

	PART A	
Report to: <b>Development Management Section Head</b>		
Date of committee:	<b>18<sup>th</sup> February 2016</b>	
Site address:	<b>Watford Car Sales, Dome Roundabout</b>	
Reference Number :	<b>15/00849/FULM</b>	
Description of Development:	<b>The redevelopment of the existing car sales (or the former petrol filling station) to provide a part three and part four storey building with eighteen flats (six affordable), the associated parking, landscaping and altered access arrangements.</b>	
Applicant	<b>Howarth Homes Plc</b>	
Date Received:	<b>15th June 2015</b>	
13 week date	<b>14th September 2015</b>	
Ward:	<b>Stanborough</b>	

### **Summary**

The proposal relates to land currently used as a car show room to the north of the Dome Roundabout. The land was formerly used as a petrol filling station. It included the petrol pumps, a high level canopy over the pumps and a single storey sales room.

The proposal involves the erection of a part three and part four storey building to provide eighteen flats, including six affordable housing units. The scheme will include eighteen car parking spaces, an amenity space plus bins and cycle storage space.

This scheme was presented to the last committee meeting on 28<sup>th</sup> January 2016. However, due to some inaccuracies in the report the scheme was deferred. The errors were largely

confined with the summary section of the report which incorrectly identified the number of car parking spaces, the number of flats and the name of the ward. There were also errors in the number of objections received within the body of the report. The committee also required further analysis with respect to the following issues;

- The justification for the loss of the existing use of the site as a car sale showroom.
- How the revisions have helped to overcome the design officer's original objection to the scheme.
- The concern over highways issues

Given the deferral, the committee members also took the opportunity and requested an accompanied site visit.

The report has sought to amend the inaccuracies and provides further information and analysis as requested by the committee members.

With regards to the loss of employment, the report will explain that the application site has no lawful use rights for employment uses within B classes and the site is not designated for employment purposes either in the adopted Watford District Plan or the Core Strategy. The site however falls within special policy area (SPA5 – Dome Roundabout). The main objectives of the policy are to bring about a more balanced use to redress the existing retail dominance in the area as well as to bring in environmental improvement to the area. The proposal will comply with the objectives of the policy.

The design officers have been instrumental in shaping the proposed development. The original scheme submitted was so poor that a report was prepared for its refusal on several grounds. However, the applicant indicated willingness to work with the officers to improve the scheme. The plans for the original scheme and subsequent revisions have been presented in the body of the report indicating the changes. Further, the design officer has added her comments indicating how the scheme has addressed the original objections.

The comments from Herts Highways have been received with respect to the final scheme. Herts Highway have no objection to the scheme and are satisfied that the proposal will have no adverse impact upon the safe and free flow of traffic.

The use of the site for residential purposes is considered acceptable and will meet the key priority both nationally and locally for the provision of housing. The scheme will achieve a reasonably good level of housing standards in terms of floor area, as well as benefiting from good outlook and natural light. The applicant has offered to provide affordable dwelling units in line with the policy requirement.

Given its distance from other neighbouring buildings, its design and location, the proposal will not have a significant impact upon the amenities of the adjoining occupiers.

The scheme includes the siting as well as the details for cycle, recycle and bin enclosures. It is considered that the proposal will create a building of balanced proportion, highly articulated on all frontages and will respond well to the site's specific constraints.

The Development Management Section Head recommends the application be approved as set out in the report.

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## **Background**

### **Site and Surroundings**

The site is located within a prominent location north of the Dome Roundabout where the A41 North Western Avenue meets the A412 St Albans Road. The site has an irregular shape and is located on the corner of two streets; the front of the site faces the slip road north of the Dome Roundabout, whilst the western side faces Purbrock Avenue.

The site is currently used as an open air car show room with one portable cabin on site. However, prior to this use the application site was used as a petrol filling station and comprised a forecourt area, a petrol station canopy and a single storey structure providing

the associated retail store. As well as the demolition of the building and clearing of the site, it is understood that all the underground petrol tanks have been removed and the site has been decontaminated.

The character of the surrounding area falls into two distinct built forms comprising residential and commercial buildings. Apart from a single storey hot food takeaway immediately to the east of the site, the built form to the north of roundabout is generally residential with a typical suburban character. The residential buildings are primarily of two storeys and are either semi detached or detached, set back from the road with front gardens, and with pitched and hipped roofs. There is a regular rhythm in the residential areas set up by the regularity of the building and gaps between them.

The commercial buildings on the other sectors of the roundabout contain petrol filling stations and large retail stores. The ground level drops away from the road on the two sectors containing the Sainsbury and Asda stores but rises to accommodate the Shell petrol filling station.

The one exceptional building on the landscape here is the Mirror Print Building which is the most dominant and most significant in terms of its architectural merit. Nonetheless, the most significant characteristic of the area is the dominance of the roads together with the amount of space around the roundabout. The roundabout is approached by long arterial routes which have buildings along them enclosing the space; once the roundabout is reached the buildings give way to a sense of open space and the low lying position of the commercial buildings does not inform the built character in a meaningful way.

As well as proximity to the large retail stores and the petrol filling stations, the site benefits from close proximity to a public library and a doctors' surgery.

### **Proposed Development**

The proposed development involves the erection of a four storey building with the top floor set back. This will be within a single block.

The development proposes the following breakdown of units:

<b>Unit size</b>	<b>No. of Units</b>	<b>Percentage</b>
1 bed flat	4	22%
2 bed flat	14	78%
Total	18	100%

There are 4 entrances to the proposed building, two stair cases and a lift. Two entrances will be from the front and two from the rear.

In total the proposal will provide eighteen car parking spaces. Eleven spaces will be provided to the front of the proposed building. These will be reached via an extended dropped kerb directly from the slip road to the front. The remaining car parking spaces will be provided to the rear of the proposed building with vehicular access from Purbrock Avenue.

The proposal will provide an amenity space to the rear of the building between the car parking spaces and the building. The proposal will also include the provision of cycle space at the rear adjacent to the garden of 529 St. Albans Road. The bin enclosures will also be provided close to the proposed entrance from Purbrock Avenue, but the cycle store will be located at the far end of the open space on its eastern boundary.

