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| PART A | |
| Report of: Head of Development Management | |
| Date of committee: | 26th July 2017 |
| Site address: | 64 and 73-77, Clarendon Road |
| Reference Number: | 17/00558/FULM |
| Description of Development: | Redevelopment of site comprising removal of protected trees, construction of new 12 storey office building (Use Class B1) of 24,451sqm (GIA), high level footbridge link, hard and soft landscaping, basement car parking, new access arrangements and highways improvements. |
| Applicant: | TJX UK Property Limited |
| Date Received: | 28th April 2017 |
| 13 week date (major): | 28th July 2017 |
| Ward: | Central |

1.0 Site and surroundings

- 1.1 The site is located at the northern end of Clarendon Road at its junction with Station Road. The main development site comprises 4 properties – 2 detached Victorian villas at nos. 73 and 75, Clarendon Road (former used as offices), a car repair workshop to the rear of nos. 73 and 75 accessed from Verulam Passage, and a 3 storey office building with 72 car parking spaces at 77, Clarendon Road. All 4 properties are now vacant.
- 1.2 Nos. 73 and 75, Clarendon Road are both locally listed buildings. The site also contains 5 preserved trees covered under Tree Preservation Order 256, 2 located on the southern boundary of 73, Clarendon Road and 3 located on the boundaries of 77, Clarendon Road. The site currently has 2 access points from Clarendon Road and 2 from Verulam Passage.
- 1.3 To the south is Meridian House, a 6 storey office building, and to the west, Verulam Passage, which links Station Road with Shady Lane. On the western side of Verulam Passage is the Nat West Bank (with drive through) fronting Station Road and a series of residential properties comprising a single storey dwelling at 4, Verulam Passage, and terraced houses fronting Westland Road (nos. 1-11, odds).

- 1.4 The application site also includes the existing office building at 64, Clarendon Road on the opposite side of Clarendon Road to the main development site. This is a recently refurbished 5 storey building.

2.0 Proposed development

- 2.1 To erect a new 12 storey office building (Class B1a) comprising 24,451m² (gross internal floorarea) as a new European headquarters building for the applicant. The application also includes a footbridge link over Clarendon Road to 64, Clarendon Road, which is also in the ownership of the applicant and which will form part of the new headquarters use. The new building will include a basement car park for 100 spaces, together with cycle and motorcycle parking, accessed from Verulam Passage. A small area (106m²) at ground floor is also allocated for a potential retail use, facing Watford Junction Station. The proposal will result in the loss of 5 protected trees on the site.
- 2.2 The application is accompanied by a Planning Statement and Design and Access Statement together with a full suite of technical reports. All are available to view online.

3.0 Relevant planning history

- 3.1 The following planning history is relevant to this application:

16/01569/FUL – Planning permission granted in January 2017 for the demolition of existing buildings, site clearance and associated works, erection of perimeter hoarding and provision for a temporary commercial structure (Class A1).

4.0 Planning policies

Development plan

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

- 4.2 The *Watford Local Plan Part 2: Publication Version* was published in July 2016. This has been subject to 3 rounds of public consultation – Nov-Dec 2013, Dec 2014-Feb 2015 and Dec 2015-Feb 2016. It contains development management policies and site allocations. The emerging policies and site allocations in this document can be given limited weight at this time.

4.3 **Supplementary Planning Documents**

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

Watford Character of Area Study 2011

Skyline – Watford's Approach to Tall Buildings 2016

4.4 **National Planning Policy Framework**

The National Planning Policy Framework sets out the Government's planning policies for England. The following provisions are relevant to the determination of this application, and must be taken into account as a material planning consideration:

Achieving sustainable development

The presumption in favour of sustainable development

Core planning principles

Section 1 Building a strong, competitive economy

Section 4 Promoting sustainable transport

Section 7 Requiring good design

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

Section 11 Conserving and enhancing the natural environment

Section 12 Conserving and enhancing the historic environment

Decision taking

5.0 **Consultations**

5.1 **Neighbour consultations**

Letters of notification were sent to 112 properties in Clarendon Road, Station Road and Westland Road. Nine representations have been received. The points that have been raised are summarised and considered in the table below.

| Representations | Officer's response |
|---|----------------------------------|
| Loss of the 2 Victorian villas on the site. | See paragraph 6.5 of the report. |

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|---|----------------------------------|
| Loss of preserved trees on the site. | See paragraph 6.8 of the report. |
| The proposed increase in car parking on the site will exacerbate existing traffic problems in the area. | See paragraph 6.6 of the report. |
| Loss of light, outlook and privacy to residential properties in Verulam Passage and Westland Road. | See paragraph 6.4 of the report. |

5.2 **Statutory publicity**

The application was publicised by 3 site notices posted on 26th May 2017 and by advertisement in the Watford Observer published on 26th May 2017. The site notice and newspaper advertisement periods expired on 16th June 2017.

