

Report of: <b>Development Management Section Head</b>	
Date of Committee	31 <sup>st</sup> January 2018
Site address:	147a, 149a, 149b and land to the rear of 149 St Albans Road, Watford, Hertfordshire, WD24 5BB
Reference number:	17/01413/FULM
Description of development:	Planning consent for the redevelopment of the site to provide a mixed use scheme comprising 144 residential units (Class C3), flexible commercial units (Classes A1/A2/A3/B1 and D2) and use of the Old Station building as an artisan beer tap room and/or community space (Classes A4/D1/D2/B2), alterations to the listed building, associated cycle parking, car parking, play-space and landscaping and associated works.
Applicants:	GS8 (also trading as Watford Developments Ltd.)
Date received:	9 <sup>th</sup> October 2017
Target dates:	11 <sup>th</sup> January 2018 (13 weeks)
Ward:	Callowland

## **1 BACKGROUND**

### **1.1 Deferral by the Development Management Committee on 3<sup>rd</sup> Jan 2018**

This application for planning permission was first considered by the Development Management Committee on 3<sup>rd</sup> January 2018. It was one of a pair of applications, submitted in tandem – this being for Planning Permission (17/01413/FULM) and the other being for Listed Building Consent (17/01414/LBC) for works to the Grade II listed former station building. The Listed Building Consent application was unanimously approved at that meeting, and the Decision Notice was issued on 5<sup>th</sup> January. Therefore this report now deals only with the application for Planning Permission, and no longer with the application for Listed Building Consent.

The reason for the deferral was that during the debate several Members of the Committee had commented favourably on various aspects of the proposal, but that there was one particular element of the scheme that was felt by most of them to be unacceptable: this was the height of the tallest part of Building B (13 storeys) which was considered potentially harmful to the visual amenity of the street-scene of the St Albans Road. It was agreed that a decision should be deferred to allow the applicants time to redesign that particular element of the scheme – which they have now done (see below).

### **1.2 Revisions to the proposal since the deferral of 3<sup>rd</sup> Jan 2018**

Since the deferral on 3<sup>rd</sup> January 2018, the applicants have revised their proposal by reducing the height of the tallest part of Building B from 13 to 11 storeys; making it the same height as Building A, and these will be the tallest parts of the development. Revised drawings and documents illustrating this reduction in the height were received on 10<sup>th</sup> January 2018. No other physical changes have been made to the proposed development.

An inevitable consequence of this loss of six private market flats is that the level of affordable housing offered has also been reduced. The number of *Social Rented* (5) and *Affordable Rented* (17) homes has not changed, but there will no longer be any *Intermediate* tenure homes, and the commuted sum has been reduced. Please see the table in section 6.5 (Affordable Housing) of this report for details.

### **1.3 Summary of the main Planning issues**

The site occupies land which is part of the Nascot Conservation Area; albeit it is outside Nascot Ward (it is in Callowland Ward) and it is separated from the main part of the Conservation Area by the railway. It also lies within the Watford Junction Special Policy Area (SPA2); although it is separated from the main part of SPA2 by St Albans Road. The former designation requires that respect be paid to the character of the Conservation Area, while the latter requires that the development contribute to the role of SPA2 in providing at least 1,500 new homes as part of a dense new sustainable neighbourhood. Since the initial designs were reviewed at pre-application stage, the scheme has evolved and improved, and since the case was deferred by the Committee on 3<sup>rd</sup> January its height has been further reduced in response to comments made by Councillors; and it is the opinion of the case officer and of the Development Management Section Head that it now strikes the right balance between those two objectives.

A run-down and unattractive brownfield area will be regenerated, 144 much-needed new homes will be built, including 5 *Social Rented* and 17 *Affordable Rented* tenures, with a mixture of 1, 2 and 3 bedroom homes. A dilapidated Grade II Listed Building will be given a new lease of life and it will become a place that the public can enjoy.

Listed Building Consent has already been granted by the Committee (on 3<sup>rd</sup> January), and therefore it is no longer necessary to consider that in this report. Some minor external works to the Listed Building also require Planning Permission, but those are considered acceptable.

The Development Management Section Head recommends to the members of the Development Management Committee that this application for Planning Permission be

**approved**, subject to conditions that are recommended at the end of this report, and subject to the completion of a satisfactory Section 106 agreement to fund some necessary works to improve infrastructure and to provide appropriate affordable housing (heads of terms are listed at the end of this report).