### **Relevant Planning History**

On 05.04.2007, pre applications (07/00437/PREAPP) received an enquiry for the former BP garage to be used as a vehicle sales area, office and valet area

On 24.03.2009, conditional planning permission (Ref;08/00821/FUL) was granted for the erection of a three storey building to provide retail shops on the ground floor level and 3 x 2 bed and 3 x 1 bed residential flats above plus the provision of associated car parking spaces to the rear and front (amended plans). This permission was renewed in 2012, but was not implemented.

The elevation approved as part of the above mentioned scheme is provided for information;



**Figure 1.**

On 16.08.2012, conditional planning permission (Ref;12/00532/FUL) was granted for the use of the former petrol station site for car sales involving the installation of a portable cabin. The permission was for a temporary period and included other conditions.

12/00906/DISCON DCN 16.10.2012 Details submitted for Condition 5 (Disposal of surface water) pursuant to planning permission 12/00532/FUL.

12/00907/DISCON DCN 16.10.2012 Details submitted for Condition 6 (Parking Layout) pursuant to planning permission 12/00532/FUL.

12/00908/DISCON DCN 16.10.2012 Details submitted for Condition 7 (Boundary Treatment) pursuant to planning permission 12/00532/FUL.

12/00909/DISCON DCN 16.10.2012 Details submitted for Condition 8 (Hard Surfacing) pursuant to planning permission 12/00532/FUL.

On 05.06.2014, planning permission (14/00576/FUL) was granted for the use of the former petrol station site for car sales

## **Relevant Policies**

### **National Planning Policy Framework (NPPF)**

Paragraph 17 Core planning principles

Section 4 Promoting sustainable transport

Section 6 delivering a wide choice of high quality homes

Section 7 Requiring good design

Section 11 conserving the natural environment

The following paragraphs have direct relation to the proposed scheme

Paragraph 17 core policies state;

“take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;”

At paragraph 56, NPPF explains, “the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”

Paragraph 57 of this document explains, “It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.”

Paragraph 58 advises, planning policies and decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;

- Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- And are visually attractive as a result of good architecture and appropriate landscaping.

Paragraphs 60, 61 and 64 states that:

- 'Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.'
- Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
- 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

Paragraph 50, explains, to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited



to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);

- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.

### **Hertfordshire Waste Core Strategy and Development Management Policies Document 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

SPA5 Dome Roundabout

SD1 Sustainable Design

SD2 Water and Wastewater

SD3 Climate Change

HS1 Housing Supply and Residential Site Selection  
HS2 Housing Mix  
HS3 Affordable Housing  
EMP2 Employment Land  
T2 Location of New Development  
T3 Improving Accessibility  
T4 Transport Assessments  
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  
SE22 Noise  
SE23 Light Pollution  
SE24 Unstable and Contaminated Land  
SE27 Flood Prevention  
SE28 Groundwater Quality  
SE39 Tree and Hedgerow Provision in New Development  
T10 Cycle Parking Standards  
T21 Access and Servicing  
T22 Car Parking Standards  
T24 Residential Development  
T26 Car Free Residential Development  
E1 Employment Areas

**Supplementary Planning Guidance**

Residential Design Guide (RDG)  
Watford Character of Area Study

## **Supplementary Planning Guidance Notes**

A revised Watford Residential Design Guide was adopted as a Supplementary Planning Document by Watford Borough Council's Cabinet on 23<sup>rd</sup> July 2014 following public consultation between 4<sup>th</sup> November and 16<sup>th</sup> December 2013. This supersedes the Residential Design Guides: Volume 1: Building New Homes & Volume 2: Extending Your Home (2008) and Supplementary Planning Guidance 6 (SPG6): Internal Space Standards (2004).

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## **Consultations**

### **Neighbour consultations**

The council has carried out two rounds of consultations. The first consultation was carried out on 24.06.2015 and the second round of consultation was carried out on 18.11.2015.

On both occasions the following properties were notified:

5 Fellowes Close, Watford, Hertfordshire, WD25 0BB  
4 Fellowes Close, Watford, Hertfordshire, WD25 0BB  
3 Fellowes Close, Watford, Hertfordshire, WD25 0BB  
2 Fellowes Close, Watford, Hertfordshire, WD25 0BB  
1 Fellowes Close, Watford, Hertfordshire, WD25 0BB  
1A Purbrock Avenue, Watford, WD25 0AD,  
Little Waitrose, St Albans Road, Watford, WD24 7RU  
557 St Albans Road, Watford, WD25 9JH,  
555 St Albans Road, Watford, WD25 9JH,  
553 St Albans Road, Watford, WD25 9JH,  
549 St Albans Road, Watford, WD25 9JH,  
545 St Albans Road, Watford, WD25 9JH,  
16 North Western Avenue, Watford, WD25 0AE,  
10 North Western Avenue, Watford, WD25 0AE,  
547 St Albans Road, Watford, WD25 9JH,

551 St Albans Road, Watford, WD25 9JH,  
Watford Pizza, 529 St Albans Road, Watford, WD25 9JH  
14 Purbrock Avenue, Watford, WD25 0AD,  
12 Purbrock Avenue, Watford, WD25 0AD,  
10 Purbrock Avenue, Watford, WD25 0AD,  
8 Purbrock Avenue, Watford, WD25 0AD,  
6 Purbrock Avenue, Watford, WD25 0AD,  
4 Purbrock Avenue, Watford, WD25 0AD,  
3 Purbrock Avenue, Watford, WD25 0AD,  
1 Purbrock Avenue, Watford, WD25 0AD,  
14 North Western Avenue, Watford, WD25 0AE,  
12 North Western Avenue, Watford, WD25 0AE,

Some of the residents sent responses to each round of consultation. However, a total of 7 pieces of correspondences were received citing the following objections:

- The development is over sized and not compatible with the surrounding two storey houses
- It will be feasible to construct with a 3 storey building
- The additional traffic will cause further problems with parking and increase the road accident hazard
- The proposals will result in the loss of light and privacy to the neighbouring occupiers
- There will be significant disturbance during construction period
- The proposed density is too high and there is no recreation for the children.
- Landscaping of the roof will not be visible from the ground level