5.3 **Technical consultations**

The following responses have been received from technical consultees:

Hertfordshire County Council (Highway Authority)

Has raised no objection in principle to the application but has requested additional detailed information be submitted by conditions.

Hertfordshire County Council (Lead Local Flood Authority)

Following the submission of additional information, has no objection to the application subject to appropriate conditions.

Hertfordshire County Council (Historic Environment)

No comments on the application.

Thames Water

Following the submission of additional information, has no objection to the application.

Planning Policy

Support the application.

Environmental Health

No objections to the application subject to appropriate conditions relating to noise impacts.

Waste and Recycling

No comments on the application.

Arboricultural Officer

No objections to the loss of the existing trees subject to a condition requiring further details of new tree planting and irrigation and drainage systems for the proposed planters.

6.0 Appraisal

6.1 Main issues

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

- (a) Principle of the proposed use.
- (b) Scale and design.
- (c) Impacts on surrounding properties.
- (d) Heritage assets.
- (e) Transport, access and servicing.
- (f) Car and cycle parking.
- (g) Trees and landscaping.
- (h) Environmental considerations.

6.2 (a) Principle of the proposed use

The site is within the wider Town Centre SPA in the Core Strategy and within an allocated employment area (E7a) in the Watford District Plan 2000. Policy SS1 identifies Clarendon Road as the focus for office uses with improvements to the area encouraged in order to attract high quality office occupiers. The Core Strategy sets out the requirement for the provision of at least 7000 new jobs by 2031 to meet strategic objectives and maintain Watford's role as a regional employment centre.

- 6.2.1 The GVA Employment Study 2010 (forming part of the evidence base for the Core Strategy) identified potential demand for up to 90,000m² of Class B1a office floorspace to 2031. Even if all existing vacant floorspace was taken up, there would still be a demand for 34,600m² of new floorspace. This study also highlighted the fact that the quality of floorspace is equally important as the quantity. Clarendon Road/Station Road is identified as needing improvement in the quality of stock to compete effectively and attract occupiers. It is important to have not only the right quality and quantity of floorspace but also the right type of space to meet the future employment needs of the Borough and generate new jobs. As a regional centre, it is important that Watford remains an employment destination and does not become merely a commuter town.

6.2.2 The Economic Growth and Delivery Assessment (2014) has identified a significantly greater predicted growth in employment at 13,290 new jobs, almost double the predicted 7,000 new jobs in the 2010 Employment Study. Some 11,630 of these are forecast to be in Class B1(a) and B1(b) office jobs. It also predicts a significant shortfall of employment floorspace, in the order of 164,000m² to 215,000m², a significant proportion of which will need to be in the form of office floorspace. Even allowing for some adjustment and refinement of these figures, these figures are a magnitude greater than that planned for in the Core Strategy. Latest information, in the form of the South West Herts Economy Study 2016, suggests a continuing need for high quality office floorspace in Watford.

6.2.3 Emerging Policy EMP5 of the Local Plan Part 2 states that development within the Clarendon Road, Station Road and Bridle Path office area should deliver modern, high quality Class B1a and B1b office floorspace to meet these identified needs. However, it also states that an element of small scale supporting uses (such as coffee shops, conference facilities, gyms and crèches) will be supported where these add to the vitality and viability of the office area.

6.2.4 The proposed office development is fully in accordance with adopted and emerging employment policies and will significantly increase the net amount of office floorspace on the site to 13,895m² (NIA), meeting identified need for new office floorspace. It will also provide modern, high quality floorspace to replace the existing, poor quality floorspace. This is welcomed and fully supported. The applicant also occupies a number of other buildings within Clarendon Road. The relocation of staff to the proposed new building will free up existing good quality floorspace in other buildings but will also facilitate the redevelopment of the applicant's existing headquarters building at 50, Clarendon Road for new office development. This building dates from the mid-1980s and offers poor quality accommodation by modern standards.

