

	PART A	Item Number
Report to: Development Management Section Head		
To Committee:	Committee date: 14th Dec 2016	
Site address:	Land off Tolpits Lane, Watford	
Reference no.:	16/01310/FULM	
Description of development:	Residential development comprising 36no. 1 and 2 bed flats and 40 short term accommodation units, with associated landscape, parking and public realm improvements, incorporating a new highway junction on to Tolpits Lane and amendments to the existing cycle way.	
Applicant:	Gateway Enterprises (Watford) Ltd Gateway House 59 Clarendon Road Watford, WD17 1LA	
Date received:	16th September 2016	
13 week date (major):	23rd December 2016	
Ward:	Holywell	

Summary

The application is to make use of some waste land that was once safeguarded for the building of the West Watford Relief Road, but that project was abandoned 18 years ago, since when the site has had no purpose. The application site in this case is only the southern portion of that strip of land, although the Council have recently been consulting separately on a draft masterplan that proposes further development to the north of this site.

This application is for three buildings, which would be three or four storeys tall, with flat roofs. Two of those would be blocks of flats: 36 in total, being a mixture of one and two bedroom flats. At least 35% of them (i.e. at least 13 flats) will be affordable. The third building would be short term accommodation for the homeless, with 40 bedrooms. The buildings would be arranged along a new short cul de sac that would connect with Tolpits Lane.

When it was initially submitted on 16th September several important documents were missing from the application; but those were later submitted on 18th November, along with amended drawings as the scheme had been

redesigned in the light of post-application advice from a planning officer. The design is considered to have been greatly improved, and the documents that were belatedly submitted are very comprehensive.

Additional consultation has been carried out on these revised and additional documents, and that consultation is still underway at the time of writing this report. Members of the Committee will be briefed on any additional comments that are received.

Background

Ascot Road consists of the old road, which is single carriageway, and a much more modern, straighter and broader road that runs parallel to its right as a dual carriageway. Anyone looking at the newer Ascot Road without being aware of its history might be surprised that a broad and straight dual carriageway such as this was built here. It seems over-engineered, given that it is only approximately 360 metres long, and given that it only leads to two business parks (and now also to the recently built Morrisons supermarket and a new primary school). However this road makes sense when one appreciates that it was built as the first stretch of a new dual carriageway road, running from north to south, that was supposed to have connected the Cassiobridge roundabout (at the junction of Whippendell Road and Rickmansworth Road) with Tolpits Lane (the A4145). That planned road project was to have been called the West Watford Relief Road, and the land that it was to have passed over was protected for that purpose. The plan was later abandoned in 1998, with only the first section having been built. The Watford District Plan 2000 was the Local Plan that was adopted in 2003 (it has since been largely superseded by the Watford Local Plan Part 1, adopted in 2013) and that document made it clear (in paragraph 4.84 of chapter 4) as long ago as 2003 that the West Watford Relief Road had been abandoned, and that the land was no longer safeguarded.

That land, despite the fact that it has not been safeguarded for use as a new road for 18 years, still stands empty. It belongs to the Council. It is a broad, straight strip of land that consists mostly of grass and scrub, with some trees along its western boundary, and with an asphalt path running down it for cyclists and pedestrians. This strip of land separates the Watford Business Park (which consists largely of light industrial and warehouse buildings) to its west from the residential streets of Holywell to its east. A short spur off the cycle path connects it with Greenhill Crescent to the west, which is part of the Watford Business Park.

At its southern end the strip of open land meets Tolpits Lane. The cycle and pedestrian path crosses Tolpits Lane via a controlled crossing and then

traverses a small open space adjacent to a travellers' caravan site, before joining the Ebury Way (which is a cycle track running east-west along the line of a former railway, connecting Watford with Rickmansworth to the west).

The Council are in the process of consulting on a masterplan for residential development on the strip of land that was once (but is no longer) safeguarded for the West Watford Relief Road. That is an ongoing project, but the application for planning permission that is the subject of this report relates only to a part of that land at the southern end of the strip.

The application site is defined by a red outline on the plans. Its northern extremity is a few metres to the north of the point at which the existing cycle path's spur branches off to connect with Greenhill Crescent. The southern extremity of the application site is the area of open land to the south of Tolpits Lane; but there is no proposal to erect buildings on that land – all of the buildings would be to the north of Tolpits Lane. To the east of the site are the flats and houses of Latimer Close, and to its west are the commercial buildings of Greenhill Crescent in the Watford Business Park.

This is not a Conservation Area and there are none nearby. Neither are there any locally or nationally listed buildings or Tree Preservation Orders here. The site has no special designation in so far as wildlife is concerned – it is not a nature reserve nor is it a Site of Special Scientific Interest. The only planning designation affecting the application site is that the small area of land to the south of Tolpits Lane is within the Green Belt, but there is no proposal to erect any buildings on that land.

Proposed Development

The proposal is to erect three residential buildings on the site. Two of those buildings would be blocks of flats. There would be 36 flats in total, and those would be either one bedroom or two bedroom units. At least 35% of them (i.e. at least 13 flats) would be affordable housing, so as to comply with Policy HS3 of the Watford Local Plan Part 1. The precise number of affordable flats has not yet been finalised, but the land owners (Watford Borough Council, who are partners in the development) are entering into a Section 106 planning obligation in the form of a unilateral undertaking to guarantee that at least 35% of the flats will be affordable.

The other building, which would be the one standing closest to Tolpits Lane, would be temporary accommodation for people who are on the Council's housing list. It would contain 40 bedrooms: ten on each of its four floors.

This application has been submitted by a new joint venture partnership between Watford Borough Council and Watford Community Housing Trust.

Evolution of the Application

It seems that this application was submitted (on 16.09.2016) before it was completely ready. Some pre-application discussions had taken place with Planning Officers, but not on the detailed proposals that are now before us. The Design and Access Statement that was submitted referred to several documents that should have been included with the application but which were missing from it; and this was apparently because they were still being written at that time: these were the Transport Statement, the Arboricultural Report, the Ecological Report, the Acoustic Report and the Sustainable Drainage Report. Those missing documents were eventually submitted two months later on 18.11.2016.

In October a post-application meeting was held between the applicants and a planning officer, who offered some advice on ways in which the design could be improved. The applicants acted on that advice, and a set of revised plans were submitted on 18.11.2016 (along with the outstanding reports). Those amended plans have superseded the drawings that were originally submitted, and it is the amended design that is being considered in this report. The changes to the design can be generally summarised as follows:

- The buildings are now all to be finished in the same materials – which is predominantly a pale brick. Previously the blocks of flats were to have been finished in a dark red brick and the temporary accommodation was to have been mainly timber clad.
- The buildings are to have flat roofs, rather than shallow pitches. These are shown as being “green roofs” (i.e. clad in living plants such as sedum).
- The fenestration has been changed – the windows now being mainly vertical rather than horizontal in shape.
- The short term accommodation block is now to be four storeys rather than five to reduce its visual dominance and its impact on neighbouring residential premises to its rear on Latimer Close. The number of bedrooms (40) has not changed. This has been achieved by putting some ancillary services in a ground floor annexe.

A further amendment, to increase the separation distance of the hostel from Latimer Close to 22m was received on the 5th December 2016.

Consultations

The Local Planning Authority have carried out three rounds of consultation on this application (whereas usually there would only have been only one). In each of the three rounds site notices were put up and letters were sent to 150 local residents.

The following **external consultees** have been notified:

- Hertfordshire Fire and Rescue Service
- Hertfordshire County Council Lead Local Flood Authority
- Hertfordshire County Council Waste and Minerals
- Hertfordshire County Council Highways
- Hertfordshire Ecology
- Herts Constabulary's Crime Prevention Officer
- Thames Water Utilities
- UK Power Networks

The following **internal consultees** were notified:

- Planning Policy team
- Environmental Health
- Arboricultural Officer
- Head of Housing
- Waste and Recycling Service

The reason why a second round of consultation was necessary was that the applicants' agent contact us on 23.09.2016 (four days after submission) to apologise for having entered the wrong number of flats on the application form, so we sent out a second batch of notification letters and replaced the site notices to make it clear that 36 flats were proposed rather than 32.