### **Statutory consultations**

#### ***Thames Water***

*Have made the following comments;*

#### ***Waste comments***

- *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 your 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. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.*
- *Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.*

#### **Water Comments**

- *With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.*

#### **Hertfordshire Constabulary**

*Have made the following comments;*

*I am writing regarding planning application 15/00849/FULM at Watford Car Sales, Dome Roundabout, Watford for change of use and redevelopment of car sales site (former petrol filling station) to provide a four storey building with eighteen flatted units (six affordable) and associated parking, landscaping and altered access arrangements.*

1. **Security & Secured by Design physical security:** *This was not mentioned within the Design and Access Statement.*  
*To alleviate any concerns regarding security for the proposed development, I would look for the development to be built the physical security of Secured by Design part 2, which is the police approved minimum security standard. This would involve:*
  - a. *All exterior doors to have been tested to BS PAS 24:2012 or STS 202 BR2*
  - b. *All individual flat front entrance doors to BS Pas 24:2012 (internal specification).*
  - c. *Ground level (easily accessible) exterior windows to BS Pas 24:2012. All glazing in the exterior doors, and ground floor (easily accessible) windows next to doors to include laminated glass as one of the panes of glass.*
  - d. *Due to the number of flats, there should also be audible and visual access control at the pedestrian entrances to the block. Such access control must NOT have a Tradesman's Button fitted as this assists offenders to gain entry during the day to break into the flats.*

*These standards are entry level security and meet the Secured by Design part 2 physical security standard. Building to the physical security of Secured by Design, which is the police approved minimum security standard, will reduce the potential for burglary by 50% to 75%. I would encourage the applicants to seek Secured by Design certification to this standard when it is built.*

- 2. **Postal delivery:** What is the intention for postal delivery? Tradesman's buttons should not be allowed, because the Post Office have amended the hours to which they require access to deliver mail (7am to 2pm winter and summer). Because the communal door is not secure for so long, this allows offenders into the block during the day, where they can break into the flats whilst residents are at work. Postal delivery needs to be planned for: Secured by Design gives various options (see New Homes design guide at [www.securedbydesign.com](http://www.securedbydesign.com)) , also the local post office may accept having an access fob to allow them entry to deliver the mail.*
- 3. **Boundaries:** The current site boundaries are tired and dilapidated and I would expect these to be renewed. There should also be some boundary treatment between the east side of the residential block to the pizza shop to stop casual intrusion all the way around.*
- 4. **Lighting:** I know this would be more reserved matters but mention it now. The rear parking area should have suitable lighting so residents can see their vehicles and the cycle stores. Bollards would not be an appropriate choice because they do not project sufficient light at the right height to aid facial recognition and reduce the fear of crime.*

#### **Conservation Area Officer**

The Conservation and Design Team were consulted on the original scheme and the comments above made. Following the comments further discussion and negotiation has taken place and the plans amended. The design officer has set out the original comment below and further comments on the revised scheme assessing whether the initial issues have been dealt with in the revised scheme.

#### **First point:**

“The site in question is very prominent and it is important that the design of any new development here is of a high standard of design. Unfortunately, the proposed scheme is disappointing in a number of areas. A more comprehensive form of development, including the single storey building at number 529, would have resulted in a less awkward arrangement than that currently proposed. Taking the site boundary as given, the scheme fails to respond adequately to the context of the streetscene. The site is surrounded by a mixture of one and two storey buildings, with the proposed four storey structure being entirely out of scale with the local character. In addition, the recessed third storey looks out of place and does not relate well to the main section of the front elevation. A more acceptable approach would be a two storey building, with a recessed second storey. “

**Revised Scheme:** The site area of the application has not altered so this point remains but there is not much the applicant can do to bring the adjoining site into their ownership if the owner does not wish to sell. The layout is arranged so that it does not preclude future redevelopment of this adjoining land

- **Height:** The proposed building will be partly four and partly three storey; the tallest element being on the corner to provide a local landmark in the street scene with a stepped reduction in height along the two principal elevations. The applicants have also made changes to the design of the fourth floor so that it is now set in from the main building and reduced in extent; this reduces the visual impact of this floor. Whilst the proposed building will be higher than the two storey houses in the area there is a degree of separation from these buildings and the stepping down approach creates a more natural transition from the four storey corner element to the 2 storey buildings in the area. This height does work better in this location where the urban area is dominated by the wide road layout at the Dome Roundabout and the stronger edge results in greater enclosure to this area which is seen to be a benefit.
- **Building line:** this is another key component to the street scene and the proposed scheme follows the building line of the residential properties fronting the service road; setting the building back here allows a parking area and the opportunity to plant some much needed trees in this area which will improve the environment both aesthetically and in terms of air quality.

**Second Point:**

“The proposed front balconies are positive in that they provide some additional external space, but it is questionable how private they will feel overlooking a busy road junction. Recessed balconies on the front might work better, with this detailing used to articulate the elevation. In addition, glass fronted balconies are typically subject to retrospective additions of screening (to improve privacy), which results in a scruffy and inconsistent appearance. Such an approach should be avoided.”

**Revised Scheme:**

The applicant has revised the scheme so that the balconies are now recessed overcoming the issues which were identified on the previous scheme.

**Third Point:**

“The western elevation lacks vertical emphasis and has clumsily horizontal fenestration treatment, while the rear elevation is of poor design quality in general. The proposed fenestration on the east elevation does not consider potential future redevelopment of the adjacent site and may present overlooking issues. In general the design of the building fails to meet the Council’s policy on approving high quality architecture, with a very bland and technically deficient scheme proposed.”

**Revised Scheme:**

The alterations to the design of the front elevation have resulted in a much improved vertical rhythm which responds much better to that of the residential properties in the area. The rear and side elevation have much improved as well, with strong vertical emphasis and variety resulting in elevations of higher quality. Changes to the design on the elevation to No 529 would not preclude the development of this site through overlooking. I am now satisfied that building design is of sufficient quality to meet the design criteria.