6.3 (b) Scale and design

The building has been designed by Sheppard Robson Architects, an acclaimed, award winning architectural practice. They have worked closely with the applicant and the Council through a detailed pre-application process to achieve a high quality, functional and efficient design that meets the aspirations of both the applicant and the Council for this prominent and important site. The application is supported by a number of visualisations of the building from different viewpoints.

6.3.1 The main part of the site at 73-77, Clarendon Road, being directly opposite Watford Junction Station, is identified as suitable for a tall building in emerging Policy TB1 of the Local Plan Part 2. It also accords with the guidance in the Skyline SPD –

Watford's Approach to Tall Buildings. The architects have addressed the curved frontage that forms the junction between Clarendon Road and Station Road by designing the building as 3 distinct elements of 7, 10 and 12 storeys with the elements separated by deep recesses. The 7 storey element is located adjoining Verulam Passage with the building stepping up to 12 storeys on the Clarendon Road frontage before stepping down again to 7 storeys adjacent to Meridian House. The scale of the building is reduced further to the rear, fronting Verulam Passage, where a 4 storey element is introduced, reflecting the lower scale of residential properties in Westland Road. These building elements relate well together to create an attractive and innovative building design with the different elements giving the building a strikingly different appearance when viewed from different vantage points.

6.3.2 The main detailed façade design comprises a modular curtain wall system with each module made up of 3 vertical units. Each unit can contain either clear glazing, obscured glazing or a solid panel. The latter comprises a shadowbox containing profiled timber or other material to give it depth and texture and avoid the appearance of a flat panel. Each module will have a different configuration of clear, obscured and solid units, some dictated by internal arrangements, to create a varied and interesting façade to the building. Further interest is created in the façade through the introduction of 3 storey high, clear glazed corner atria and a high level 'Living Wall' (see paragraph 6.9.2 below). Detailed façade studies have been submitted for each of these façade treatments.

6.3.3 The final element of the proposal is the footbridge across Clarendon Road at third floor level, linking the proposed building with the existing building at 64, Clarendon Road. This will form a unique feature in the road and will adopt the same design response as the new building. Its purpose is to allow employees to move between the buildings without having to leave either building and cross Clarendon Road.

6.3.4 Overall, the proposed building is considered to be of very high quality, successfully addressing this important corner location, and creating a well articulated building of variety and interest.

6.4 (c) Impacts on surrounding properties

The proposed building will be sited adjacent to the flank elevation of Meridian House to the south and Nat West Bank to the west. These are both commercial properties and the proposed building will have no adverse impacts on them.

6.4.1 The main consideration in terms of potential impacts relates to the residential properties on the western side of Verulam Passage. Potential impacts include daylight/sunlight, outlook, privacy and noise.

6.4.2 i) 4, Verulam Passage

This property comprises a single storey, single aspect, 1 bedroom dwelling of approximately 40m². It is situated at the rear of the Nat West Bank site and was originally a toilet block before being changed to a retail use (sandwich bar) in 2004. This use operated until 2015 when it closed down. In June 2016 a prior approval application was received to change the use to a dwelling house under Part 3, Class M1(a) of the General Permitted Development Order 2015. The proposal complied with the relevant conditions and limitations of this class and, consequently, no prior approval was required. The change of use was subsequently implemented. The front elevation comprises an entrance door with 2 small windows to the main living area. The rear bedroom has a small escape window in the side elevation into the rear garden area of 1, Westland Road (in the same ownership).

6.4.3 The front elevation will face directly towards the 4 storey element of the proposed building at a distance of 11m. The 4 storey element will have a height of 17.6m and comprise plant rooms and back of house areas at ground floor with office space on the 3 floors above.

6.4.4 The British Research Establishment's document 'Site layout planning for sunlight and daylight – a good practice guide' gives guidelines for assessing the impact of new development on the daylight/sunlight received by existing residential properties. A simple rule of thumb involves calculating the vertical obstruction angle from the mid-point of habitable room windows. If this exceeds 25°, the loss of daylight and potentially sunlight (depending on orientation) is likely to be significant. In this case, the angle of obstruction is 55°. Loss of daylight will therefore be significant in this case. As the dwelling faces due east, the loss of sunlight in the morning will also be experienced.

6.4.5 With regard to outlook, having regard to the length of the elevation of the proposed building along Verulam Passage, extending 21m to the south and 38m to the north of no.4, its height at 17.6m and its proximity at 11m, the proposed building will have a significant adverse impact on the outlook from this dwelling. Finally, regarding privacy, the dwelling will be overlooked by office windows at first, second and third floor levels.