As is explained above, several documents that had been missing from the initial application, and also a set of revised design drawings, were submitted two months later on 18.11.2016. For that reason a third round of consultation was undertaken, starting on 18.11.2016 and lasting until 09.12.2016. In order to meet the publication deadline for the agenda of the Development Management Committee (which is due to meet on 14.12.2016) it has been necessary to write this report while the third consultation period is still running. However the consultation period will have concluded before the meeting takes place and so the committee will be informed, by means of an update sheet, of any responses that are received between the writing of this report and the meeting.

The most recent amendment dated the 5th December 2016 is a minor change, which can only be seen to better the situation with regard to nearby occupiers. It is not considered necessary to consult further on this minor change and there is no legal requirement to do so.

Besides the three rounds of consultation that have been carried out by the Local Planning Authority, the applicants have also held drop-in sessions and public meetings to explain their proposals to local residents at the Holywell Community Centre. Those were on 19.10.2016 and on 16.11.2016.

Comments Received From External & Internal Consultees

The following are summaries that précis the comments that have been received from external consultees.

Hertfordshire County Council – Highways Service

Comments were received on 30.09.2016 from Naomi Bruen.

- Although the Design and Access Statement that has been submitted makes reference to a Highways Statement as being one of the documents accompanying the application, there did not seem to be one.

Planning Officer's response:

The planning officer found that this document was indeed missing from the application, and several other documents were also missing. The applicant was contacted and they explained that they had not submitted these documents because they had not finished writing them yet. The missing documents were eventually received electronically on 18.11.2016, with paper copies following on 24.11.2016. We are hoping to receive further comments from Herts Highways, and the members will be updated on these.

Hertfordshire County Council – Waste & Minerals Team

Comments were received on 21.11.2016 from Emma Chapman on behalf of Trish Carter-Lyons.

- There is one operational waste site nearby, which is the Household Waste Recycling Centre on Caxton Way, which is authorised as site ELAS221.
- There is the potential that other premises in Watford Business Park (which is identified by HCC as an ELAS – Employment Land Area Of Search) might contain waste sites in future if a requirement for them is identified. HCC wish to safeguard ELAS sites in case there is a future need for waste management sites on them.

- The proposal would not be on an identified ELAS site, and so no ELAS land would be lost, but the development would be adjacent to the Watford Business Park ELAS.
- Herts County Council's Waste Core Strategy and Development Management Policies document does not stipulate a minimum distance between new residential development and waste management sites. However a guidance document that was produced 11 years ago by the then Office of the Deputy Prime Minister – *Planning For Waste Management Facilities: A Research Study* – recommends a minimum distance of 250m.
- It is possible that in future a waste management facility might be located on Caxton Way - perhaps in a location that might mean it would be less than 250m from the new residential sites.
- The most recent government document on waste is the DCLG's *National Planning Policy For Waste* (Oct 2014). It states that the likely impact of proposed developments on existing waste management facilities, and on sites allocated for waste management, should be considered.
- New development should make sufficient provision for waste management including storage facilities such as sufficient and discrete provision of bins.
- Construction waste should be dealt with on site where possible and kept to a minimum.
- HCC's Waste Policy 12 requires that relevant construction projects should be supported by a Site Waste Management Plan. This should be required by a condition. Good practice templates for such documents are available on line. Herts CC offer to assess any Site Waste Management Plan that is submitted to the Local Planning Authority.

Planning Officer's response:

The comments received make it clear that the proposed development would not conflict with any existing or specifically proposed new waste management site. A condition should be applied to the planning permission to require the submission of a site waste management plan, as per the County Council's recommendation. A condition will also require further information on bin stores.

Hertfordshire County Council – Lead Local Flood Authority

Comments were received on 05.12.2016 from Sana Ahmed.

No objection, subject to conditions to require further calculations and secure approval of the final drainage scheme.

Thames Water

Comments were received on 05.10.2016 from Margaret Keen, and identical comments were received from them again on 21.11.2016 in response to a re-consultation.

- If a new building or underpinning would be over, or within 3m of a public sewer it will be necessary to obtain the consent of Thames Water for the work.
- Thames Water has no objection to the application as regards sewerage infrastructure capacity.
- Proper provision should be made for surface water drainage. Attenuation storage tanks on site are recommended to regulate flow into the public network.
- For discharge to a public sewer the consent of Thames Water's Developer Services department is required.
- A condition is recommended, and the appropriate text has been suggested, to require that no piling may take place on site until a Piling Method Statement has been submitted and approved. The reason is that the proposed works will be close to underground sewerage infrastructure and an assessment must be made as to whether that might be damaged.
- Thames Water have easements and wayleaves on the site, and they will seek assurances that these will not be affected. They have provided a map showing where they are – they are on land to the south of Tolpits Lane.

Planning officer's response:

The easements and wayleaves are shown as being within the application site, but there are no proposals to erect buildings on this land, which is to the south of Tolpits Lane. The recommended condition requiring a piling statement is to be applied.

Hertfordshire Constabulary

Comments were received on the initial scheme on 30.09.2016 from Michael Clare, who then wrote again on 29.11.2016 in response to the further consultation on the revised scheme.

- Herts Constabulary are generally content with the proposals, but they have some suggestions that they would like to make.
- There is an existing hole in a fence which is being used as an informal cut-through by residents of Latimer Close to access the site. Is it intended to formalise this route and to create a pedestrian link between the hostel and other car parking areas nearby? In that case pedestrians would be crossing a car parking area between rows of vehicles. If that were the case it would be best to have some active windows in the flats and the hostel overlooking that car parking area.
- It is not clear whether the gardens at the rear would be enclosed – it looks as if they would be left entirely open, which is worrying. There should be a rear perimeter boundary treatment 1.8m high to separate it from Latimer Close. A 3D image appears to show a wall behind the hostel as being only low – that ought to be 1.8m tall for security.
- Parking courts should be well lit and CCTV cameras are also recommended there.
- The communal cycle parking stores and waste stores are not shown in sufficient detail to be able to assess them from a security point of view. Any cycle store or bin store for the temporary accommodation block should be located where they can be seen.
- The revised scheme has done well to remove the colonnade that was previously proposed for the front of the hostel.
- The north elevation of the temporary accommodation block was shown as having small high level windows overlooking the car park. It would be preferable for some of them to be full sized windows to provide some surveillance of the car park.
- A 24 hour warden is recommended for the temporary accommodation block, and CCTV is also recommended for communal areas and corridors.

- It is recommended that physical security for every part of the development (i.e. windows, doors, locks etc) should be to the accredited Secured By Design standard.

Planning officer's response:

These comments were based on the initial design. The revised design, which was received on 18.11.2016 has taken account of this advice from the police. In particular the design and layout of windows is better considered so as to provide natural surveillance over the car parks and other areas. The use of CCTV cameras and of windows, doors and locks that are accredited to Secured By Design Standards is recommended by the Police and fully endorsed by the Council; but that level of detail is not a matter that is controlled by planning permission. Conditions will require further information regarding boundary treatments, bicycle and bin stores and lighting.

Hertfordshire Ecology

Comments were received on 20.10.2016 from Daniel Weaver.

- Hertfordshire Ecology have no records of their own regarding species or habitats on this site.
- The Phase I Ecology report that was been submitted with the initial application raises several ecological constraints that should be taken into consideration, and appropriate conditions should be applied to a planning permission to take account of them. These relate to reptiles, bats, badgers and breeding birds.
- The Phase I report found evidence of slow worms on the site. These are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). They must not be deliberately harmed or captured without a licence from Natural England. A suitable protection or mitigation strategy will be needed.
- Some evidence was found of badgers in this area, and they are protected under the Badger Protection Act 1991. Harming them is an offence. An appropriate protection or mitigation strategy will be needed.
- There is suitable habitat for nesting birds on the site, and it is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb or harm nesting birds. Therefore it is recommended that no clearance of vegetation should be undertaken between mid-March and mid-August as that is the breeding season. Alternatively, if clearance work is to be undertaken during that period, it should only be allowed if a qualified

ecologist has submitted a report to the Local Planning Authority to confirm that no bird nests have been found, and that report should be approved by the LPA prior to any clearance.

- There is suitable habitat for bats in trees on the site, and therefore a Bat Roost Survey should be undertaken before those trees are removed.
- The text of five conditions is included, which are recommended by Hertfordshire Ecology.