### **2.1 Site and surroundings**

The application site occupies approximately half of a triangular plot of land, the borders of which are the West Coast Mainline railway (which lies in a cutting), Bedford Street and the St Albans Road. Currently this area is dominated by vehicles: being occupied by several businesses that sell used cars, or that repair and service cars, or that hire vans.

The applicants have purchased several plots of land to make up the application site, including the yard behind 149 St Albans Road, but not including the building at 149 itself, which is a tyre fitting garage called Tyre City. A planning permission (17/00018/FUL) was granted earlier this year to the previous owners of the yard behind Tyre City for the erection of 9 flats on that yard, in a style resembling terraced houses. That permission remains extant, being less than three years old; but it has not been commenced. The application site does not include any of Network Rail's land, which covers approximately half of the triangle: those are service yards for track access which are used only occasionally, and which often stand largely empty. The address of the application site includes 147a (a Grade II listed Victorian former station building that has been used since around 1979 as the office for a used car sales business), and 149a (a car mechanic's workshop and MOT testing centre), and 149b (another car mechanic and also the office for a van hire business), as well as the yard behind 149. It should be noted that neither 147 (a building to the south of the railway which has recently been converted to flats) nor 149 (Tyre City) are included in the application site.

This area is part of the *Watford Junction Special Policy Area* (SPA2) although it is separated from the main part of the SPA by the St Albans Road. Policy SPA2 of the Watford Local Plan identifies this as one of the main sites that is to meet the borough's housing need in the years to come, with at least 1,500 new homes envisaged for SPA2, constituting an important new neighbourhood near Watford Junction Station, and being only a short walk from the Town Centre in one direction and from the shops of the North Watford Shopping Centre in the other. SPA2 covers this site plus land that is currently occupied by three retail units and their car parks (Range, T.K. Max and Office World), a petrol station, the Hille House commercial estate, the station's car park, and some further land to the east of the Abbey Line railway. A draft version of a masterplan for SPA2 was published for consultation in 2016, envisaging even more housing (2,777 homes) and a revised version of that masterplan is intended to be adopted as a supplementary planning document; but

currently the draft masterplan carries only limited weight as the final version has yet to be worked up and adopted.

This site is also part of the *Nascot Conservation Area*; albeit it is separated from most of the conservation area by the mainline railway. The Conservation Area's northern edge is the houses and back gardens of Bedford Street, and it also includes The Prince George pub, Dunnings Bar, and the former Leavesden Road bus station which has recently been redeveloped as flats.

## **2.2 The nationally Listed (Grade II) former station building**

The site includes 147a St Albans Road, which is a Grade II nationally listed building. It is the only building that remains of the original Victorian station that stood here before the new Watford Junction station was built in its current location further to the south. This building once housed the booking office, passengers' room, an "elegantly furnished" ladies' waiting room, an inspector's room and a porter's room. Steps once led down to the tracks. The waiting room is said to have been used by royalty, including once by Queen Victoria and Prince Albert, and occasionally by the dowager Queen Adelaide (from whom the applicants intend to take the name for their development: she was the widow of William IV and she lived nearby in Cassiobury House in the 1840s). From the 1930s until the late 1970s this was used as a private house. The Council have photographs of the site taken in 1979, showing that it was serving as the office for a second hand car sales business, much as it is now.

This former station building was granted Grade II listed status in 1979. Because its listing entry (ref 1101109) from that time was rather brief, the applicants have commissioned English Heritage to produce an enhanced list entry (ref 1447676), to which end English Heritage carried out a new inspection of the site in June of this year (2017). This review has not altered the Listed status or the grade of the building (the study concluded that it should be retained on the List) but it has provided more detail on its special interest. Dating as it does from 1837 (the year of Queen Victoria's accession) this is an example of the early pioneering phase of railway buildings, and that is the special point of interest that merited the designation of this rather simple neoclassical structure as a Listed Building. The listing entry notes that the interior is of less interest than the exterior. The building was later extended to the south-east and that extension, along with a boundary wall, are included in the listing, although a lean-to privy addition is excluded.

## **2.3 Locally listed buildings nearby**

There are several locally listed buildings on Church Road, which is to the south of the

railway, but mostly they are on the further side of that street; the only one on the nearer side being a pair of semi-detached houses at 28-30.