6.4.6 It is evident from this assessment that the proposed building will have a potentially very significant adverse impact on the amenities of the dwelling at 4, Verulam Passage. In weighing up these adverse impacts and deciding the weight to be given them, several factors need to be considered:

i) The existing dwelling was created as permitted development under the

provisions of the General Permitted Development Order 2015. As such, it was not subject to assessment against the Council's planning policies and guidelines for residential development, including the Residential Design Guide. It is unlikely the dwelling would have been granted planning permission because of the poor environment and proximity to the application site.

- ii) The dwelling has 2 habitable rooms, the main living area and the bedroom. Both are served by small windows and have relatively poor outlook and natural light. Being sited directly on Verulam Passage, the main living area also has relatively poor privacy. At the time of a site visit by the case officer, blinds were drawn over all 3 windows.
- iii) The application site is within a designated employment area and is the main employment area for new office development. It is also identified as a site for a tall, landmark building in the emerging Local Plan Part 2.
- iv) Previous planning permissions have been granted for office developments on this site of 6 storeys (2000) and up to 8 storeys (2000 and 2005).

6.4.7 Overall, the existing dwelling at 4, Verulam Passage is considered to provide a poor unit of accommodation. It was not subject to a grant of planning permission by the Council and is not considered to comply with the relevant policies and guidelines for new residential development. It is therefore considered that the impacts on this dwelling should be given only limited weight. The proposed office building is fully in accordance with the Council's adopted and emerging policies and it is considered that the benefits arising from the proposal should be given significant weight. On balance, it is not considered that the harm to the dwelling at 4, Verulam Passage would merit a refusal of planning permission.

6.4.8 *1-11 (odds), Westland Road*

These properties are typical, 2 storey, Victorian terraced houses fronting Westland Road with outriggers to the rear. Although originally having small garden areas, these have largely been given over to parking (accessed from Verulam Passage) or large outbuildings. Although no.11 facing the application site, the extent of the building footprint does not extend to this property and, due to the siting of the outrigger, the proposed building will not be directly visible from most of the rear windows. The main consideration, therefore, is in respect of the properties at nos. 1-9.

6.4.9 Nos. 1, 3, 7 and 9 have all been converted into 2 flats (ground and first floor) with no. 5 remaining a single dwelling. In the case of each flat, the ground and first floor

layouts are very similar. The largest, main habitable room fronting Westland Road is the living/dining room with the second largest room to the rear, with a window set in the recess of the outrigger, being the main double bedroom. Within the outrigger itself are a bathroom, small kitchen and second, single bedroom.

6.4.10 A daylight/sunlight assessment following the British Research Establishment's best practice guidance has been undertaken for all of windows facing towards the application site. This shows that a number of the windows will experience a loss of daylight and sunlight as a result of the proposal. However, it should be noted that many of these windows, to the kitchens, bathrooms and second bedrooms are not main habitable rooms to which the BRE guidelines should be applied. The most important habitable room windows are those to the main bedrooms set within the recess of the outriggers. Those at ground floor level in particular already experience relatively poor natural light due to the tunnelling effect of the outriggers either side of the windows. It is also important to note that the main living/dining rooms fronting Westland Road, where the majority of time will be spent by the occupants, are not affected by the proposal.

6.4.11 The issues regarding outlook and privacy are very similar to those of daylight/sunlight. The windows that will experience a loss of outlook and privacy as a result of the proposal are those non-habitable windows to kitchens, bathrooms and second bedrooms. The main bedrooms sited within the recess of the outriggers already have relatively poor outlook as the outriggers themselves create a tunnelling effect and these windows will be less affected by overlooking as a result. The main living/dining rooms will, again, be unaffected.

6.4.12 The situation with 5, Westland Road is a little different. In this case, at ground floor level, the living room is to the front with the dining room to the rear, with its window in the recess of the outrigger. The outrigger contains a kitchen utility room and bathroom. At first floor level, the main double bedroom is to the front with the second double bedroom to the rear. The outrigger contains a bathroom and 2 small bedrooms.

6.4.13 On balance, it is not considered that the harm to the dwellings at 1-9, Westland Road in respect of daylight/sunlight, outlook and privacy, being primarily to non-habitable rooms, would merit a refusal of planning permission in this case.

