highway layout:

The first 2 responses to question 6 in the application form states that there would be new or altered pedestrian and vehicular access to the site. It would take the form

of a 'gateway' feature at the location of the existing entrance to the stables and riding school.

The principle of this kind of entrance was agreed by the Highway Authority during pre-application discussions however the residents' association (OVEG) expressed concerns about this aspect of the development and therefore commissioned their own Review of Submitted Transport Planning Statement report. Factors taken into account in agreeing that this form of entrance could function safely are that:

1. The site is already accessed in this way.
2. Bucks Avenue and Sherwoods Road are relatively quiet in traffic terms. A two-way flow of 37 vehicles was observed in the morning peak period (07:30 - 08:30) whilst the evening peak (17:15 - 18:15) figure was 40 vehicles.
3. Bucks Avenue and Sherwoods Road intersect at right angles so vehicle speeds are very low in the vicinity.
4. The County Council supports the pragmatic approach to road layout design set out in Manual for Streets based on a road's place and movement functions. This acknowledges that total separation of all modes is not always appropriate or necessary and encourages creative solutions rather than absolute adherence to overly conservative standards.
5. Until recently the entrance was gated with vehicular gates in the middle and pedestrian gates either side. This arrangement would have been likely to cause vehicles to block the public highway waiting for the gates to be opened. No gates are shown in the proposed scheme.

The site access layout at submission is shown on drawing 15-0318-2C in Appendix 3 of the Transport Statement. The layout reviewed for the residents' association was shown on revision D. The key concerns raised in the Milestone Review of

Submitted Transport Planning Statement (RSTPS) report dated November 2015 in relation to the access were as follows:

1. The proposed access layout and interface with Bucks Avenue and Sherwoods Road does not reflect local and national highway design guidance. The narrowing of the access road and narrow footway in the immediate junction with the existing highway would result in vehicle and pedestrian conflict to the detriment of highway safety.
2. The proposed access layout interface with Bucks Avenue and Sherwoods Road does not take account of the interaction of vehicles using proposed access in relation to vehicles using the existing private access points to the immediate boundary of the site and the potential conflict in these movements to the detriment of highway safety.
3. The proposed access layout and interface with Bucks Avenue and Sherwoods Road does not provide for sufficient width to allow service and reuse vehicles to safely manoeuvre in and out of the access without potential conflict with other vehicles and pedestrians on the local highway to the detriment of highway safety.

The views of the HCC auditor on the first two of these points were as follows:

- 1a. The proposed residential use will result in an increase in the number of pedestrian movements negotiating the site access at the junction of Bucks Avenue and Sherwoods Road. The proposed vehicular priority arrangement identifies a route for pedestrians where traffic turning movements are anticipated. Pedestrian access can be safely accommodated by this arrangement but the footway route will need to be segregated from the access carriageway by a suitable kerb construction.
- 1b. Traffic speeds entering the site are controlled by a proposed ramp but the position of the ramp would conflict with the footway route across the access.

The ramp should be repositioned closer to the site boundary to ensure that pedestrians are able to cross the access on a level surface.

- 2a. The position of the access on the outside of the bend delivers an acceptable standard of visibility for a vehicle emerging from the access. The proposed layout presented on Drawing No.15 0318-2D will relocate the Give Way position on the access, providing improved visibility. Vehicles leaving the site are expected to Give Way to any vehicle turning left from Bucks Avenue or right from Sherwoods Road. This priority arrangement is considered appropriate for the anticipated traffic generation from the development but the layout presented should confirm the proposed position of the traffic signs and road markings necessary to ensure compliance by vehicles leaving the development site.
- 2b. The proposed layout will also introduce changes to the existing kerblines to form a new junction bellmouth. It is likely that these changes will influence the drainage profiles around the junction and these will need to be investigated and considered as part of the junction design to ensure that the areas of highway are adequately drained.
- 2c. Traffic speeds entering the site are controlled by a proposed ramp but there is no ramp indicated on the development side of the access. It is considered that the Give Way requirement for traffic leaving the development should be reinforced with a ramp to ensure that this traffic approaches the junction at an appropriate speed.
- 2d. The junction layout incorporates the relocation of the existing lighting column at the junction. This will position the lantern further from the trafficked carriageway of Bucks Avenue/ Sherwoods Road and could have a detrimental effect on the street lighting levels at this location. The Highway Authority will require that a street lighting assessment is undertaken to identify any complementary works necessary to retain an acceptable standard of lighting.