Planning officer's response:

These comments were based only on the Phase I report that was included with the documents that were initially submitted on 16.09.2016. More recently on 18.11.2016 additional documents have been submitted, including an Outline Ecological Mitigation Recommendation document by the same environmental consultants. At the time of writing this report we are awaiting further comments on this document from Hertfordshire Ecology. Conditions similar to those that Herts Ecology suggested are to be applied – see the list at the end of this report.

Hertfordshire County Council – Fire Authority

Comments were received on 14.10.2016 from Anthony Bester.

- A planning obligation should be required to ensure that any fire hydrants that are necessary will be provided by the developer.

Planning officer's response:

These comments do not say that hydrants will be required – only that they might be. This matter is dealt with by the Section 106 unilateral undertaking, which has been signed by the Council in its role as the land owner. That includes an undertaking to provide such fire hydrants as are required by the Fire Authority.

Watford Borough Council's Arboricultural Officer

Bob Clarke, the Council's arboricultural consultant, sent his comments first on 20.09.2016, then further comments on 18.11.2016, and subsequently he met to discuss the proposal with the Case Officer on 30.11.2016.

- Some small scrubby trees of little intrinsic value will have to be removed adjacent to the boundary with Green Hill Crescent. Those trees provide some screening of the industrial units. They also provide some continuous greenery connecting Ebury Way with Ascot Rd.

- He is satisfied with the amended proposal, which allows more space for replacement trees to be planted along the boundary with Greenhill Crescent to better screen the development from the industrial units there and to provide a wildlife corridor. In addition to proposals to plant trees and shrubs along the boundaries the plans also show ditches there which serve the dual purpose of helping with sustainable drainage during heavy rainfall and acting as a wildlife corridor. The arboricultural officer has recommended a condition requiring that the proposed landscaping scheme be implemented as shown in the first available planting season following completion of the development.

Watford Borough Council's Planning Policy Section

Comments were received from Planning Policy Officer Shay Kelleher on 04.10.2016. He was commenting on the plans originally submitted.

- This site should be seen as part of the wider Masterplan for Croxley View / Ascot Road. This would see the proposed new thoroughfare curve to connect with the existing road at Croxley View. If agreeable to Herts Highways the road should be shared surface with appropriate paving (preferably not asphalt).
- Are the front gardens necessary? The housing line could be brought closer to the path edge where the doors are facing the street – they should be visible. This would provide more space for the apartments.
- It is regrettable that only 1 and 2 bedroom apartments are proposed. A better housing mix would include some larger flats for families.
- The blocks of flats could be set back further from the road, with the path realigned to follow the building line. The green area to the front would be a more active and larger space which would be more useful – for instance for sustainable drainage or other uses.
- The proposed car parking provision seems excessive at 65 spaces for 36 units, most of which are 1 and 2 bedroom flats. Transport capacity in the area is limited.
- This amount of parking also has a harsher appearance, therefore soft landscaping should be used in the parking areas.
- There should be a path connecting the car parking areas with the green spaces of the existing residential areas behind so as to enable greater

permeability through the site and to ensure that the new development is considered a part of the existing residential area, not separate from it.

- Although some mention is made in the supporting documents of a realignment of the existing cycle route, that is not shown on the plans. Clear pedestrian and cycle linkages are needed to the new Cassio Bridge Station which is to be built nearby on Ascot Road.
- A similar point is made regarding any new bus route.
- Cycle stores should be to the side of the communal gardens, not in the centre of them. They should be secure and weather proof. Refuse bin stores should be easily accessible from the buildings. Further details of these should be required by a condition.
- The boundary between the existing residential gardens and the proposed communal areas should have more trees and hedges than are shown.
- The Planning Policy Officer writes that a fenestration pattern consisting of portrait format windows rather than the horizontal pattern that is proposed would have been preferable, to avoid the development having what he fears could be an institutional character.
- The Planning Policy Officer writes that he is not convinced by the design approach as regards the shallow pitched roofs.
- The ground floor flats should comply with the Disability Discrimination Act.
- Side windows should provide surveillance of the car parking areas.
- The hostel should not look noticeably different to the other blocks as that would invite stigmatisation and segregation. The proposed colonnade at the front suggests a desire to hide the entrance – the Planning Policy Officer considers that this is the wrong design approach. The building line should be in line with the other blocks, the entrance and the materials should be similar to those other blocks.

Planning officer's response:

Some of these comments have been addressed in the redesigned scheme that was later submitted on 18.11.2016. In particular the appearance of the buildings has been improved, with the shallow pitches being replaced by flat green or brown roofs, and with all of the buildings being finished in the same pale brick to give the development a more unified and consistent character.

It is worth noting the conflict between the comments that the Planning Policy Officer has made regarding the desirability of having permeable pedestrian routes through the car parking areas (to provide good linkages with local streets such as Latimer Close) with the comments made by Hertfordshire Constabulary (see above) who worry about the security implications of non-residents walking through those parking areas.

Comments Received From The Public

At the time of writing this report 53 responses have been received from members of the public. The following table contains a summary of the points that were raised.

Points Raised	Officer's Response
<p>The development could cause an increase in traffic locally. There could be more accidents, pupils attending local schools might be run over, and people might park in inappropriate places.</p>	<p>Any traffic would be kept separate from the streets of the Holywell Estate. The new street would be a cul de sac connected to Tolpits Lane. This application does not include any proposal to link it to local streets. Any future applications that involved extending it further north would be considered on their own merits.</p>
<p>Insufficient detail has been provided about what traffic calming measures, if any, would be installed near the junction of the new street with Tolpits Lane. Some residents worry that a mini-roundabout there could be dangerous, given how close it is to a blind bridge. Other objectors fear that Tolpits Lane would be overloaded.</p>	<p>A detailed Transport Statement was submitted on 18.11.2016.</p> <p>At the time of writing this report we are awaiting comments from Hertfordshire County Council's Highways Service, although it is understood that there have been some discussions between them and the applicants. We are hoping to receive comments from them before the date of the committee, and the members will be informed.</p> <p>Constructing a junction with Tolpits Lane requires the agreement of the Highway Authority (Herts County Council) in addition to the planning permission. If the Highway Authority consider the junction dangerous then</p>

	it will not go ahead.
One parking space per unit seems insufficient.	This site will be approximately 10 minutes' walk from the new Cassiobridge Station that is to be built soon for the Metropolitan Line Extension. It is also close to a large Morrisons supermarket and to local services such as doctors surgeries, schools etc, making it a location in which one could live without any car. The proposed provision complies with the emerging policy that is set out in the Watford Local Plan Part 2 (albeit that is not yet adopted).
The new buildings might not be well maintained. Several objectors write that existing affordable housing is not well maintained on the Holywell Estate and they fear that similar problems might arise here.	This is not a material Planning consideration.
The tallest existing buildings in the area are four storeys. The proposed buildings would be too tall. One objector writes that the hostel would dominate the skyline and be a "hideous monstrosity."	Originally the hostel was to have been five storeys, but it has now been reduced to four storeys, with a flat roof. The buildings are now proposed as being just three or four storeys, all with flat roofs.
The proposal to build a new hostel for the homeless is in conflict with the Council's strategy of reducing the number of such establishments.	There is a duty to provide accommodation and at the current time the proposed facility will provide much needed accommodation.
Although there is a need for more housing, particularly affordable housing, West Watford is over-populated so this is not the right place. Local services could come under pressure as a result of the development, including health services, schools and the emergency services. One person has objected on the grounds that the development	West Watford is not particularly densely developed – mostly it is just two storey housing. The flats that would be sold privately will be subject to pay the Community Infrastructure Levy, which collects funds to improve local services. Hertfordshire Constabulary have submitted comments, but they have not written that it would cause them to be over-