Immediately to the north of the site there is a row of terraced houses on Bedford Street which are locally listed at numbers 8-18. Two locally listed public houses stand side by side at 151 and 153 St Albans Road, just north of Bedford Street: they are The Prince George and Dunnings Bar.

### **3.1 Proposals**

Many drawings and supporting documents have been submitted with this application (some of those are revised versions that were received on 10<sup>th</sup> January 2018) but anyone wanting to look at a single image that gives a clear impression of the development as a whole might find it best to look at an angled aerial 3D artist's impression which is included in the addendum to the architect's Design and Access Statement. That addendum document shows the reduction in height of Building B, and it was received on 10<sup>th</sup> January 2018.

The proposal is a mixed use but predominantly residential scheme, including 144 new homes (previously it was to have been 150). The homes are to be a mixture of:

- 55 x 1-bedroom homes (i.e. 38%)
- 71 x 2-bedroom homes (i.e. 49%)
- 18 x 3-bedroom homes (i.e. 13%).

Mostly they are to be flats, but four of them are duplex units facing Bedford Street, with their own front doors and small rear gardens, and those could be regarded as terraced houses.

Apart from some internal works to the Listed Building, all of the proposed works require Planning Permission, as do the proposed changes of use.

The Listed Building is to be refurbished, with some internal alterations and a small side extension. The internal alterations require only Listed Building Consent, which has already been granted – application 17/17/01414/LBC was approved with conditions by the Development Management Committee on 3<sup>rd</sup> January 2018. The external alterations require both Listed Building Consent (which has been granted) and Planning Permission (which is the subject of this report).

The premises would be converted to a new use as a craft beer tap room for Pope's Yard

brewery, which is a small local company that is thought to be the only brewery now operating in Watford, which is a town that was once dominated by the brewing industry. A drinking establishment would be use class A4. One room and a corridor would be an exhibition space that could be used as a small local museum, which would be use class D1. The application is seeking to keep other options open by also applying for use classes D2 (assembly and leisure) and B2 (general industrial – presumably so that beer could be brewed on the premises).

**The new development would consist of four buildings, labelled A to D:**

**Building A:**

This would be 11 and 7 storeys tall: it steps down to 7 where it is closer to the Listed Building, although a substantial gap will also remain. It will back onto the railway. It will contain 68 flats (all of them private market units) comprising:

- 35 x 1-bedroom
- 31 x 2-bedrooms
- 2 x 3-bedrooms

A basement beneath Block A will contain parking for 24 cars (two of which would be for disabled users) and a store for bicycles, two other store rooms, a refuse bin store with a hoist, and a pump room.

**Building B:**

This would be partly 11 storeys (no longer 13 following January's revisions) and partly 6 storeys tall - it steps down to 6 where it is closest to the Listed Building, although there will also be a gap to separate them. It will face onto the St Albans Road. The 6 storey element will be topped by a roof garden.

Much of its ground floor will consist of a commercial unit, which is intended to contain a business that would provide a lively "active frontage" onto the street – possibly a gym, but the application seeks to keep other options open by applying for use classes A1 (retail), A2 (professional and financial services e.g. estate agent, solicitor etc), A3 (eateries), B1 (offices) and D2 (assembly and leisure, which would include a gym). The ground floor will also contain the office of the concierge for the whole development.

Building B will contain 46 flats (before January's revisions, which removed two storeys, it would have contained 52 flats). All of the flats in Building B are to be private market homes.

15 x 1-bedrooms  
24 x 2-bedrooms  
7 x 3-bedrooms

A basement beneath Blocks B and C will contain stores for bicycles and plant rooms.

**Building C:**

This will be 6/7 storeys tall; the top floor being stepped in, penthouse style. It will stand some distance into the site. It will contain 22 flats, all of which will be affordable tenures, being either *Affordable Rented* (17) or *Social Rented* (5).

3 x 1-bedrooms (all to be affordable rented)  
11 x 2-bedrooms (all to be affordable rented)  
8 x 3-bedrooms (5 social rented and 3 affordable rented)

**Building D:**

This will be the smallest of the four buildings, being partly 2 storeys and partly 4 storeys tall. It will face Bedford Street. It would contain 8 dwellings in total, all of them being private market homes. The two storey element will contain 4 duplex units with their own front doors and small rear gardens, so they can be regarded as terraced houses: three of them having 2 bedrooms and one having 3 bedrooms. The four storey element adjacent to 149 St Albans Road (Tyre City) will contain 4 flats: 2 x 1-bedrooms and 2 x 2-bedrooms.