6.4.14 Environmental Health has requested several conditions relating to the mitigation of potential noise impacts arising from the operation of the development, specifically in relation to the adjoining residential properties. These concern the timing of deliveries, the installation of an acoustic barrier on the 4th floor terrace (as

recommended by the applicant's noise consultant), and noise limits for the various plant enclosures. These are relevant and acceptable.

6.5 (d) Heritage assets

The loss of the 2 locally listed Victorian villas at 73 and 75, Clarendon Road was considered as part of planning application ref. 16/01569/FUL. As locally listed buildings they are non-designated heritage assets which have some local historic value. Paragraphs 135 and 136 of the NPPF require, firstly, that a balanced judgement is made on any application weighing the benefits of a proposed scheme against the disbenefits arising from the loss of heritage assets, and secondly, that all reasonable steps should be taken to ensure the proposed development (and the benefits associated with it) proceeds after the loss of the heritage assets.

- 6.5.1 At the time of considering application ref. 16/01569/FUL, no application had been submitted for the redevelopment of the site. The demolition of these buildings was not, therefore, considered appropriate at that time in the absence of a scheme for the redevelopment of the site that would allow the planning balance to be weighed and an informed judgement to be reached. As such, planning permission ref. 16/01569/FUL was subject to a condition (8) which stated:

The buildings at 73 and 75, Clarendon Road shall not be demolished until:

- i) A Historic Building Record for each building has been submitted to and approved in writing by the Local Planning Authority; and*
- ii) Planning permission has been granted by the Local Planning Authority for the redevelopment of the site at 73-77, Clarendon Road and the implementation of the approved scheme requires the demolition of these buildings.*

- 6.5.2 In respect of criterion (i), a Historic Building Record for both buildings has now been carried out and agreed. They form an important written and photographic record of the buildings but did not reveal any features of unusual or specific interest. Both buildings are good but typical examples of Victorian villas that have undergone various alterations internally over time.

- 6.5.3 In considering the planning balance, the loss of these 2 buildings needs to be weighed against the benefits of the proposed development. The proposed new building will provide a new European headquarters building for TJX, a major employer within Watford for the past 20 years. It is anticipated that up to 1,550 employees will be based in the building. Together with the existing building at 64, Clarendon Road, which the applicant already owns, and the adjoining building at

Meridian House, in which it is seeking to acquire floorspace, the total number of employees is anticipated to reach 3,000. The site is also in a highly accessible and sustainable location, directly opposite Watford Junction Station, and is situated within the borough's main designated employment area for offices. Furthermore, the latest Economic Growth and Delivery Assessment (2014) highlights the very significant shortfall in high quality office floorspace within the borough, both at the present time and in the near future. For all these reasons, it is considered that the significant economic benefits of the proposed development outweigh the loss of the 2 locally listed buildings.

6.5.4 Finally, the likelihood of the proposed development, and therefore the proposed benefits, being carried out after the loss of the locally listed buildings needs to be considered. In this respect, the applicant's current lease at 50, Clarendon Road is due to expire at the end of 2019 and they have advised the owners of the building that they will not be renewing the lease as it no longer meets their needs. They have also purchased the main application site for redevelopment and the existing office building at 64, Clarendon Road. Furthermore, the owners of 50, Clarendon Road have already entered into pre-application discussions with the Council regarding the redevelopment of their site and this was the subject of a recent public consultation in early July. Whilst there is no planning mechanism that can secure the implementation of any planning permission granted, having regard to all the above factors, it is considered reasonable to assume that this will be the case and the loss of the locally listed buildings can be allowed on this basis.

6.6 (e) Transport, access and servicing

The site is located in a highly accessible and sustainable location opposite Watford Junction Station and the bus interchange. Travel to the site by public transport is therefore possible by train (West Coast Mainline, London Midland and Southern regional services, London Overground services and the Abbey Line) and numerous bus services serving north London and Hertfordshire. The proposed Metropolitan Line Extension (MLX) will also terminate at Watford Junction. The site is therefore ideally situated for commuters travelling to the site to work.

6.6.1 Access to the site will remain largely as existing. The existing surface level car park is accessed from Verulam Passage with an egress onto either Verulam Passage or Clarendon Road. The existing car repair workshop is also accessed and egressed from Verulam Passage. The proposed development will have vehicular access and egress from Verulam Passage for the basement car park. A servicing area is proposed along the southern boundary of the site with access from Verulam Passage and egress onto Clarendon Road. The detailed Transport Assessment submitted with the application demonstrates that these arrangements are acceptable and will not have any adverse impact on Verulam Passage or Clarendon

Road.