**Fourth Point:**

“To improve the conditions for future residents, it would be better if the building depth was reduced (to facilitate better rear amenity space and outlook) and to make the units dual aspect. The internal arrangements are also questionable with regards to the eastern part of the building. A separate entrance and stairwell are included for the three units at this end, which is very space inefficient. Typically, separate entrances are proposed for developers for affordable housing, but six affordable units are proposed on this development, so the current arrangement does not make sense.”

**Revised Scheme:**

The scheme has been altered so that whilst there are still two entrances to the front they are connected internally allowing full access from each entrance to the whole building. The building depth is still designed so that some of the units in the centre are single aspect – many are actually corner units. However, the much improved balcony and terrace arrangement means that the amenity space for each unit has improved.

**Fifth Point:**

“The two areas of car parking are poorly landscaped and need to be broken up more with tree planting and landscaped strips. Reducing the quantum of development will reduce the need for the current provision of parking, which will free up space for better landscaping.”

**Revised Scheme:**

Alterations to the car parking arrangement have been made which allows more planting to be incorporated into the scheme and for trees to be planted along the frontage; the landscaping has been used to break up the car parking spaces so that they are less dominant.

**Sixth Point:**

“The private amenity space is of a scale and format that will provide limited utility to future residents. As the front of the site faces onto a very busy road junction, it would be preferable if a decent sized amenity space was provided to the rear of the new build. A single cycle store is likely to be more space efficient than what is currently proposed. “

**Revised Scheme :**

The alterations to the balconies and the provision of terraces for the upper floor flats has resulted in much improved private amenity area for each unit. The space to the rear will allow for some shared amenity area which if landscaped properly will provide some useful space. The detailed landscape plan should show some protection for this amenity area from the turning area for the car park spaces .

On balance I am now satisfied that the issues we had with the original scheme have been overcome and that the scheme is of good enough quality subject to design and landscape details. The materials palette has also been the subject of discussion at the various



meetings and we are now happy with the choices proposed.

**Herts Sustainable Urban Drainage Strategy team has been consulted, making the following comments;**

*RE: 15/00849/FULM - Watford Car Sales, Dome Roundabout, Watford, WD25 0AE*

*The authority is now satisfied that the proposal will achieve the objective and have recommended conditions which will be attached to this decision.*

**Herts. Highways have been re-consulted with respect to the revised layout;**

The highways authority has no objection to the scheme. They have now received sufficient information and are able to determine that the scheme subject to condition will not have a detrimental impact upon the safe and free flow of traffic. The Highway Authority has also explained refuse vehicle need not to enter the site. The Herts Highways have commented that the proposal will provide cycle storage space as well as car parking spaces which meet the authority's standards.

The Herts Highways have commented that the development of this size is considered to have a minimal impact on the Highway Network and was satisfied that the number of parking spaces would satisfy the local authority parking standards.

**Environmental Health**

Environmental Health have been consulted and raised some concern that the cooking smells and fumes from the adjacent hot food takeaway shop will cause odour nuisance to the future occupiers of the proposed residential block.

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**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 (adopted January 2013)*;
- (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.

The *National Planning Policy Framework* (NPPF) sets out the Government’s planning policies for England and seeks to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. The NPPF was published on 27<sup>th</sup> March 2012 and is a material consideration in planning decisions. It does not change the statutory status of the development plan as the starting point for decision making. Planning Policy Guidance Notes and Statements have been cancelled and replaced by the NPPF.

A revised Watford Residential Design Guide was adopted as a Supplementary Planning Document by Watford Borough Council’s Cabinet on 23<sup>rd</sup> July 2014 following public consultation between 4<sup>th</sup> November and 16<sup>th</sup> December 2013. This supersedes the Residential Design Guides: Volume 1: Building New Homes & Volume 2: Extending Your Home (2008) and Supplementary Planning Guidance 6 (SPG6): Internal Space Standards (2004).

The Local Development Framework Core Strategy was submitted to the Secretary of State for Communities and Local Government on 28 February 2012. Hearing sessions were held from 12 to 19 June 2012 and were followed by public consultation on proposed modifications from Monday 31 July to Monday 10 September. The Inspector concluded that the Watford Core Strategy provides an appropriate basis for the planning of the Borough to 2031 providing a number of modifications are made. These modifications were the subject of the summer 2012 public consultation. The Core Strategy is therefore sound and legally compliant in the view of the Inspector. The Core Strategy was formally adopted at a Council meeting on 30<sup>th</sup> January 2013. It is a material consideration and should be afforded considerable weight in the determination of planning applications.

The *Watford Character of Area Study* was approved by the Council's Cabinet as a Supplementary Planning Document on 5<sup>th</sup> December 2011 and is a material consideration of significant weight in the determination of planning applications.

## **Planning Assessment**

### **The main issues to be considered are as follows;**

- The acceptability of the proposal in land use terms, the type of housing, the mix of tenure and the quality of life for the future occupiers.
- Whether the proposal is considered acceptable in design
- The impact upon the amenities of the adjoining occupiers
- Whether the proposal will provide sufficient amount of parking spaces and the impact upon highway safety
- Whether the proposal will incorporate appropriate measures to address the impact of development upon local public infrastructures.

The most relevant policies with respect to employment use within Class B uses are; policy E1 of Watford District Plan and policy EMP2 of the Watford Local Plan Core strategy.

Policy E1 – Employment Areas This policy seeks to protect designated employment land for B Class purposes. Proposals for light industry (B1b), general industry (B2) and storage and distribution (B8) are acceptable in principle in Employment Areas 1-6. Proposals for primary office use (B1a) will be acceptable in principle in Employment Areas 7a and 7b, the Town Centre and Lower High Street Policy Area.