<p>has not made provision for policing.</p>	<p>stretched. The borough requires a significant quantity of new housing over the coming years to keep pace with the increasing population – tackling the housing shortage is the prime objective of both national and local planning policy.</p> <p>A detailed Transport Statement was belatedly submitted on 18.11.2016. Appendix H of that document includes a swept path diagram showing how emergency vehicles would be able to move within the site.</p>
<p>The proposed flats would not cater for families, being only 1 or 2 bedroom flats.</p>	<p>The application does not fully comply with the general mix of housing sought across the borough as a whole as set out in Table 8 and Policy HS2 (Housing Mix) of the Watford Local Plan Part 1. However, the site is located in proximity to the station at Ascot Road where the policy indicates a higher ratio of flats may be acceptable.</p>
<p>The application has not taken account of whether bats might be on the site. A local resident writes that she has often seen them flying over the area and into nearby trees. She points out that it is an offence to disturb them when in their roosts.</p> <p>Besides bats, a local resident also writes that she has seen deer, badgers, foxes, hedgehogs, squirrels, rabbits, rats, mice, voles and shrews on the site; and also several species of birds, insects, slugs and snails, grass snakes, slow worms, frogs and toads. She also lists various species of flora on the site. This site acts as a corridor for wildlife, linking Ebury Way with</p>	<p>The application has taken account of this – albeit belatedly – the environmental reports were missing from the documents that were initially submitted. Bats and other protected species such as badgers and slow worms have been taken into consideration.</p> <p>Even with planning permission, it would be an offence for the developers to disturb protected species without having first obtained an appropriate licence from Natural England.</p>

<p>areas to the north. She points out that Local Planning Authorities are obliged to have regard to the potential impacts on protected species under regulations that are set out in the Conservation of Habitats and Species Regulations 2010, and under Section 40 of the Natural Environment and Rural Communities Act 2006.</p>	
<p>Recently some exploratory ground investigation works were done. A resident fears that it might have caused environmental damage.</p>	<p>Some of the long grass was mowed and some small exploratory holes were dug to inform the consultants' reports which were submitted in November. We are not aware of any damage having been caused to the site. This is not a specially protected site – it is not a nature reserve or a Site Of Special Scientific Interest.</p>
<p>An “avid user of the local Holywell bus” fears that more people would use it, and that consequently the standard of the service would decline.</p>	<p>It is to be hoped that new residents will make good use of the local bus service. There is no reason to suppose that it would deteriorate as a result – on the contrary an underused bus service is one that is unlikely to flourish.</p>
<p>The proposed bus service would probably not run all night, but it should do so, to cater for flexible working patterns.</p>	<p>This application does not include a proposal for any new bus service, and the street that it proposes would only be a cul de sac. It may be that in future other residential developments might be built further north, continuing the street, and Herts County Council have expressed an interest in running a bus service along such a road, but at the moment this is hypothetical and it is not part of this application.</p>
<p>One resident writes that she feels there are too many schools in</p>	<p>Watford does not have too many schools, but there is no proposal to</p>

<p>Watford already, and no more should be built on this land. Some residents write that they fear that a new school would be built where a children's play area currently stands.</p>	<p>build a school on this site. This application is only for housing and temporary accommodation – nothing else. The children's play area is not within the application site – it lies further to the north. These residents seem to be confusing the consultation on this planning application with a separate consultation into a draft masterplan for the wider area.</p>
<p>An objector writes that there are not enough schools in the area to cope with all the children who would live in the new housing.</p>	<p>The proposal is to provide only 36 new homes, some of which would only have one bedroom, and none would have more than two, so the number of children is not likely to be very large. The private homes will be liable to pay the Community Infrastructure Levy which goes towards upgrading local services including schools.</p>
<p>The Council are not likely to refuse their own planning application – this is a foregone conclusion. One objector suspects that bribes have been paid. Another writes that she hears the drains are being installed already, so clearly the decision to build has already been made and the public's comments will be ignored.</p>	<p>The applicants are a joint venture company set up by Watford Borough Council and the Watford Community Housing Trust. The decision will be made by a committee of democratically elected councilors at an open public meeting, where the views of local residents will be taken into account, and minutes will be taken. The drains have not been installed – this rumour is false, but it might have arisen because some small exploratory test holes were dug to analyse the soil for the purpose of preparing the consultants' reports that have been submitted.</p>
<p>One objector writes that this site is not suitable for a hostel for the homeless because it would house "people who have had problems in</p>	<p>There seems to be an inconsistency here – if the site is too close to a residential neighbourhood then it is unclear how it can also be too</p>

<p>their lives” and they should not be housed here because it is too close to a residential area and because it is too isolated. Instead they should be housed in the town centre.</p>	<p>isolated. The most appropriate place for people to live – whether temporarily or permanently – is surely in a residential area.</p>
<p>There is a location next to Watford Library that would be suitable for building a hostel for the homeless on instead of this site.</p>	<p>We must consider the application that is before us, and decide whether planning permission should be approved or refused. Whether alternative sites exist is irrelevant.</p>
<p>Several objectors are concerned about the type of people who could be housed in the temporary accommodation And their safety.</p>	<p>To be clear, the proposal is simply to provide short term accommodation for people who present themselves to the Council as an interim measure until permanent accommodation is arranged. There is no reason to suppose that people who find themselves in this situation are criminals. Anyone can suddenly find themselves in this situation due to unfortunate circumstances. Prejudice against people is not legitimate grounds to refuse planning permission for a building in which they can be temporarily housed.</p>
<p>People will no longer be able to walk to work through the site to the Business Park, or to get from Tolpits Lane to Ascot Road.</p>	<p>People will still be able to walk to those places, simply by walking down the new street that is proposed. There is no proposal to permanently close the path to the business park (although there is a possibility that it could be closed temporarily during the construction works).</p>
<p>The application states that there are 200 people in need of temporary housing. The Council should not be providing temporary housing for those people, but rather it should be providing them with permanent housing. Building temporary housing</p>	<p>This is a matter of housing policy rather than being a Planning consideration, so it is not a matter for this report. The Council has a duty to arrange temporary accommodation for people in need. Although in an ideal world it would be able to</p>

<p>is wasting a building that could have been permanent housing.</p>	<p>immediately place them all in permanent homes, that is simply impossible as things stand.</p>
<p>A resident does not believe that the hostel would be adequately staffed at all hours, and accuses the Council of failing in their duty of care.</p>	<p>The staffing of the hostel is a matter for the management, rather than being a material Planning consideration. It would be operated by Watford Community Housing Trust. It seems unfair to accuse them of failing to properly manage a hostel that does not exist yet.</p>
<p>Neighbouring properties on Latimer Close will be overlooked and overshadowed.</p>	<p>Please refer to the section of this report entitled Impact on Neighbouring Premises.</p>
<p>No street lighting is proposed.</p>	<p>Details of the road surfacing and of any street lighting can be required by a condition.</p>
<p>Dog lovers will be deprived of space to walk their pets.</p>	<p>The Ebury Way is one minute's walk from this site. It is an ideal place to walk one's dog.</p>
<p>The loss of countryside is unacceptable – Watford is already over-urbanised. Rather than erecting buildings on this site, bee hives should be installed here instead, and they should be tended by school children.</p>	<p>This site is one minute's walk away from open Green Belt countryside, trees, fields and attractive views: including the beautiful Ebury Way, which is a cycle and footpath leading several miles through woods and past lakes to Rickmansworth's aquadrome water park. There is no shortage of countryside nearby.</p>
<p>The removal of trees should not be allowed.</p>	<p>The Council's arboricultural officer is satisfied with the proposal, subject to a condition to ensure that new native trees are planted to replace those trees that have to be removed.</p>
<p>The development might reduce the value of privately owned homes on</p>	<p>This is not a material planning consideration.</p>

<p>the Holywell Estate. Those home owners should be compensated.</p>	
<p>One objector writes that 600 new homes on this site would be far too many. Others fear that 850 new homes would be excessive. Another believes that the proposal is for 450.</p>	<p>It seems that some confusion has arisen between the consultation on this planning application and a more general consultation that has also been taking place into draft master-planning ideas for the wider area. This application is only for 36 new homes, plus a hostel with 40 bedrooms.</p>
<p>A local resident is appalled that Watford Community Housing Trust have attempted to keep this proposal a secret from local people. She ends her letter by writing that she hopes that the Council will take account of the views that were expressed at a consultation meeting on 19th October. Other people have expressed similar concerns that the process has been “shrouded in mystery.”</p>	<p>There has been extensive public consultation on this application – both from the Local Planning Authority who have sent out three rounds of letters to 150 local addresses as well as putting up site notices several times, and from the applicants who have held local meetings and drop in events to explain their proposals to local people on two occasions – the meeting on 19th October being one of them; the other was on 16th November.</p>
<p>The proposal is to build the new housing facing the existing estate, creating a “them versus us” atmosphere of hostility.</p>	<p>The proposed blocks will back onto the existing estate rather than facing it. They will face towards Watford Business Park.</p>
<p>Nothing should be built on this land. It should be left as it is for people to enjoy.</p>	<p>This land has no designated purpose. It was once to have had a main road built on it, but that idea was abandoned in 1998. It is not a park or a nature reserve. It is waste land. The long grass, weeds, brambles and shrubs which cover it most of the time make it difficult to walk over. It has no particular Planning designations or protections. There is no particular reason why it should not be put to good use to help meet the</p>

	borough's housing needs. There is plenty of open Green Belt countryside to enjoy just a few minutes' walk away to the south of Tolpits Lane.
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RELEVANT POLICIES