**4 Planning history**

The Listed Building largely dates from 1837, and it was Listed by English Heritage in 1979. The application site has been assembled by the developers who have purchased several adjacent plots of land, and we have various planning history records for those, but mostly they are not directly relevant to this application so there is no need to list them here. A record from 1975 shows that 149b became a recording studio in that year, and another from 1979 shows that it then changed to a light industrial use. Our records show that car sales and mechanics workshops on the site date back to the mid-1970s. Listed Building Consent 14/00968/LBC was granted in 2014 to replace some rear windows with new timber sash sliding windows to match those at the front of the listed former station building.

Of particular note is planning permission 17/00018/FUL which was granted in March 2017 for a development of flats resembling terraced houses on the land to the rear of 149 (Tyre City). The permission is extant, but has not been commenced. That would have been in a pastiche neo-Victorian style, whereas the terraced houses of Block D that are now

proposed are of a similar scale, but in a contemporary style, and that section would be lower because it would have flat roofs rather than pitched roofs.

## **5 Consultations**

The consultations described below were undertaken in October 2017 when the application was received. Because the revisions of January 2018 have been only to reduce the size of the proposed development it has not been necessary to consult again because any potential impacts would be less than those that were previously commented upon by consultees.

### **5.1 Neighbour consultations**

On 18.10.2017 notification letters were sent to 139 neighbours and local residents on the following streets: Copsewood Road, Leavesden Road, Brewery Mews, Church Road, St Albans Road, Bedford Street and Railway Terrace. A press notice was published in the Watford Observer local newspaper on 27.10.2017. A few days earlier, on 19.10.2017, site notices had been put up outside the site, and on Bedford Street, and on Church Road.

For the numbers of responses (positive, neutral and negative) and for a summary of the points that were raised, please see below. The Committee will be informed of any further representations that are received up to the date of the committee meeting.

### **5.2 Consultations with statutory and partner agencies, and with Council colleagues**

The following were consulted, and some but not all of them replied. For summaries of their responses please see below.

Watford Borough Council's Conservation Manager  
Watford Borough Council's Housing Service  
Watford Borough Council's Waste and Recycling Service  
Watford Borough Council's Environmental Health Service  
Watford Borough Council's Licensing Service  
Thames Water Utilities  
Network Rail  
Historic England  
Hertfordshire County Council's Highways Service  
Hertfordshire County Council as the Lead Local Flood Authority  
Hertfordshire Constabulary's Architectural Liaison and Crime Prevention Adviser

### **5.3 Representations received from statutory consultees, partner agencies and Council colleagues**



The following are summaries of the points that were raised in the letters that were received.

#### 5.3.1 HISTORIC ENGLAND

A short letter, dated 31<sup>st</sup> October 2017, was received from Historic England (East of England Office). They wrote that they do not wish to offer any comments on the application for planning permission, nor on the application for Listed Building Consent. They recommended instead that the Council should seek the views of our own Conservation Officer.

#### 5.3.2 WATFORD BOROUGH COUNCIL: CONSERVATION MANAGER

The Conservation Manager submitted a representation, dated 7<sup>th</sup> December 2017, making the following points:

- She supports the principles of the proposal, which is to give the Listed Building a new lease of life.
- Because the submission is insufficiently detailed as regards some of the proposals, it will be necessary to apply pre-commencement conditions to control the works. The Specification of Works document that was submitted should have been illustrated with photographs of the existing features, and it should have been more detailed regarding the works proposed. It should have examined the possible alternatives; and fuller justifications should have been included for the proposed alterations.
- Proposals that would involve partial demolition are: new opening in internal wall, reinstatement of ticket office window, and the changing of a rear window into a door. Further detail and justification is needed regarding the reinstatement of the ticket office window, but otherwise these changes will involve only minor demolition and they will not cause significant harm to the fabric or the character of the Listed Building.
- The proposals include removing a step to level the floors – presumably for improved accessibility, but this is not explained and no alternatives are explored. More information on what the floors are made of and of what is beneath them should be required by a condition.