In response to point 3 I note that the computer-generated vehicle track plots submitted show the Phoenix 2 Duo (P2 - 15W with Elite 6 x 4 chassis). This is a large refuse collection vehicle measuring 2.53m x 11.2m and is in excess of the 9.55m that Hertsmere Borough Council advised the applicant as the maximum length of their refuse collection vehicles. The track plot drawings were amended to my satisfaction to demonstrate more clearly that refuse vehicles can enter the site, turn and leave in forward gear. I concur with the developer's assessment that a refuse vehicle would enter and leave the site once a week and a single delivery vehicle (not necessarily a large pantehnicon) might reasonably visit the site once a day. The instances when any overhanging might occur would be at most very occasional.

The drawing I have reviewed is revision G which takes account of points raised by the residents' consultant and also by the Highway Authority's own Road Safety Review of the overall scheme. This was amended in the following ways:

1. Concerns about vehicles crossing the centre of the road when passing from Bucks Avenue into Sherwoods Road and vice versa addressed by the addition of centre line road markings to be installed by the developer should they get permission and implement the scheme.
2. Give Way sign added on the south side of the narrowing in accordance with HCC requirements set out in the Road Safety Review. This would indicate to vehicles leaving the development that they should cede to any vehicle entering the site.
3. Ramp added on the east (site) side of the road narrowing to create a raised table thereby reducing speeds and allowing for safer passage of vehicles, pedestrians and cyclists.

4. Footway separated from the raised table by a 100mm kerb to separate the surfaces in accordance with HCC requirements set out in the Road Safety Review.
5. Western (external) traffic ramp moved back towards the site boundary to provide dropped kerbs either side of the access to ensure that pedestrians are able to cross the access on a level surface as the Road Safety Review requires.
6. Give Way markings added along the carriageway edge across the site access to be installed by the developer should they get permission and implement the scheme.
7. Lamp post number 9 would obstruct the new entrance and so would need to be moved to the north. This would need to be done under a Section 278 legal agreement with the Highway Authority along with the construction of all elements of the new entrance that fall on the public highway.

In addition information was provided to demonstrate that the new site access as well as the internal layout could accommodate larger vehicles likely to use the site. This information is provided on drawings 15-0318-14C 'On Site Swept Paths', and 15-0318-15C 'Access Swept Paths'. All of these computer-generated swept path plots demonstrate to my satisfaction that this site could function without a severe impact on the free and safe operation of the public highway.

I noted when I visited the site on 9 December that two 6ft x 6ft overlap fence panels have been erected along the northern boundary of 1 Sherwoods Road where it abuts the highway. This obstructs visibility on exit from 37 Bucks Avenue and does not appear to have the appropriate permission.

The 3rd response to question 6 in the application form states that there would be new public roads within to the site. Whilst it is recommended that all roads and parking areas in the site are built to adoptable standards from the point of view of

longevity the Highway Authority is unlikely to agree to adopt the roads within the site because of their low public utility. I would therefore suggest that alternative arrangements are made for their maintenance should the scheme gain planning permission and be implemented.

The 4th response to question 6 in the application form states that there would be new public rights of way within to the site and the 5th that rights of way would need to be diverted, extinguished or created. Among proposals in the scheme are footpath/cycle path links to the allotment field to the north of the site and to the Merry Hill footpath/cycle path (Greenway) link to the east. These would shorten walking and cycling distances and times to facilities in Bushey. The HCC Rights of Way team manager responded as follows:

1. We welcome the proposed access routes as shown, to link to Merryhill. These must be of Public Bridleway status to cater for multi-user demand, especially as they link to the Bridleway 31/65 in Merryhill and to the proposed new bridleways to the south (from other developments).
2. As previously advised we are happy to enter into the proposed Creation Agreement (for Bridleway status only) rather than EDCL (Express Dedication of public rights of way at Common Law).
3. The public rights over the main site access road to be clarified, i.e. also of at least bridleway status, to provide through links for all users to the public highway network in either direction (Bucks Avenue and Bridleway 31/65).
4. The necessary bridle bridges and legal status of the bridle paths on, to and across the Woodland Trust's land to the south (to link to the bridleway) to be legally secured and delivered as part of this development.

Parking:

The response to question 10 in the application form states that there are currently 70 spaces on the site and that 74 would be provided in the proposed development. It is proposed to provide 42 cycle parking spaces.

Parking is covered in Transport Statement paragraphs 3.5 -3.7 in relation to Hertsmere Borough parking standards since the site itself lies in that borough. Hertsmere is the agent parking authority and is therefore responsible for setting standards and arranging enforcement on their roads. Unusually the roads linked to this site are in the adjoining borough of Watford. The proposed levels of provision for cars and cycles are in line with Hertsmere Borough Council standards. I am therefore content that the provision proposed is unlikely to cause there to be overspill parking to an extent that would create a severe impact on the free and safe flow of traffic on the adjoining public highway.