The Council will seek to protect employment land as identified on the Proposals Map:

1. Watford Business Park
2. Cardiff Road
3. Imperial Way/Colonial Way

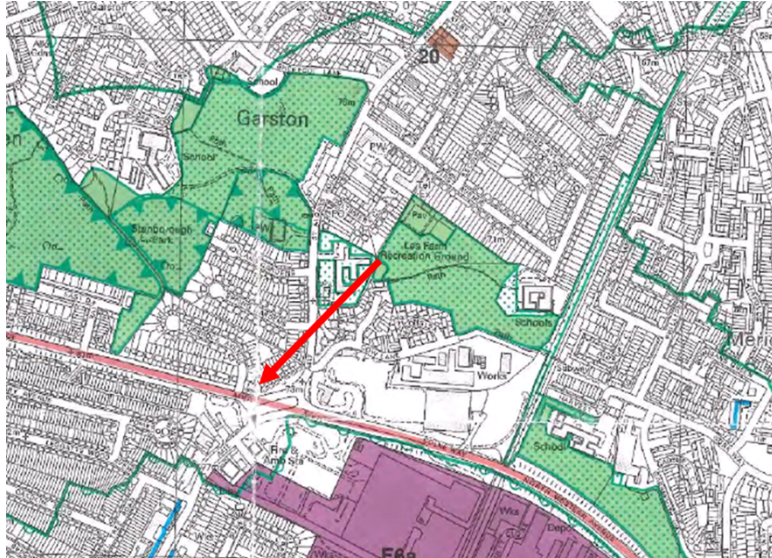
4. Fishers/Wiggenhall Road<sup>2</sup>
5. St Albans Road
  - (a) North of Railway Line
  
6. North Watford
  - (a) Odhams
  - (b) Greycaine
  - (c) Sandown
  
7. Central Area
  - (a) Clarendon Road/Station Road South
  - (b) Upton Road

Planning permission will not otherwise be granted for any uses outside the B Use Classes unless these are ancillary to existing or proposed employment uses, and of a scale and nature that complements the uses.

Thus policy E1 of the District plan seek to resist the loss of employment uses within business areas. And policy EMP2 (Employment Land) of the Watford Core Strategy state that uses in Employment Areas (other than Special Policy Areas) should mainly be in classes B1, B2 and B8.

The employment areas have been clearly identified in both plans. The identification of employment areas has based on the need to retain employment land in locations accessible by passenger transport or close to residential areas. It is essential that such land is retained for industrial and business uses (Use Class B) in order to ensure that sufficient land remains to meet local employment needs and can be accessed by means other than car travel.

However, there is no special designation for the application site within the adopted Watford District Plan (2000). This is shown on the extract from the adopted proposal maps. As the extract indicates the closest land uses designation are open space (highlighted in green) to the north and employment areas (marked in purple) beyond Asda super store to the south east.



**Figure 2**

It should be noted that the Watford District Plan 2000, did contain a policy (E6) which had regards to employment sites outside of the designated areas. However, this policy has been deleted.

Policy EMP2 of the Core Strategy seek to protect allocated employment areas, primarily for B class uses, whilst recognising that a broader mix of employment generating uses is appropriate in Special Policy Areas, as set out in those polices. The site is not within employment protected area but it is within Special Policy Area 5 – the Dome Roundabout. The commentary note explains that the area suffers from poor environment dominated by the roundabout, road infrastructure and the extensive surface level parking for the two superstores. It is also explained that the area is heavily dominated by retail uses. In order to overcome the problem issues the policy suggests two objectives;

- A) To bring about a more balanced uses by avoiding any increase in further retail use.
- B) Any development should seek to improve the quality of the environment.

The proposal will provide residential use and will not include any additional retail use thereby helping to redress the balance of uses. Therefore the proposal in land use term will be in compliance with the objective set out within policy SPA5. The issue with regards

the second objective, i.e. the physical improvement to the site, will be further discussed below.

Currently, there is strong national and local policy support for the provision of residential accommodation. Both adopted plans (the District Plan and the Core Strategy) give high priority for the provision of additional residential accommodation. However, any residential accommodation needs to be provided in appropriate locations. Policy HS1 of the Core Strategy lists some of the criteria that will be taken into account in assessing the suitability of windfall sites for residential use. In this case, the site is brownfield land, is close to an existing local centre (Two supermarkets, and North Watford shopping centre), is not at risk of flooding (Flood Zone1, low risk), has some access to public transport and is not precisely allocated for other uses. Furthermore, there is not any heritage significance for the building and the site has no biodiversity or landscape significance. The proposed residential development will therefore meet the criteria set out in policy HS1.

Policy HS2 gives guidance on the mix of dwelling sizes. The proposal will provide flatted development providing 1 bed and 2 bed flats. It is considered that the proposed mix of flats is acceptable in this location.

The Technical housing standard (THS) – nationally described space standards gives guidelines for minimum unit sizes for new dwellings. The breakdown of flat sizes proposed is as follows:

<b>Unit size</b>	<b>THS floorspace</b>	<b>Proposed floorspace</b>
1 bedroom 2 person flat	50m <sup>2</sup>	50-52.9m <sup>2</sup>
2 bedroom 3 person flat	61m <sup>2</sup>	57-88.5m <sup>2</sup>

Overall, it is considered that the proposal would provide adequate floor space to provide adequate amenity for future occupiers with only two flats falling marginally below the standards and a number significantly exceeding them.

Half the flats will be single aspect, facing either south (front) or north (rear) but the other half will be dual aspect units. The reason for single aspect units is due to the depth of the footprint of the building. Although the north facing units will receive little or no direct sunlight, with this exception, all of the flats will have good levels of outlook, natural light, privacy and generally benefit from a terrace. As the plot in which the building is located, is quite wide and deep, it will not be practically or economically feasible to provide a narrow building which could incorporate with dual aspect units for all flats. As well as terraces the proposal will provide about 160m<sup>2</sup> of amenity space.

The proposal will therefore provide reasonably good standard of accommodation for the future occupiers of the site.

Policy HS3 requires all developments of 10 units or more to provide 35% of the units as affordable housing. The proposed development of 18 units would therefore require 6.3 of these units to be for affordable housing. The applicant originally offered the provision of 6 shared ownership dwellings as a means of affordable housing. However, this did not meet the requirement of policy HS3 which suggests any development over 10 units or over 0.5 hectare should provide a mix of tenure incorporating; 65% affordable rent, 20% social rent and 15% shared equity. This tenure mix breaks down as 4 affordable rented units, 1 social rented unit and 1 shared equity unit. The applicant has now agreed to provide the required mix of tenure as specified in the policy.