#### 5.3.3 WATFORD BOROUGH COUNCIL: HOUSING

The Housing Supply Manager submitted a representation on 8<sup>th</sup> November 2017; and following some revisions to the offer she commented again on 10<sup>th</sup> November. She was commenting on the original application – please note that subsequently the Committee deferred the case and asked the developers to reduce its height, and the consequence has been a reduction in the total amount of affordable housing offered (albeit the number of Social Rented and Affordable Rented units is unchanged -the loss having been only the Intermediate units).

The following is a summary of the points that the Housing Supply Manager made:

- The Council's policy is that 35% of the dwellings should be affordable tenures, but less than that is offered in this case. Therefore the Housing Service objects to the application.
- Intermediate (shared ownership) tenures, although they are technically a type of "affordable housing" tend not to be affordable to those households that are on the borough's housing register. For this reason the Housing Service would like most or all of the 2 and 3 bedroom units to be either social rented or affordable rented tenures.
- They are pleased to see that seven of the 3-bedroom units are to be social rented (rather than affordable rented).

In her second representation (16<sup>th</sup> November 2017) she reiterated her Service's objection, and made the following comments:

*"As a Housing Service we are commenting on the affordable housing mix, not the design or viability... Planning Officers and Committee may disagree and may still support and approve the scheme despite Housing's comments, as their roles are to look at the application and site as a whole. At present our position remains the same, that... we cannot support it.... The mix of unit sizes offered is a good mix, and I appreciate it has taken into consideration our need for family sized accommodation, however... the total number of units is not sufficient."*

#### 5.3.4 WATFORD BOROUGH COUNCIL: ENVIRONMENTAL HEALTH OFFICER

An Environmental Health Officer submitted the following comments on 6<sup>th</sup> Dec 2017:

- The application is accompanied by an acoustic report, but it lacks detail. It does not consider vibration, nor the potential impacts of noise from the proposed craft beer tap room, the existing tyre fitting garage, or the noise that might arise if the ground floor commercial unit were used as a gym.
- These issues could be dealt with by a condition requiring further details of acoustic mitigation measures.
- A condition is recommended restricting the use of the outdoor drinking area by the craft beer tap room so that it cannot be used between 10pm and 8am, so that residents will not be disturbed if their windows are open at night.
- A condition is recommended that no cooking facilities should be included in the craft beer tap room or in the ground floor commercial space of Block B unless details of a satisfactory fume extraction system that will not harm the amenity of residents has been submitted and approved.

- Block D is within 20 metres of Dunnings Bar, which is soon to have an extractor flue installed for its kitchen. Therefore residents on the second and third floors of Block D should be able to ventilate their homes without opening their windows, and a condition should be applied to require further details of how this will be arranged.
- A demolition and construction management plan should be required by a condition, and it should include an asbestos survey.
- It should be possible to deal with any noise issues that might arise from Network Rail's occasional use of their service yard to the rear of this site by using environmental legislation; therefore the Environmental Health Officer does not object to the proposal as regards its proximity to that Network Rail yard.

#### 5.3.5 WATFORD BOROUGH COUNCIL: CONTAMINATED LAND OFFICER

On 20<sup>th</sup> October 2017 a representation was received from an Environmental Protection Officer, making the following points:

- The history of this site includes some potentially contaminative uses, including a railway station, goods yard and engine shed, a smithy, a depot, and more recently business uses related to motor vehicles.
- The proposal includes some soft landscaping and some children's play-space.
- Therefore a pre-commencement condition is recommended that would require an asbestos survey, and the removal of any contaminants that could be mobilised by the removal of any hardstanding.
- A second condition is also recommended, requiring that any unexpected contaminants that are found during the works should be reported immediately to the Council in writing, and an agreed method for remediating them should then be implemented.
- An informative note is also recommended, directing developers to on-line advisory documents.

#### 5.3.6 HERTFORDSHIRE COUNTY COUNCIL: HIGHWAYS

A representation was received making the following points:

- Herts Highways do not object to the application, subject to 4 recommended conditions (see section 6.8 of this report for a consideration of those).
- The first of the four conditions that they requested stated that more detailed drawings should be required of the designs for the improvements to the existing vehicular access to the site.
- The second of the four conditions required more detailed plans of the basement parking area, including the dimensions and arrangement of the individual parking spaces and swept path diagrams to show how vehicles would be able to manoeuvre into them.