- 6.6.2 Herts County Council as the Highway Authority have requested further specific details regarding the access and egress design but these can be secured as part of the s.278 highways agreement that will be required in due course to implement the development. They have raised no objection in principle to the proposal.

6.7 (f) Car and cycle parking

The existing site includes a surface level car park of 72 spaces serving the office building at 77, Clarendon Road. There are also a small number of informal spaces serving 73 and 75, Clarendon Road and the car repair workshop. The current proposal incorporates a basement car park of 100 spaces for the proposed 24,451m² (gross) (13, 895m² (net)) floorspace. Based upon the Council's current maximum parking standards in the Watford District Plan (1 space per 30m²), the location of the site within Parking Zone 2 (a 50% restraint factor), and the gross floorarea excluding the 2 basement parking levels (giving a gross floorarea of 18,671m²), the maximum number of spaces allowed would be 311 spaces. Even taking the net internal floorarea of 13,895m², the maximum would be 231 spaces.

- 6.7.1 The emerging Local Plan Part 2 includes new parking standards (although not expressed as minimums or maximums) which seek to encourage lower parking provision. For the application site, given its accessible location, this would be 1 space per 100m² giving a standard of 186 spaces for the gross internal floorspace and 138 spaces for the net internal floorspace. As such, this analysis shows that the proposed provision of 100 spaces accords with both the adopted and emerging parking standards as is acceptable.
- 6.7.2 The proposal also includes provision for 210 cycles spaces and 24 motorcycle spaces. This provision for cycles exceeds the minimum standard of 192 spaces (based upon the floorspace and anticipated number of employees) set out in the Watford District Plan. There is no current standard for motorcycle provision.
- 6.7.3 The application is accompanied by a draft Travel Plan for the proposed development, to actively promote sustainable modes of travel to the site for employees and visitors. This is acceptable in principle subject to a detailed Travel Plan based upon the Hertfordshire County Council's document 'Hertfordshire Green Travel Plan Guidance' being submitted for approval.

6.8 (g) Trees and landscaping

The main site includes 5 protected trees under TPO 256 (as well as a number of smaller, unprotected trees. The submitted Arboricultural Impact Assessment identifies all of the 5 preserved trees as Category C under BS 5837:2012, defined as

‘those trees of low quality and value: currently in an adequate condition to remain until new planting could be established (>10 years)’. As with the loss of the locally listed buildings, the dis-benefits of the loss of these trees on the local environment need to be weighed against the benefits of the proposed development. The benefits have been summarised in paragraph 6.5-6.5.4 above. The application also includes details of a scheme of enhancement of the public realm around the building, incorporating hard and soft landscaping, that can be secured by condition. On the basis of the assessment of the trees as only Category C (the lowest category), the very significant economic benefits of the proposal, and the provision of enhanced landscaping around the site, it is considered that the loss of the 5 protected trees is justified in this case.

- 6.8.1 The proposal includes a public realm strategy for the enhancement of the public realm around the proposed building and the existing building at 64, Clarendon Road. Also included is a major enhancement of Verulam Passage to create a high quality pedestrian environment along the western boundary of the site. A detailed strategy is included with the application. This will be a significant enhancement is welcomed.

6.9 (h) Environmental considerations

The applicant has undertaken a BREEAM preliminary assessment of the proposed office building, achieving a target ‘Excellent’ rating under BREEAM New Construction (NC) 2014 in line with Core Strategy policies SD1 Sustainable Design and SD3 Climate Change. The pre-assessment review indicates a target score of 74.98% above the 70% required for ‘Excellent’ so mitigates some of the risk that not all measures are achieved. It is suggested that the applicant will seek to gain additional credits.

- 6.9.1 The site is located within Flood Zone 1 with a low risk of flooding. A detailed surface water drainage scheme has been agreed with Herts. County Council as the Lead Local Flood Authority (LLFA) and Thames Water to mitigate any surface water flooding on the site and to reduce the risk of flooding from the development. This is a significant improvement over the existing situation.
- 6.9.2 Ecologically the site is poor and opportunities for enhancing the biodiversity of the site are limited. However, the proposal incorporates new and enhanced tree and shrub planting at surface level and a large ‘living wall’ sited on the south-western corner of the building at 7th-12th floor levels. This will cover approximately 440m of the building façade and extend up to 19m in height. This will provide a very significant ecological enhancement of the site and a unique feature within the borough.