### **Aesthetic Considerations**

The adopted Residential Design Guide, states that, "Generally, the need to respond to context is greatest for small infill sites or where larger schemes adjoining existing development. Policies SD1 and UD1 of the Core Strategy (CS) seek to ensure that all new developments are based on an understanding of the local characteristics of the surrounding area. Particular regards should be paid to the height, size, roof pitch use of materials, textures finishes, size and scale of windows and door opening and the impact on the street scene.

Given the above consideration, the original scheme was considered to be so poor that the officers prepared a draft report, recommending refusal on several grounds. However, the applicant explained that they are prepared to work with officers with a view to obtain recommendation for approval.

The design officers have been instrumental in shaping of the proposed development. The scheme has taken on board the comments made by the officers and the scheme has been revised several times with further clarification regarding the detailed aspect of key features showing on large scale drawings. The original scheme and the first revision to the scheme indicate the transformation of the building from the original to present.



**Figure 3. The original scheme**





Proposed Flats



Figure 4. first revised scheme



Current scheme



**Figure 5 – The current scheme**

The proposed scheme has been designed to respond to these challenges in the following fashion:

- **Building line:** The building has been lined up with the strong building line set by the houses in North Western Avenue and St. Albans Road.
- **Height:** The building will be partly four and partly three storey. The height will be gradually reduced from the Purbrock Avenue to the other corner, reflecting the drop in the natural ground level. The proposal will be higher than the two storey houses but not to a significant degree. The increased in height is justified due to the open character of the wide roads and the roundabout which will require a stronger edge which could only be provided by a more robust building.
- **The rhythm:** The surrounding residential area has well defined plot widths and regular gaps between buildings. This is probably the most important component along with building height and building line to achieving a successful scheme on this site. The proposed scheme does not provide separate buildings but its design incorporates features which follow the general rhythm of the buildings as follows:
  - **Tower feature, Windows and Entrances:** These are important in reinforcing the vertical separation and rhythm of the street. The existing

pattern of separate houses has a separate entrance on the front for each house. The proposal will incorporate a tower element, two entrances which are arranged so that the ground floor incorporate accesses within two vertically separated elements, with the two stair case tower as a separating feature within the front elevation. The fenestration pattern has been vertically arranged with windows closer together.

- **Materials and other architectural features:** The use of materials plus incorporating recesses, set backs and other features, have also been used to reinforce the vertical emphasis of the building and also to provide some separation between each floors.

Therefore, the combination of patterns of fenestration together with the position of the staircase and the use of materials and the position of entrances all contribute towards creating a strong vertical emphasis in the design in order to create a rhythm of development which is analogous to the neighbouring residential buildings.

The proposed building, in terms of its layout and footprint, reflects the site configuration. The design emphasis has been concentrated on the North Western Road elevation which faces the higher order road. However, the return frontages have not been ignored. The south west corner has been splayed and incorporates windows similar in proportion and style to the front elevation. The tower feature incorporates windows on the opposite corner are paired on a horizontal line to give an effect of a wrap round the return frontage to Purbrock Avenue. This strategy will appear to connect the two façade planes and allow a transparency 'through' the corner creating visual interest. The return frontage will also incorporate elongated windows to ensure a visual interest is maintained and alleviate its bulk. It is considered that the treatment of each corner in a different fashion gives the building an additional stature.

The design has also paid a particular attention to the rear elevation through the design and location of windows and entrances, hand rails, metal balustrades and recessed fourth floor to maintain a dynamic role.

The main materials to be used are brick. Other materials used include aluminium for windows, metal balustrades and hand rails and metal cladding. The careful use of a variety of materials as proposed will enhance the detailing of the elevations and reinforce the building's ability to fill the existing gap in the urban fabric. The architectural features described above and the variety in materials all help to break down and alleviate the massing of the building to avoid any issue of dominance, as well as creating a building which will integrate well with its site and surroundings.

The articulation in the design will ensure that the proposed scheme responds well to the pattern of the development in the vicinity. This approach complements the materials and style of the surrounding buildings. Overall, therefore, the proposed development is an acceptable and appropriate form of development for the site and its constraints and provides a building of well balanced proportions suitable to the site and its surroundings.

### **Impact on neighbouring properties**

This is almost an island site where it is separated from its other neighbours by roads. The only building which has a boundary with the application site is number 529 North Western Avenue which is a take-away restaurant.

The proposed building generally follows the building line of the houses in Great North Western Avenue. Further the building is approximately 24m away from the flank elevation of the nearest building in Purbrock Avenue. Therefore, the proposal will not result in a significant loss of light to the neighbouring building. Nor will it cause any sense of enclosure to the occupiers of the adjoining building. Further, given the distance it will not result in loss of privacy to the occupiers of the nearby residential buildings.

Given its location, scale and height and the distance from the neighbouring buildings the proposal will not have a significant impact upon the residential amenities of the nearby rear residents.

### **Transportation, access and parking**

The site is located on a busy road that is a bus route close to shops and other amenities. Some dwellings benefit from off-street parking, but except for the stretch of the main road to the front of the site, on-street parking is permitted in the adjacent roads. These roads are not within a Controlled Parking Zone and, therefore, the Council has no power to restrict the issue of parking permits for the future resident occupier of the site.

Policy T22 expects all development to comply with the parking standards in Appendix 2 which are demand based maxima. The commentary note says that the level and location of parking provided can encourage or discourage users of a development to travel to and from the site by means other than the car. Appendix 2 says that the standards are intended to restrict over-provision and over-capacity and to encourage the use of alternative transport modes to assist in the control or reduction of traffic. Policy T9 refers to cycle parking standards. Policy T24 states that permission for residential use will only be granted where full parking needs can be met on site or off the public highways, unless the location has good access to passenger transport.

In this case the proposed 18 flats will be likely to lead to some parking demand which has been considered appropriate if these were to be provided within the site. The proposal will provide 18 car parking spaces, 11 of which will be provided to the front and 7 to the rear.