National Planning Policy Framework

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 27th 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. Particularly relevant sections are:

- Requiring Good Design
- Decision Taking

The Development Plan

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

- (a) *Watford Local Plan Part 1: Core Strategy 2006-31 (adopted Jan 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*
- (d) the *Hertfordshire Minerals Local Plan Review 2002-2016*

Watford Local Plan, Part 1: Core Strategy 2006-2031

This document was adopted on 30th January 2013. The following sections are particularly relevant to this case:

- SD1 Sustainable Design
- SD2 Water and Waste-Water
- SS1 Spatial Strategy
- UD1 Delivering High Quality Design
- SPA6 Western Gateway
- HS2 Housing Mix
- HS3 Affordable Housing
- T2 Location of New Development
- T4 Transport Assessments

The Watford District Plan 2000 (saved policies)

Many of the policies in this plan were replaced on 30th January 2013 when the Watford Local Plan, Part 1 was adopted, but some of them were saved. The following saved policies are relevant to this application:

Policy SE37 (Protection of Trees, Woodlands and Hedgerows)

Hertfordshire Waste Core Strategy And Development Management Policies Document 2011-2026

There are no policies that are relevant to this case.

Hertfordshire Minerals Local Plan (saved policies)

There are no policies that are relevant to this case.

Supplementary Planning Guidance

The following Supplementary Planning Documents are relevant to this application:

Residential Design Guide (SPD adopted 2014, amended 2016)

Background Documents

The Manual For Streets

Technical Housing Standards – Nationally Described Space Standard (Department for Communities and Local Government 2015).

Watford Borough Council has formally adopted these standards in 2016. They are included in the Residential Design Guide supplementary planning document (updated Aug. 2016) sections 7.3.5 to 7.3.8.

APPRAISAL

Residential Development

As is explained above, the application site is part of a strip of land that was once safeguarded for the West Watford Relief Road – a project that was abandoned well over a decade ago. Since then the land has not been safeguarded. It was always intended that it would be built on – it was never intended that it should be retained as open space. The change is that the proposal is now to build much needed housing on it, rather than a dual carriageway main road.

The Watford Local Plan Part 1 was adopted in 2013. It includes Policy SPA6: Western Gateway, which identifies this site as being part of Special Policy Area 6 which is considered to be an important area with potential for redevelopment for various uses, including for 300 new homes.

Watford needs new housing, including affordable housing; and the best places to locate these new dwellings are sites that are close to good public transport (the new Cassiobridge Station will make this an excellent site in that respect – see below), and which are already residential in character – this site is on the edge of the residential Holywell estate, including Latimer Close, Croxley View, Chenies Way and Chesham Way, so it should be considered as an extension of the Holywell Estate, rather than as being a new neighbourhood.

All 36 of the flats that are proposed would have either one or two bedrooms. While there is certainly a need for such flats, the borough also has a need for larger flats to suit families, and that is mentioned in Policy HS2 (Housing Mix) of the Watford Local Plan Part 1. The proposal does not include three bedroom flats on the lower floors that would suit families. While provision of units for larger families would have been welcomed, the site is location quite close to the new station at Ascot Road where Policy HS2 (Housing Mix) of the Watford Local Plan Part 1, indicates a greater degree of flatted development might be appropriate. It should also be noted that overall, the proposal will provide housing which will address housing need in the borough regardless of tenure.

At least 35% of the 36 flats will be affordable housing, as is required by Policy HS3 (Affordable Housing). The precise number is not yet decided, but it will be at least 13 flats that will be affordable. This will be controlled by the Section 106 unilateral undertaking.

In addition to those affordable flats, the development would also provide a hostel with purpose-built modern short-term accommodation for people who are on the Council's housing list. It will have 40 rooms – ten on each of its four floors. They are a mixture of single and double bedrooms, and five of them (all on the ground floor) will be set up with the needs of disabled people in mind. This hostel will provide a much needed modern facility for those in urgent need of temporary accommodation, as an alternative to the use of private sector bed and breakfast accommodation – which is a drain on the Council's financial resources.

Transport and Highways

These new homes will be very well located for public transport because they will be just five minutes' walk from a new station that is soon to be built as part of the Metropolitan Line Extension project (previously called the Croxley Rail Link). The new station (one of two) will be called Cassiobridge Station, it will be located at the point where Ascot Road is crossed by an east-west railway line, which has long been disused but which is to be brought back into

use so as to connect Watford Junction Station with the London Underground Metropolitan Line.

Secure and weatherproof bicycle stores are to be provided in the parking areas. The detailed design of these has not been shown, so a condition should be applied to require further details of the bicycle and refuse stores.

The site is already just a five minute walk from an existing bus route: that is the number 10 bus route which passes along Croxley View.

At this stage the proposal is that the new street on which these buildings would stand would be a cul de sac, connected only with Tolpits Lane. It is possible that in future further residential developments might be built on land to the north – there has been a consultation done recently on a masterplan to explore that idea. In that case it is possible that the street might be extended in future to serve those subsequent developments.

Hertfordshire County Council (who are the Local Highway Authority) have expressed an interest in making future use of the new street provided by this development to provide a connection for buses between Greenhill Crescent and Tolpits Lane, possibly utilising the cycle track. The scheme has been designed with a highways layout which would allow, and not preclude, such an arrangement being introduced in the future, however it needs to be borne in mind that this is not a part of the current proposal. From a Planning perspective we cannot insist upon it because that would be unjustified unless we could argue that the development would be unsatisfactory without a new bus route – which is not the case, given that there is already a bus route so close to the site.

However it will be necessary for the developers to co-operate with Hertfordshire County Council on the design and construction of the junction of the new street with the existing public highway at Tolpits Lane. A junction that could be used by buses would have to be somewhat wider than one that was intended only for cars.

Drawing 0453-PL-010 revision E is a proposed site layout plan showing the whole of the proposed cul de sac, which would terminate in a T-shaped turning head. It shows the junction with Tolpits Lane as being a simple T-junction with a give way line. A filter lane would be provided on Tolpits Lane so that any traffic travelling north and seeking to turn right into the development could pause in the middle of the road while waiting for a break in south-bound traffic.

One of the reports that had been missing initially but which was belatedly submitted on 18th November is a long and detailed Transport Statement by consultants Project Centre (document reference 1000003318). Incidentally, to avoid any confusion, please note that the illustration on its front cover does not represent the proposal in this case – it is simply a generic illustration of a development. Section 6 of that document explains that at this stage the proposal is a simple priority junction as is shown on the plan, but that consideration has been given to replacing that in future with a mini-roundabout if that is considered necessary – for instance if further developments were to be built to the north of this one and if the road were to become a bus route.

At the time of writing this report (28.11.2016) we are awaiting comments from Hertfordshire County Council, who are the Highway Authority. The Committee will be informed of any comments that we receive from them.

Consideration will have to be given to how any road works for the new junction might impact on protected species of wildlife. If mitigation measures are necessary this could cause delays because those can only be done at certain times of year.

However it should be possible to commence works meanwhile on the buildings because there is another route that could be used as a temporary site access for construction vehicles without affecting traffic on Tolpits Lane and without passing through any residential areas - that is to make use of the existing asphalt road that is a spur of the cycle track connecting it with Greenhill Crescent on Watford Business Park. That is a well surfaced road 3m wide, with soft verges on either side, which belongs to the Council, and which could easily be used as a site access by simply removing some bollards. The planning officer has suggested this idea for a temporary site access to the applicant. A condition should be applied to the planning permission to require the submission of a Site Management Plan including details of how the site would be accessed during the works, such a condition would not normally be appropriate as it relates to highways and construction matters. However, given the complexities of this case which will require development alongside the provision of a new access and management of ecology it is considered justified in this particular case.