Parking against the kerb to facilitate access by vehicle to number 37 and properties either side of it around the outside of the bend (33, 35 and 1) is discouraged informally by an 'H-bar' marking in white thermoplastic paint.

Accessibility:

These aspects of the proposed scheme are adequately covered in section 5 of the Transport Statement. Despite being quite well served in terms of education, retail and health facilities as well as transport the site is on the very edge of the settlement. An indication of its relatively poor accessibility is given by the fact that it lies in accessibility zone 4 on the Watford Borough Council map Car and Cycle Parking Zones from its District Plan 2000.

Among proposals in the scheme are footpath/cycle path links to the allotment field to the north of the site and to the Merry Hill footpath/cycle path (Greenway) link to the east. These would shorten walking and cycling distances and times to facilities in Bushey.

Improvements to local bus stops on Pinner Road would encourage greater use of non-car modes by residents of and visitors to the development. These would be funded via the Community Infrastructure Levy (CIL).

Travel Plans:

None is offered and the Highway Authority would not require one for a development of this size, nature and location.

Planning Obligations/ Community Infrastructure Levy (CIL):

It is the policy of the County and Borough Councils to seek planning obligations to mitigate the effects of development. HCC's requirements in respect of highways and transport are set out in section 11 of the document 'Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements)'. Improvements to local bus stops on Pinner Road would be covered by CIL.

6.0 APPRAISAL

6.1 Main issues

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

- (a) Design of the new access junction.
- (b) Impact of traffic generation of the local highway network.

6.2 (a) Design of the new access junction

The existing access serving the riding school is sited on the outside corner of the right-angled bend where Bucks Avenue joins Sherwoods Road. It has no bell-mouth, restricted visibility and no footpaths, acting as a shared surface for vehicles and pedestrians. Its width is also limited by gates and a grassed verge. At pre-application stage, extensive discussions were held with Herts. County Council as the Highway Authority to improve this access to serve the proposed development. The proposed modifications included siting the kerblines give way markings further into the carriageway whilst still maintaining a consistent carriageway width, improving visibility, providing a pedestrian footpath on the southern side of the

access and providing a ramped access to slow vehicle speeds.

6.2.1 This design was subject to a road safety audit by the Road Safety team at Herts County Council who suggested a number of further amendments to the junction. This is discussed in detail in the Highway Authority's response at paragraph 5.15 of this report. The suggested amendments have been incorporated into the design and included re-siting the access ramp further back to provide a level surface for pedestrians to cross the junction, a give way sign on the exit approach to clarify vehicle priority and new centreline markings within the main carriageway. As a result of these amendments, the Highway Authority have raised no objections to the proposed new access junction.

6.2.2 The Oxhey Village Environment Group (OVEG) also commissioned a road safety audit on the amended junction design which raised 7 points of concern. These are listed below with the comments of the County Council's Safety Audit team:

- Possible risk of collisions due to standing water or service covers.
HCC comment: The detailed design should consider all drainage issues and any potential conflicts with service covers.
- Possible risk of vehicle collisions associated with horizontal alignment.
Parked vehicles obstructing visibility of vehicles exiting the site.
HCC comment: The access is positioned on the outside of the bend and this affords the maximum visibility for vehicles to access the highway. The previous use of the access needs to be acknowledged in conjunction with measures to facilitate the additional traffic movements associated with the site development. The proposed kerb build-outs to each side of the access improve the visibility for a driver emerging from the access. Visibility to and from vehicles approaching the access from each direction is considered to be acceptable. The introduction of parking restrictions is not considered necessary at this stage. However the Highway Authority would monitor the situation should the development (and the access) be implemented.

- Possible risk of side/front impact collisions due to horizontal alignment of carriageway.
HCC comment: The Highway Authority will require that the access design incorporates the reinstatement of the centre line marking on the approaches to and around the bend at the junction of Bucks Avenue and Sherwoods Road. This will be designed to suit vehicle paths at the location of the site access.
- Possible risk of vehicular conflicts associated with a lack of forward visibility.
HCC comment: A review of the junction layout has been undertaken as part of the formal consultation referred to above. It is considered that forward visibility between opposing traffic movements can be maintained at approximately 19m. This is considerably above the minimum requirement of 11m specified by HCC for the design of a shared use access (suitable for up to 50 residential units). However, the Highway Authority will require that the designer provides tracking layouts for car manoeuvres to confirm that the minimum standard specified is delivered.
- Possible risk of vehicle collisions associated with private driveways adjacent to site access.
HCC comment: The previous use of the access needs to be acknowledged in conjunction with measures to facilitate the additional traffic movements associated with the site development. The proposed kerb build-outs to each side of the access improve the visibility for a driver reversing from the private driveways as the distance between the property frontages and the carriageway will be increased. The ramps on each approach to the access will contain vehicle speeds as these enter and leave the proposed development. These mitigation measures are considered appropriate to facilitate the traffic generated from the proposed development.
- Possible risk of vehicle collisions associated with vegetation overhanging site access.
HCC comment: The details identified in the designer's response are

considered to be acceptable. The Highway Authority has requested that a planning condition is attached to any planning permission to confirm the proposed arrangements for the future management and maintenance of the proposed streets within the development. This will include the removal of any vegetation that obstructs vehicle routes.