The access to the rear will be from the existing vehicular access in Purbrock Road. The car parks are arranged in two rows with sufficient distance to be manoeuvred within the site to be able to enter and egress the site in a forward gear manner. Here, the scheme has indicated sight lines which demonstrate there will be sufficient visibility splay for road safety purposes. The parking spaces to the front will be directly off the slip road, via a dropped kerb.

The proposal will use the existing vehicular accesses to the site and therefore no new vehicular access will be created.

In terms of traffic generation, account must be taken of the previous use of the site. It is considered that the trip generation of the proposed development is likely to be far lower than that of the site's previous use as a petrol filling station or its current use as car showroom. Therefore the proposal will have a lesser impact upon the traffic situation than before.

In this case the proposed development will be unlikely to lead to significantly greater on-street car parking demands than the provision that is proposed to be made. Given the scale of the development, the proximity to alternative public transport options and close proximity to the shops and services nearby (and considering the previous use of the site as a petrol filling station and its current use a car sales showroom), it is considered that the proposal will not have a significant detrimental impact upon the parking or traffic conditions in the locality.

It should be noted that the proposal incorporates space for the provision of cycle storage which is considered acceptable.

The scheme has been revised in order to allow a better pedestrian environment around the site. The new layout will incorporate contrasting paving to delineate the pedestrian route from the pavement to the island to the front over the slip road.

It is anticipated that the site will be secured by boundary treatments, the details of which will be subject to condition. Further detail will be required by means of conditions to ensure that a secure cycle storage space is provided. It is considered that the proposal (subject to conditions) will be acceptable in terms of safety and crime reduction.

Subject to the conditions outlined below the proposal is considered acceptable in terms of its impact upon highway conditions.

**Security issue:**

The Herts constabulary suggested various measures to improve the quality of the security

for the future occupiers of the site. The issue of concerns are largely covered through building control measures. However, two additional conditions with regards to the lighting and protective fencing have been recommended to ensure the development would provide a secure environment for the future occupiers of the site.

### **Trees and landscaping**

Currently the vacant land, apart from a silver birch tree on the side boundary, it suffers from the bereft of greenery thus contributing to the poor environment of the application site. However, this aspect of the development, along with the design, has been considered and the scheme incorporates soft landscaping as follows:

- Trees will be planted to the front of the building so as to integrate with the design of the building. The space allocated to these trees will allow them to grow to sufficient height and maturity.
- There are opportunities to provide landscaping around the building as well as the provision for the amenity space to the rear.
- The flat roof area at the third floor level will also be landscaped to further amenity space

This aspect of the development has also been subject to revisions. The amount of amenity space and soft landscaping has been increased at the expense of car parking spaces.

It is considered that the proposed landscaping will positively contribute to the character of the development by introducing trees, shrubs and grass to an area currently devoid of any soft landscaping.

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

The Council's CIL charging schedule was implemented on 1<sup>st</sup> 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

### **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 6 of the units as affordable housing units, in accordance with Policy HS3 of the Watford Local Plan Core Strategy 2006-31.
- ii) The provision, as necessary, of fire hydrants to serve the development in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.

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 site is located in a prominent location within an area which generally falls into to one of two characters: either one of generally uniform residential buildings or one which is dominated by roads and where there is no uniformity or coherent built form. From a townscape point of view the gap created by the removal of the petrol filling station building provides an opportunity to create a building which could knit together the built form of the urban areas to either side.

### **Consideration of objections received**

The objections received regarding this proposal have been summarised in the consultations section above. The points raised in respect of bulk, height, density and design have been addressed in the main report above.

The issues with regards to loss of daylight, outlook and privacy have been addressed above. The impact of the proposed development upon the amenities of the neighbouring occupiers will not be so significant to warrant a refusal on these grounds. Similarly the impact of the proposed development upon the safe and free flow of traffic is considered acceptable.

The issues with regards to nuisance associated with construction work would be addressed through conditions with further protection under the remit environmental health legislation.

### **Conclusion**

The proposed development is considered to make a positive contribution to the character of the area without any significant harm to the amenities of the adjoining occupiers.

Of the 18 units proposed 6 are to be affordable – ensuring that the level of affordable housing provision meets the Council’s minimum 35% threshold. The proposed tenure and

size of the units will ensure that a suitable mix of housing is provided for a location of this type.

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## **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.

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## **RECOMMENDATION 1**

Grant planning permission subject to terms of legal agreement and the condition as set out in the report.

- 1 The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

### Approved Drawings

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings:- 15/3365/6B, 15/3365/7D, 15/3365/8B, 15/3365/9A, 15/3365/11B and site location plan.

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

### Hours of Construction

- 3 Construction of the development hereby permitted shall not take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturdays and not at all on 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.

### External materials and finishes

- 4 Notwithstanding the information already submitted, no construction of the approved buildings shall commence until details of the materials to be used for all the external finishes of the buildings including all external walls, roofs, doors, windows, balconies and canopies, rainwater and foul drainage goods have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.

Reason: To ensure that the development applies high quality materials that makes a positive contribution to the character and appearance of the area in accordance with the provisions of the Residential Design Guide (RDG) and Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31. Whilst some details of the materials have been provided with the application submission, including samples, details of the full palette of materials and further samples are required to ensure that all materials complement each other. This is a pre-commencement condition as these details need to be agreed with the Local Planning Authority before the works commence.

### Construction Environmental Management Plan

- 5 No demolition or construction works shall commence within the site until a Construction Environmental Management Plan has been submitted to and approved in writing 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 development is being constructed, pursuant to Policies T24 and SE22 of the Watford District Plan 2000. This is a pre-commencement condition as these details need to be agreed with the Local Planning Authority before the works commence.

#### Surface water management

- 6 The development permitted by this planning permission shall be carried out in accordance with the drainage strategy produced LANMOR Consulting, reference 150714/DS/NJ/KBL/01 dated 24th November 2015 and mitigation measures detailed within the FRA
- Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 5 l/s during the 1 in 100 year event + climate change event.
  - Providing underground 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 providing a minimum of 11.2 m<sup>3</sup> of total storage volume in underground attenuation tanks and permeable pavements, as shown point 4.4.5 of the drainage strategy.
  - Discharge of surface water from the site into the Thames Water sewer network.