Although it would be possible to live in this location without a car, there will be some car parking spaces provided. The application form that was initially submitted in September stated that 65 parking spaces were proposed, but following discussions with a planning officer the scheme has been redesigned to provide more soft landscaping, with fewer parking spaces. No updated

application form has been submitted and neither has the Design and Access Statement been revised, but a two page addendum to that Statement has been submitted – that says that the number of parking spaces has been reduced, but it does not give a new number. However the Transport Statement that was submitted alongside the revised plans on 18.11.2016 states (in sections 4.15 to 4.16) that it is now proposed that 50 spaces be provided, consisting of 36 spaces for the 36 flats, 9 spaces for visitors to the flats, 5 spaces for the hostel (for staff, visitors and residents). As the Transport Statement explains, this provision would comply with the Council's emerging Watford Local Plan Part 2 parking standards, which are yet to be adopted but which have been subjected to public consultation. This provision will mean that each flat will have a parking space, that visitors will be catered for, and that the site will not be unduly dominated by hard surfaces and parked cars – which would be undesirable and unnecessary given how close it will be to the Metropolitan Line Cassiobridge Station that is soon to be built.

Currently a cycle path passes through the site, connecting the Ebury Way to the south with West Watford and with the business parks. Although its route will be altered slightly, it will still be possible to cycle through the site by passing along the new street and then connecting with the remainder of the existing path to the north. The potential to allow buses to use this route is not part of this application, but could be considered in the future.

Standard of Accommodation

The government's document *Technical Housing Standards – Nationally Described Space Standard* (Department for Communities and Local Government, March 2015) sets out the minimum internal space standards that the government considers acceptable for residential developments to ensure that an adequate standard of accommodation is provided. Watford Borough Council have adopted these standards, and they are set out in the Residential Design Guide supplementary planning document (2016) sections 7.3.5 to 7.3.8. These new national standards have replaced the local standards that had previously been set out in the 2014 version of the Residential Design Guide. The requirement is that a one bedroom flat should have an internal area of at least 50m² and that two bedroom flats (which we assume could house a couple and a child) should have 61m². The proposal complies with those requirements.

Dual aspect flats are proposed (although this is not clear on the floorplans), so as to provide views and natural light from more than just one direction.

The hostel is to have a lift, and five of its ground floor bedrooms (and also some bathrooms) are designed with the needs of the disabled in mind.

Impact on Neighbouring Premises

The new homes will have their rear garden spaces backing onto the existing gardens of the flats and houses of Latimer Close, as is conventional, to keep some separation between the buildings.

The buildings will be no more than four storeys tall, and some will be only three. In the revised scheme they will all have flat roofs to keep them low profile and to minimise their visual impact on the neighbours. Never the less, they will still be somewhat taller than the neighbours on Latimer Close, which are two storey buildings with pitched roofs.

The hostel was originally to have been five storeys tall, but it has been redesigned on the advice of a planning officer to reduce its visual dominance – it is now to be four storeys tall with a flat (rather than a shallow pitched) roof. The number of bedrooms (40) has not changed. This has been achieved by moving ancillary services into a ground floor annexe.

The new buildings will face west across the new street and towards the Watford Business Park. There are no residential premises there, so overlooking in that direction will not present a problem. All of the balconies that are proposed for the upper floors of the flats will be at the front, not at the rear.

As the new buildings would stand to the west of the neighbours on Latimer Close, if there were to be any over-shadowing it would occur only in the evenings. Being only three or four storeys tall, and with flat roofs, it is unlikely that over-shadowing would be a serious problem, but ideally this would have been demonstrated by the submission of a set of shadow diagrams.

Drawing 0453-PL-010 revision C is a site layout plan at a scale of 1:500 on A3 paper. Scale measurements taken from that plan show that all of the proposed buildings would be more than 11m from their rear garden boundaries, and some buildings would be 15 or 20 metres away from the rear boundaries. Our Residential Design Guide (RDG) supplementary planning document recommends (in section 7.3.16b) 11m as a minimum to avoid undue overlooking of neighbouring gardens.

The distances between the new buildings and the neighbouring buildings on Latimer Close would be 22m behind the hostel and various distances from 23m to 33m behind the new blocks of flats. The Residential Design Guide (section 7.3.16b) recommends that in general a back to back separation distance of 27.5m should be maintained between the rear elevations of new

residential buildings and existing buildings as regards their upper floors in cases where clearly glazed windows of habitable rooms would be facing each other; although it also says that in some cases 22m could be adequate, such as between dwellings in new developments

In this case the separation of the hostel from Latimer Close is 22m and there would be 4 existing properties at this distance. The relationship between these existing dwellings and the proposal would be the same as that which has been accepted between new dwellings since the adoption of the RDG and there is additional planting proposed on the boundary which would assist further in softening the relationship and obscuring views.

In this particular case the need for the development to provide a new access road to facilitate the masterplan and the highways requirements regarding siting and layout, place particular constraints on the location of the building and there are particular objectives arising from the nature of the accommodation which affect the layout of the building. In this case, having regard to these constraints and the wider benefits of this development and the masterplan for the area it is considered that, on balance, the relationship with the 4 properties on Latimer Close is acceptable.

Because the development will have its own new street, a cul de sac connected to Tolpits Lane, traffic movements associated with these new homes will not have any effect on the streets of the Holywell estate, so residents of those streets will not be inconvenienced.

Design

Although there were some pre-application discussions about the general principles that apply to the development of this site, the finished drawings were not presented to planners for comment prior to the submission of the application on 16th September. There was however a post-application meeting with a planning officer in October at which advice was given as to how the design could be improved without compromising the aims of the scheme. This advice has been acted upon, and the applicants' architects submitted revised drawings on 18th November.

The revised design is a great improvement. Previously the hostel had been given a different design treatment to the two blocks of flats – it would have been clad mostly in timber, while the flats would have been finished in brick, and its roof was to a different design. This would have been undesirable aesthetically, giving the development a mismatched and arbitrary character, and it would also have singled the hostel out as having been finished in

cheaper materials. Singling that building out as being different to the others would also have been undesirable from the point of view of social cohesion.

The design that had originally been proposed for the blocks of flats seemed rather dated, being reminiscent of the type of developments that were built in the 1980s, with shallow pitched roofs with oddly asymmetrical ridges, with horizontal windows, and with dark brown bricks that would have given the development a rather dour character.

The revised design is a great improvement. All the buildings are to be finished in the same material, which is to be a pale red brick, giving the development a light and airy character. Brick is a high quality, durable material that resists aging and weathering better than almost any other material (only stone can rival it) as well as being the traditional vernacular building material.

The buildings will all have flat roofs to give them a neat and crisp skyline – this is both an improvement aesthetically and in terms of reducing the visual impact on the neighbours at Latimer Close.

The fenestration is also much better designed – the windows are mostly now to have a vertical rather than a horizontal emphasis, and they will be set into reveals to give a better sense of depth and articulation to the frontages.

Vague Plans

The Design and Access Statement that has been included with this application relates to the scheme that was initially submitted in September. When revised designs were submitted on 18th November the Design and Access Statement was not revised, but a two page addendum to it was submitted, which provides a summary of the changes that have been made, but which does not explain or justify them in detail. A Design and Access Statement has two main purposes: to justify the application as regards its design, and as regards issues of access. The access proposals have not changed, but the design has – it has changed for the better, but ideally the Design and Access Statement should have been amended to explain and justify the new design.

The comments in the section above regarding the proposed design are partly based on the 3D visual images that have been submitted. It is not compulsory to submit 3D images with a planning application, but they are helpful in illustrating the proposal in a way that is easier to understand than the plans and elevations. It is however the plans and elevations that are being approved if planning permission is granted – not the accompanying illustrative visuals, so they should not be regarded as a substitute for detailed scale drawings. Those 3D images show an aesthetically pleasing design with details

such as reveals to recess the windows, and green living roofs, but this level of detail is not shown on the plans and elevations.