7.0 Community Infrastructure Levy and Planning Obligations

7.1 Community Infrastructure Levy (CIL)

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

7.2 The CIL charge applicable to the proposed development is £0 sqm. Accordingly, no liability to CIL arises in the case of the development proposed in this application.

7.3 S.106 planning obligation

Since the implementation of the CIL charging schedule, s.106 planning obligations can only be used to secure affordable housing provision and other site specific requirements, such as the removal of entitlement to parking permits in Controlled Parking Zones and the provision of fire hydrants.

7.4 There is a requirement for a financial payment of £6,000 requested by the Highway Authority for the monitoring of the requested Travel Plan for the development.

7.5 The Council is currently considering public realm and highway improvements at Watford Junction and along Clarendon Road. This will be an opportunity for various development schemes to be coordinated with these improvements. Although the details are being worked on and will, if feasible, be subject to consultation, the applicant has expressed an initial willingness to contribute towards this scheme. In view of this it is proposed that the S106 planning obligation makes provision for this.

8.0 Conclusion

8.1 The site is located within a designated employment area where the focus is on the provision of new office floorspace. The proposed office building is fully in accordance with local plan policy and will significantly increase the amount of office floorspace on the site, making a significant contribution to the identified need for high quality office floorspace in the borough. It will also provide the new European headquarters for the applicant, who is a long standing and major employer in the town. The site is also identified as appropriate for a tall, landmark building being sited opposite Watford Junction Station. The building has been designed by a leading architectural practice and is a striking, high quality and sustainable building

which meets the aspirations of the Council for this prominent site.

9.0 Human Rights implications

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

That, pursuant to a planning obligation under s.106 of the Town and Country Planning Act 1990 having been completed to secure the following Heads of Terms, outline planning permission be granted subject to the conditions listed below:

Section 106 Heads of Terms

- i) To secure a financial payment to Hertfordshire County Council of £6,000 for the long term monitoring of the proposed Travel Plan for the site.
- ii) To secure a contribution (consisting of financial, off-site highway works and/or scheme development costs) towards improving the public realm at Watford Junction/Clarendon Road.

Conditions

1. The development to which this permission relates shall be begun within a period of 3 years commencing on the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the following approved drawings:-

TJX-SRA-XX-XX-DR-A-00-001A, 00-002A, 00-003A, 00-004A, 00-010A, 00-011A, 00-101A, 00-102A, 00-103A, 00-104A

TJX-SRA-BT-XX-DR-A-10-001A, 10-002A, 10-003A

TJX-SRA-BT-XX-DR-A-20-120A, 20-121A, 20-123A, 20-124A, 20-130A, 20-131A, 20-132A, 20-133A, 20-134A, 20-135A

TJX-SRA-BT-B2-DR-A-20-098A, 20-099A, 20-100A, 20-101A, 20-102A, 20-103A, 20-104A, 20-105A, 20-106A, 20-107A, 20-108A, 20-109A, 20-110A, 20-111A, 20-112A

TJX-SRA-BT-XX-DR-A-21-402A, 21-404A, 21-406A, 21-420A, 21-423A

TJX-SRA-BT-XX-DR-A-79-100A

5549_PL_101, 201, 401, 501

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

3. No external facing materials shall be installed on the building until full details and samples of the materials to be used for all the external surfaces, including the plant enclosures at roof level, have been submitted to and approved in writing by the Local Planning Authority.

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

4. Notwithstanding the approved drawings, no construction works associated with the approved footbridge across Clarendon Road shall commence until full details of the bridge design and appearance have been submitted to and approved in writing by the Local Planning Authority. The bridge shall be constructed only in accordance with the approved details.

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

5. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Stage 2 Report carried out by Ramboll dated July 2017, submitted and the following mitigation measures detailed within the FRA:

- i) Limiting the surface water run-off rates to maximum of 49L/s with discharge into Thames Surface Water sewer.
- ii) Provide a minimum of 170m³ attenuation to achieve the maximum agreed discharge rate of 49L/s for all rainfall events up to and including the 1 in 100 year + climate change event.

- iii) Implementing the appropriate drainage strategy based on attenuation and discharge, using appropriate SuDS measures, as indicated on drawing no. 1620002979-RAM-XX-DR-C-00100 Rev P2.