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

writing, by the local planning authority.

Reason; To prevent flooding by ensuring the satisfactory storage of surface water from the site and to ensure that the site will be effectively drained during the lifetime of the development.

- 7 No development shall take place until the final design of the permeable pavements, underground attenuation tanks and the rest of the drainage network is completed and sent to the LPA for approval. An attenuation volume of 11.2 m<sup>3</sup> should be provided by permeable pavements and underground attenuation tanks. The design of the permeable pavements should be in line with best practice standards as shown in The SuDS Manual. The design of the drainage scheme shall also include:
- Details of how the permeable pavements, underground attenuation tanks and the rest of the elements of the drainage network shall be maintained and managed after completion.
  - Detailed engineering details of the design of the proposed permeable pavements in line with The SuDS Manual (CIRIA C-753)

Reason:

To ensure that the site can effectively be drained during the lifetime of the development and to ensure that water treatment is provided to surface runoff before being discharged into the sewer network

#### Landscaping

- 8 No development shall commence on site until a hard and soft landscaping scheme for the site (including a detailed method statement covering tree planting, tree, shrub and grass specie, planting size and density and all hard surfacing materials) shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping shall be carried out prior to the first occupation of any part of the development and shall be retained at all times. The soft landscaping 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 in accordance with Policy SE36 of the Watford District Plan 2000 and Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

#### Parking, driveway and manoeuvring layout

- 9 Prior to the commencement of the use hereby permitted the vehicular access (incorporated into a detailed plan to be produced by the applicant) shall be upgraded / widened to a minimum width of 5.5 metres in accordance with the Hertfordshire County Council residential access construction and in accordance with the Roads in Hertfordshire Highway Design Guideline 3rd edition.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the adjoining highway, in accordance with Policies T21 and T24 of the Watford District Plan 2000.

- 10 Prior to the first occupation of the development hereby permitted, a visibility splay measuring 2.4 x 43 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the adjoining highway, in accordance with Policies T21 and T24 of the Watford District Plan 2000.

## Bin storage

- 11 Notwithstanding the information already submitted, details of the size, type, siting and finish of the free-standing refuse and recycling storage enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby approved. The store approved under this condition shall be installed and made available for use prior to the first occupation of any part of the development and shall be retained at all times for refuse/recycling only and shall not be used for any other purpose.

Reason: In the interests of the visual appearance of the site and to ensure that adequate waste storage facilities are provided in accordance with Policy SE7 of the Watford District Plan 2000 and Policies UD1 and SD4 of the Watford Local Plan Core Strategy 2006-31.

## Levels

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

Reason: To ensure that the proposed buildings and any other changes in level on the site maintain a satisfactory relationship between the development and existing properties to safeguard the character and appearance of the area and the privacy and amenities of neighbouring properties in accordance with the objectives of Policies UD1 and SS1 of the Watford Local Plan Core Strategy 2006-31. Details of all the levels have not been specified within the application submission and these details need to be agreed with the Local Planning Authority before the works commence.

- 13 No development shall commence on site until a scheme to protect future residents from smells and odour being discharged from the adjacent hot-food take-away shop has been submitted and approved in writing by the local planning authority. Thereafter the approved scheme shall be implemented prior to the first occupation of the site.

Reason; To protect the amenities of the future occupiers of the site.

- 14 The dwelling shall not be occupied until the drive, the access, car parking spaces as indicated on the drawings hereby approved have been laid out and constructed in accordance with the approved details and are available for use for the future occupier of the site.

Reason: To minimise danger, obstruction and inconvenience to users of the highway and the access.

- 15 No external lighting shall be installed on the site except in accordance with the details which have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the site and to protect the residential amenities of the future occupiers of the site and the existing neighbouring properties.

- 16 No development shall commence until details of the siting, height and type of fencing or other means of enclosure around the boundaries of the site and within the site have been submitted to and approved in writing by the Local Planning Authority. The fencing or other means of enclosure shall be provided as approved prior to the first occupation of the dwelling hereby approved and shall be maintained as such at all times thereafter.



Reason: In the interests of the visual appearance of the site and its impact on the character of the surrounding area, in accordance with Policies UD1 and UD2 of the Watford Local Plan: Core Strategy 2006 – 2013 (Adopted January 2013).

**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. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure the provision of 6 affordable housing units and the necessary fire hydrants to serve the development.
3. 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 demolition of the existing buildings; 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. Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Should there be any obstructions on the public highway, footpath, grass verge, i.e. trees, posted signs, telegraph pole, lamp columns, drainage gullies etc, then permission for removal and/or repositioning will need to be gained before work can commence on site. The applicant will need to be aware that they will/may be required to fund this work. All to the satisfaction of the Local Authority.

4. The Highway Authority requires the alterations to, or the construction of, the vehicle crossover to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant will need to apply to Highways (Telephone 0300 1234047) to arrange this or use link:-<https://www.hertsdirect.org/droppedkerbs/>
  
5. Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
  
6. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
  
7. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your

neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)

8. With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company, The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.
9. All new units granted planning permission and to be constructed requires naming or numbering under the Public Health Act 1925. You must contact Watford Borough Council Street Naming and Numbering department as early as possible prior to commencement on [streetnamenumbers@watford.gov.uk](mailto:streetnamenumbers@watford.gov.uk) or 01923 278458. A numbering notification will be issued by the council, following which Royal Mail will assign a postcode which will make up the official address. It is also the responsibility of the developer to inform Street Naming and Numbering when properties are ready for occupancy.
- 10 The development that is hereby approved is liable for contributions under the Community Infrastructure Levy (CIL). Please contact the Planning Support team at Watford Borough Council (tel 01923 278327) if you have any queries about the procedure to be followed as regards making those contributions prior to the commencement of the development.

Drawing numbers

15/3365/6B, 15/3365/7D, 15/3365/8B, 15/3365/9A, 15/3365/11B and site location plan.

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## Recommendation (2)

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

1. The proposal fails to make provision for affordable housing and as such is contrary to Policy HS3 of the Watford Local Plan Core Strategy 2006-31.
2. The proposal fails to make provision for fire hydrants to serve the development and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.

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