One would normally expect to see detailed plans of each floor of each building, showing the precise layout of all the flats and all the rooms and where the windows would be; but only indicative floor plans have been submitted for a “typical floor”, which is likely due to similarities in floor layouts. Some minor discrepancies in the drawings have been noted – for instance some floor plans do not show any flank windows, although the elevation drawings and the 3D images show that there would be some. However, neither the elevations of floorsplans give rise to concerns in this regard and while it is unusual to have such discrepancies it is not considered that this would warrant delaying the grant of permission in this case.

One cannot see from the plans exactly how many flats are being proposed – the application form that was originally submitted stated that there were to be 32, later the agents informed us that they had made a mistake and that it was actually to be 36 (we sent out a second batch of notification letters to let the public know); but without precise and comprehensive floorplans we cannot actually count the number of flats ourselves, so we must take the architect’s word for it that the correct number of flats is 36 rather than 32. This is worrying.

This is an application for full planning permission, not for Outline Planning Permission; but if we are to issue planning permission with confidence then we should treat it in a similar way to an Outline Planning Permission – a condition should be applied to require the submission of precise and comprehensive plans and elevations so that the Council will know exactly what it is granting permission for.

Security

The main parking court is to be between the two blocks of flats, and there will also be some parking spaces between the newly planted trees along the boundary with Greenhill Crescent – i.e. across the new street from the front of the new buildings. Those spaces across the street will be well overlooked from the front windows of the flats and the hostel, but the main car park between the flats will be less well overlooked.

The comments that have been received from Hertfordshire Constabulary related to the design that was initially proposed. There is now only one such car park proposed, rather than two (the number of parking spaces having been reduced) but the point that they made about limited natural surveillance

remains. The solution that the police have suggested is that the car park be well lit and that CCTV cameras should be installed.

The police also suggested that the location of the secure bicycle stores be reconsidered, and it has been. In the revised scheme they are no longer to be in the rear gardens, but they will now be in the corners of the car parks, where they will be less isolated. Further details of their design should be required by a condition, which can also cover the design of the refuse bin stores – in the former case to ensure that bicycles are not stolen, and in the latter to ensure that rough sleepers cannot abuse them.

The police raised concerns as to whether a pedestrian link would be opened up between the car parks of the development and the open spaces of Latimer Close behind, as that would invite non-residents to walk through the car park, which would become vulnerable to vehicle crime. Actually no such link is proposed. By contrast the comments that were submitted by the Planning Policy Officer recommended that a pedestrian link be opened up to improve permeability through the site. Clearly a balance has to be struck between security and openness. It is the opinion of the case officer and of the Development Management Section Head that the best approach would be to install a fence to separate the car park from Latimer Close, as it would not be desirable to have strangers trespassing through the car park as a short-cut. There has never been an official footpath through this site from Latimer Close – someone has removed palings from a fence to create an unofficial short-cut and the erosion of the grass there shows that it is much used, but the site is not large and it is easy to walk around it without having to cut through. No detail has been provided on the plans about fencing, but a condition can be applied to require those details.

Ecology and Landscaping

Detailed comments have been received in a representation from Hertfordshire Ecology. Their comments were based on the Phase I ecology report that had been submitted, which had been prepared for the applicants by their ecological consultants. Hertfordshire Ecology did not object to the application, but they noted that the Phase I report had found evidence of some protected species of wildlife on or near the site, and they also noted that there was a potential for bats to roost and birds to nest in some trees that are to be cleared. They recommended conditions to be applied to the planning permission which require that further work be done on surveying the site for reptiles, bats, birds' nests and badgers, and another that is intended to ensure that any trenches are fitted with ramps to enable badgers to escape if they fall in, and that pipes are not left open which could trap them.

Since those comments were received from Hertfordshire Ecology the applicants have (on 18.11.2016) submitted their consultants' additional ecology report: the Outline Ecological Mitigation Recommendations. Hertfordshire Ecology have been notified of the additional document; at the time of writing this report we are awaiting further comments from them.

As protected species have been found on site it will be necessary to carry out mitigation measures to move them off the site before clearance or building works may commence. Such work can only be carried out at appropriate times of year when creatures such as slow worms or badgers are not hibernating. A condition should be applied to ensure that appropriate licences must be obtained from Natural England to move those creatures. Local Planning Authorities are under a legal obligation to ensure that protected species of wildlife are not harmed as a result of development.

The Council's arboricultural officer is satisfied with the amended proposal, which allows more space for replacement trees to be planted along the boundary with Greenhill Crescent to better screen the development from the industrial units there and to provide a wildlife corridor. In addition to proposals to plant trees and shrubs along the boundaries the plans also show ditches there which serve the dual purpose of helping with sustainable drainage during heavy rainfall and acting as a wildlife corridor. The arboricultural officer has recommended a condition requiring that the proposed landscaping scheme be implemented as shown in the first available planting season following completion of the development.

The revised design shows the buildings as having flat roofs, rather than shallow pitches. These are shown as being environmentally sustainable "green roofs" (i.e. clad in living plants such as sedum) to make them havens for wildlife, and to absorb some rainwater, and to avoid the buildings overheating in hot weather.

Drainage

There are to be soft landscaped rain gardens at the rear of the buildings which will allow for rainwater to be dispersed to the soil within the site.

The initial submission was not accompanied by any details as to how rainwater would be dealt with, but this has now been provided. Hertfordshire County Council are the Lead Local Flood Authority and have raised no objection to the scheme subject to a condition requiring final details and design of the drainage system.

Thames Water have submitted comments in which they raised no objection to the development.

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 floor-space created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted.

The charge is based on the net increase of the gross internal floor area of the proposed development. Exemptions can be sought for charities, social housing and self-build housing. If any of these exemptions is applied for and granted, the CIL liability can be reduced.

In accordance with s.70 of the Town and Country Planning Act 1990, as amended by s.143 of the Localism Act 2011, a local planning authority, in determining a planning application, must have regard to any local finance consideration, so far as material to the application. A local finance consideration is defined as including a CIL charge that the relevant authority has received, or will or could receive. Potential CIL liability can therefore be a material consideration and can be taken into account in the determination of the application.

Conclusion

The amended scheme that was submitted on 18.11.2016 and 05.12.2016 is a significant improvement over that which was initially submitted on 16.09.2016, and it is now considered to be well designed.

The site was always intended to be built upon (originally it was to be a main road) and the proposal to put it to use as a residential development is to be welcomed as it will help towards meeting the borough's housing need. The site is adjacent to an existing residential area, and it is well located for public transport. There is also a large Morrisons supermarket a few minutes' walk away, to meet the needs of the residents.

The flats will provide a good standard of accommodation, although it is regrettable that the mix is to be only 1 and 2 bedroom units, with no family sized flats included. At least 35% of them are to be affordable housing, and in addition to that the scheme is to include a 40 bedroom block of short term

emergency accommodation, which will enable the Council to house those who are in urgent need in modern purpose-built facility rather than having to rely on private sector bed and breakfast establishments.

Overall, the development is unlikely to cause any significant harm to the amenity of neighbouring homes on Latimer Close and these relationships are considered acceptable as set out in the relevant section of this report..

Because the submission has not included a full and detailed set of comprehensive plans it is recommended that a condition be attached to the planning permission requiring that those be submitted for further approval before works commence, as otherwise it would be unclear exactly what was being approved.

Although there are some protected species of wildlife on site it should be possible to move them to safety, subject to the approval of Natural England, there being open greenbelt countryside nearby on the other side of Tolpits Lane.

The recommendation to the committee is that the planning permission be granted subject to the conditions that are set out at the end of this report.