- Possible risk of conflict between pedestrians and vehicles. Narrow width of footway may force pram and wheelchair users to enter the carriageway. *HCC comment: The scale of the proposed development is suitable to be served via a shared access arrangement. This is specified as being suitable for up to 50 residential units and requires pedestrians (including those with prams and pushchairs) to occupy the same movement space as vehicles. The proposed layout accords with the standards specified in the Roads in Hertfordshire design guide and I consider that the proposed access and footway arrangement provides a suitable transition between the existing highway network and the shared surface of the development. [Note: The proposed footpath is 1.25m wide for a short distance before widening to 1.54m and then entering the shared surface road].*

It is not considered by the Highway Authority that any further improvements are necessary to the junction design as a result of this road safety audit.

It is acknowledged that the existing access is substandard but this has been present in its current form for many years and has been serving the riding school since the 1950s without any apparent incident. The proposed junction is a significant improvement over the existing access. Following detailed scrutiny, and having regard to the scale of proposed development and the likely traffic movements, is considered by the Highway Authority to be safe and suitable to serve the proposed development.

6.3 (b) Impact of traffic generation of the local highway network

The application is accompanied by a detailed Transport Assessment, as requested by Herts. County Council as the Highway Authority. This assessment included the

results of traffic counts undertaken on Bucks Avenue and Sherwoods Road and at the junctions of these roads with Pinner Road. This assessment is discussed in detail in the Highway Authority's thorough response to the application in paragraph 5.15 of this report. The Highway Authority's response also references a review of the applicant's Transport Assessment commissioned by OVEG ('Review of Submitted Transport Planning Statement' by Milestone Transport Planning) which was considered at the same time. The Highway Authority also had regard to the applicant's response to this report.

- 6.3.1 The policy guidance contained in the National Planning Policy Framework (NPPF) at paragraph 32 states: 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.' Having reviewed all the evidence submitted and the conflicting professional views, the Highway Authority has concluded that the impact of the proposed development would not be severe and would not justify a refusal of planning permission on the grounds of highway safety or highway capacity.

7.0 COMMUNITY INFRASTRUCTURE LEVY AND PLANNING OBLIGATION

7.1 Community Infrastructure Levy (CIL)

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

Liability to CIL does not arise in the case of a development where the increase in gross internal area is less than 100sqm, unless the development comprises one or more dwellings. Accordingly, no liability to CIL arises in the case of the development proposed in this application.

7.2 S.106 planning obligation

From 1 April 2015, s.106 planning obligations can only be used to secure affordable housing provision and other site specific requirements, such as the removal of entitlement to parking permits in Controlled Parking Zones and the provision of fire hydrants. There is no requirement for a planning obligation in this case.

8.0 CONCLUSION

8.1 The majority of the application site, including the proposed houses comprising the development, are sited within Hertsmere Borough. The only part of the development falling within Watford Borough, and therefore within the jurisdiction of this committee, relate to the modified access junction and the first section of the access road before it becomes a shared surface.

8.2 The design of the access has been the subject of two road safety audits, one by the County Council and one by a consultant appointed by OVEG. The County Council are satisfied that the modified access junction is safe and adequate to serve the proposed development of 34 dwellings. All of the necessary works are within the public highway and can be secured through a s.278 agreement under the Highway Act 1985. The application was also supported by a detailed Transport Assessment which was also subject to scrutiny by an independent transport consultant appointed by OVEG. The County Council are satisfied that the impacts of the proposed development on the local highway network are acceptable and would not justify a refusal of planning permission.

9.0 HUMAN RIGHTS IMPLICATIONS

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

planning permission.

10.0 RECOMMENDATION

That planning permission be granted subject to the following conditions:

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:-

15 0318-2H, 5, 19C, 20, 21

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

3. No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.

4. No occupation of any dwelling forming part of the development shall be occupied until the existing vehicular access on Bucks Avenue has been upgraded as indicated on drawing number 150318-2G. This shall include provision for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway, together with any necessary adjustments to the drainage system on the adjoining public highway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

Drawing numbers

15 0318-2H, 5, 19C, 20, 21

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