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

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

- 6. No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The scheme shall also include;
 - i) Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations.
 - ii) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

- 7. No part of the development shall be occupied until the servicing/delivery area adjoining the southern boundary of the site and the refuse and recycling store to serve the development, as shown on the approved drawings, have been constructed and made available for use. These facilities shall be retained as approved at all times.

Reason: To ensure that adequate facilities exist for the proposed development, in accordance with saved Policies T21 and SE7 of the Watford District Plan 2000.

- 8. No part of the development shall be occupied until a detailed hard landscaping scheme for the site, including details of all site boundary treatments and external lighting, has been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details. The detailed scheme shall be based upon approved drawing nos. 5549_PL_101, 201 and 501 by LDA Design.

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

9. No part of the development shall be occupied until a detailed soft landscaping scheme for the site, including details of the high level Living Wall and appropriate irrigation systems, and a landscape management and maintenance plan, has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be based upon approved drawing nos. 5549_PL_101 and 401 by LDA Design. The approved soft landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

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

10. No part of the development shall be occupied until cycle parking facilities for 210 cycles for employees and visitors have been provided in accordance with the approved drawings. These facilities shall be retained at all times.

Reason: To encourage travel by cycle and to provide sustainable travel alternatives, in accordance with saved Policy T10 of the Watford District Plan 2000 and Policy T3 of the Watford Local Plan Core Strategy 2006-31.

11. Within 3 months of the first occupation of the development, a detailed Travel Plan for the development, based upon the Hertfordshire County Council document 'Hertfordshire Green Travel Plan Guidance', shall be submitted to the Local Planning Authority for approval. The approved plan shall be implemented as approved at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment, in accordance with Policy T3 of the Watford Local Plan Core Strategy 2006-31.

12. No part of the development shall be occupied until the modified access and egress arrangements from Station Road, Verulam Passage and Clarendon Road, as shown in principle on the approved drawings, have been completed in full.

Reason: In the interests of the safe operation of the site and the surrounding highway.

13. No part of the development shall be occupied until an appropriate acoustic barrier around Terrace 4 has been installed, meeting the requirements detailed in paragraph 1.8.3 of the Noise Impact Assessment produced by Ramboll dated 14 April 2017. This barrier must be retained at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent noise nuisance to the residential occupiers of properties to the west of the site.

14. All external plant and equipment shall only be sited within the designated plant enclosures shown on the approved drawings, unless details have been submitted to and approved in writing by the Local Planning Authority. Any details submitted for approval shall include size, appearance, siting and technical specifications relating to noise.

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

15. No deliveries or collections shall take place within the service/delivery area or from Verulam Passage between 23.00 hours and 07.00 hours on any day.

Reason: To prevent noise nuisance to the residential occupiers of properties to the west of the site.

16. The noise levels of the roof mounted plant enclosures shall not exceed the levels set out in paragraph 1.8.1 of the Noise Impact Assessment produced by Ramboll dated 14 April 2017. No part of the development shall be occupied until onsite testing has been carried out for each plant enclosure to demonstrate that the noise levels have been complied with, and a report detailing this testing has been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent noise nuisance to the residential occupiers of properties to the west of the site.

Informatives

1. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health & 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.

2. All new developments 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.
3. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended. The Council

entered into extensive pre-application discussions with the applicant and completed a Planning Performance Agreement for the application.

Drawing numbers

TJX-SRA-XX-XX-DR-A-00-001A, 00-002A, 00-003A, 00-004A, 00-010A,
00-011A, 00-101A, 00-102A, 00-103A, 00-104A

TJX-SRA-BT-XX-DR-A-10-001A, 10-002A, 10-003A

TJX-SRA-BT-XX-DR-A-20-120A, 20-121A, 20-123A, 20-124A, 20-130A, 20-131A, 20-132A, 20-133A, 20-134A, 20-135A

TJX-SRA-BT-B2-DR-A-20-098A, 20-099A, 20-100A, 20-101A, 20-102A, 20-103A, 20-104A, 20-105A, 20-106A, 20-107A, 20-108A, 20-109A, 20-110A, 20-111A, 20-112A

TJX-SRA-BT-XX-DR-A-21-402A, 21-404A, 21-406A, 21-420A, 21-423A

TJX-SRA-BT-XX-DR-A-79-100A

5549_PL_101, 201, 401, 501

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Tel: 01923 278284