Decision Level: Committee

Recommendation: Conditional Planning Permission

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 shall be carried out in accordance with the following drawings and documents, unless otherwise approved in writing by the Local Planning Authority:

Drawing 0453 PL 001

Drawing 0453 PL 010 revision C

Drawing 0453 PL 100 revision B

Drawing 0453 PL 101 revisionB
Drawing 0453 PL 103 revisionB
Drawing 0453 PL 110 revision A
Drawing 0453 PL 111 revision A
Drawing 0453 PL 113 revision A
Drawing 0453 PL 200 revision A
Drawing 0453 PL 201 revision A
Drawing 0453 PL 250 revision A
Drawing 0453 PL 300 revision A
Drawing 0453 PL 700 revision A
Drawing 0453 PL 701 revision A
Drawing 0453 PL 702 revision A
Drawing 0453 PL 703
Drawing 0453 PL 704
Drawing CVW-ALA-00-ZZ-PL-0001 revision PL1
Drawing CVW-ALA-00-ZZ-PL-0002 revision PL1
Drawing CVW-ALA-00-ZZ-PL-0003 revision PL1
Drawing CVW-ALA-00-ZZ-PL-0004 revision PL1
Design and Access Statement including 2 page addendum document (rev A)
Noise Exposure Assessment Report 11555-NEA-01
Urban Wildlife Extended Phase I Survey
Outline Ecological Mitigation Recommendations report
Tree Survey - Opus B55837
Report on Ground Investigation
Flood Risk Assessment ref 1000003309-FRA
Sustainable Drainage Strategy Statement ref 1000003309-SUDS
Transport Statement
Affordable Housing Statement

Reason: For the avoidance of doubt and in the interest of proper planning. During the period in which this application has been under consideration revised versions of the drawings and additional documents have been submitted.

3 No work shall commence on site until a full set of scale drawings has been submitted to and approved in writing by the Local Planning Authority, in plan and elevation, showing all parts of all the buildings that are to be erected

Reason: The floor plans that have been submitted with this application are not complete or comprehensive as they show only indicative layouts of typical floors, rather than showing in detail exactly what is proposed for each part of the development. They do not correspond precisely with the elevation drawings as regards the fenestration. They do not show every flat that is

proposed. It is necessary for the Local Planning Authority to have accurate drawings showing exactly what is approved.

4 No work shall commence above the level of the damp-course until full details of the bricks, the window frames and doors, and the roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual appearance of the site, pursuant to Policy UD1 (Delivering High Quality Design) of the Watford Local Plan (Part 1: Core Strategy) 2006-2031. This condition is necessary because if the development were to be built in inappropriate materials it could result in harm to the character of the area. More information is required regarding the green roofs that are shown on the revised drawings that are hereby approved to assess their environmental benefits to the site. This is not a pre-commencement condition because it allows works to be undertaken up to the level of the damp course before the materials are approved.

5 The development shall not be occupied until details of the design and paving of the street and the car parking areas has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance of the site, pursuant to Policy UD1 (Delivering High Quality Design) of the Watford Local Plan (Part 1: Core Strategy) 2006-2031.

6 No external lighting shall be installed unless it has been approved in writing by the Local Planning Authority. Any details submitted for approval shall include the position, height and angle of the lighting, the maximum level of illumination in candelas per square metre, and an assessment of its likely impacts on the safety of passing traffic and on the amenity of neighbouring premises.

Reason: To avoid glare which could lead to danger to users of the adjacent highway, and in the interests of the amenity of the area and of neighbouring premises.

7 The development shall not be occupied until details of refuse and recycling stores, secure and weatherproof bicycle stores, and boundary treatments has been submitted to and approved in writing by the Local Planning Authority. No refuse or recycling bins shall be located in positions other than those approved by that scheme.

Reason: In the interests of the visual appearance of the site and its impact on the street scene and character of the surrounding area, in accordance with Policy UD1 of the Watford Local Plan. Also to ensure that the residents are able to make use of bicycles as a sustainable mode of transport, pursuant to saved Policy T10 of the Watford District Plan 2000. Also to ensure that the stores are designed with crime prevention in mind.

8 No part of the flat roof of the development hereby permitted shall be used as a terrace, balcony or other open amenity space.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring premises pursuant to Policy UD1 (Delivering High Quality Design) of the Watford Local Plan (Core Strategy) 2006-2031, and in accordance with the principles of good design that are set out in the Residential Design Guide supplementary planning document (volume 2 Extending Your Home, section 3.3.1c) as referenced in paragraph 12.1.5 supporting Policy UD1.

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

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

10 No development 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 construction vehicles, contractors' parking, the delivery and storage of materials and equipment, measures to mitigate noise and dust, wheel washing facilities, and a contact procedure for complaints. The Plan as approved shall be implemented throughout the construction period.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring residential properties, to prevent obstruction of the adjoining highway, and to ensure highway works are managed with regard to protected species and ecology. during the time that the development is being constructed, pursuant to saved Policy SE22 of the Watford District Plan 2000.

11 No removal of hedgerows, trees or shrubs shall take place between 1 March and the 31 August inclusive, unless a report by a competent ecologist has been submitted to and approved in writing by the Local Planning Authority setting out details of any active birds' nests on site, and of what appropriate measures are proposed to protect nesting birds on site. Any removals of trees, shrubs or hedges during that period shall be carried out in accordance with the approved report.

Reason: To protect any breeding birds that might be nesting on the site, pursuant to the Wildlife And Countryside Act 1981 (as amended).

12 No development shall commence on the site until a detailed mitigation strategy has been submitted to and approved in writing by the Local Planning Authority, setting out how protected species of wildlife are to be removed from the site, how and where they are to be resettled, and how they are to be discouraged from re-entering the site during construction works. Thereafter the development shall be carried out in accordance with the approved details.

Reason: The environmental consultants' report Outline Ecological Mitigation Recommendations that has been submitted in support of this application does not provide specific proposals as to exactly how such works would be carried out on this site, and therefore more detailed site-specific proposals are required to ensure that protected species will not be harmed during the works.

13 No works which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect badgers from being trapped in open excavations and/or pipe culverts are submitted to and approved in writing by the local planning authority. The measures may include:

- a) Creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day.
- b) Open pipework greater than 150mm outside diameter being blanked off at the end of each working day.

Reason: To prevent harm to badgers, which are protected species of wildlife, from being trapped in trenches or in open pipes at night.

14 No construction work shall commence on site until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that waste is minimised and suitably recycled or disposed of during the construction works, pursuant to Waste Policy 12 (Sustainable Design, Construction and Demolition) of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012, which forms part of the Development Plan, and also pursuant to Policy SD4 (Waste) of the Watford Local Plan Part 1.

15 The landscaping proposals that are set out on the following drawings shall be implemented, as shown, in the first available planting season following the completion of the development. The drawings are: CVW-ALA-00-ZZ-PL-0001 revision PL1 and CVW-ALA-00-ZZ-PL-0002 revision PL1 and CVW-ALA-00-ZZ-PL-0003 revision PL1 and CVW-ALA-00-ZZ-PL-0004 revision PL1. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

Reason: In the interests of the visual appearance of the site, and to screen it from nearby commercial premises, and in the interests of protecting flora and fauna, in accordance with Policies SD1, GI3 and UD1 of the Watford Local Plan Part 1.

16. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro- geological context of the development has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year + 40% for climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- (i) Detailed engineered drawings of proposed SuDS features.

- (ii) Provision of a fully detailed drainage plan showing pipe diameters, pipe runs, outlet points and location of SuDS features and supporting calculations.
- (iii) Details of how the scheme shall be maintained and managed after completion.

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

Informatives

1 For details of how the Local Planning Authority has reached its decision on this application please refer to the planning officer's report, which can be obtained from the Council's website www.watford.gov.uk, where it is appended to the agenda of the Development Management Committee meeting of 14 December 2016; and also to the minutes of that meeting.

2 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 2015.

3 This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other building control legislation. Nor does it override any private rights which any person may have relating to the land affected by this decision. To find more information and for advice as to whether a Building Regulations application will be required please visit www.watfordbuildingcontrol.com.

4 You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health and Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990. In order to minimise impact of noise, any works associated with the development which are audible at the site boundary should be restricted to the following hours: Monday to Friday 8am to 6pm, Saturdays 8am to 1pm. Noisy work is prohibited on Sundays and bank holidays. Instructions should be given to ensure that vehicles and plant entering and leaving the site comply with the stated hours of work. Further details for both the applicant and those potentially affected by construction noise can be found on the Council's website at:

https://www.watford.gov.uk/info/20010/your_environment/188/neighbour_complaints_%E2%80%93_construction_noise

5 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

6 The applicant is reminded that, in addition to the need to comply with the conditions of this planning permission, it is a legal requirement that a licence be obtained from Natural England before disturbing protected species of wildlife.

7. All new units granted planning permission and to be constructed require 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 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.

Case Officer: Mr Max Sanders

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