- The third condition would require a servicing and delivery plan, the stated reason being to maintain the efficiency and safety of the highway.
- The fourth condition would require a Construction Traffic Management Plan.
- A section 278 agreement between the developers and Herts Highways will be necessary for any works to the public highway.
- A section 106 planning obligation should be required. This should include contributions for the monitoring of a Travel Plan, and also for costs relating to securement of a permit-free agreement to exclude the development from the existing nearby Controlled Parking Zone, and to regulate on-street parking on roads that are not in CPZs.
- Herts County Council wrote that payments might be due under the Community Infrastructure Levy (CIL) to contribute to local transport improvements. However they seem to have been unaware that this site falls within a Special Policy Area in which developments are not liable for CIL.
- HCC consider that the proposed development is likely to lead to a decrease in the number of vehicle movements to and from the site during peak times, compared with the existing situation.
- HCC accept that most of the residential person trips generated are likely to be by rail (35%) or by walking (27%). Similar figures (35% and 35%) were arrived at for the ground floor commercial premises, on the assumption that it would be a gym. The artisan tap room that is proposed for the listed building would only generate trips on foot or by bicycle.
- The access proposals would use an existing vehicular access point from the St Albans Road. These access proposals are considered safe and appropriate, but more detail on them will be required.
- The development would not be likely to exacerbate any particular road safety problems.
- A draft Travel Plan has been included in the Transport Assessment, but a Section 106 agreement will be needed to ensure that a more detailed Travel Plan is submitted.

#### 5.3.7 HERTFORDSHIRE COUNTY COUNCIL: SURFACE WATER DRAINAGE TEAM

Three responses have been received from HCC'S Flood and Water Project Officer. In the first and second instances her response was that more detailed documentation was required, but following the submission of a third set of information on drainage her final response (received on 5<sup>th</sup> Dec 2017) stated that she removed her objection, saying that she was now satisfied, although she recommended two conditions.

#### 5.3.8 THAMES WATER

On 2nd January 2018 comments were received from Thames Water, which can be summarised as follows:

- The developers are advised to install non-return valves or other suitable devices to prevent backflow from sewers during storm conditions.
- There are public sewers which are either crossing or close to the site. To ensure that they can be accessed for maintenance, the approval of Thames Water is required before buildings are erected within 3 metres of a public sewer.
- Thames Water would expect to see a piling method statement before allowing any piling close to public sewers, and they suggest that a planning condition be applied to require this.
- They recommend that an informative note be attached to any planning permission stating that any discharge of groundwater into a public sewer will be deemed unlawful unless a Groundwater Risk Management Permit has first been obtained from Thames Water.

#### 5.3.9 HERTFORDSHIRE CONSTABULARY

Comments were received from the Crime Prevention Officer on 22.12.2017:

- They have no objection.
- Burglary rates in this area are relatively high.
- Therefore they recommend that the scheme comply with the Secured By Design standard (note that this level of detail, which covers issues such as types of door and window locks etc, cannot be mandated by a planning condition, although the Council encourage developers to comply with the standard).

#### 5.4 Representations and objections received from the public

At the time of writing this report (10.01.2018) the number of representations that had been received in from the public was as follows:

**One neutral comment** was received.

**Three objections were received:** 2 being from residents of Church Road (although one of those seems to have been thinking of a different site) and one being from the Nascot Residents' Association (whose Chair also spoke to the Committee about this application at its meeting on 3<sup>rd</sup> January 2018).

**86 representations were received in support** of the application, but mostly they did not contain full addresses.. This has come about because the applicants have set up their own website [www.adelaidewatford.co.uk](http://www.adelaidewatford.co.uk) on which members of the public were invited to tick boxes corresponding to sentences expressing support for certain aspects of the application, all starting: *"I support GS8's plans to redevelop the site at 147 St Albans Road. It will bring many benefits including..."* The boxes they were invited to tick were:

- Regenerating this run-down site
- Improving the St Albans Road area
- Bringing the listed building back into life
- Providing much needed housing
- Creating a tap room and exhibition space for Pope's Yard Brewery
- Providing a new car club facility for residents to use.

These entries were converted into e-mails that the developers then forwarded to the Council as representations in support of their application. Most of them contained an e-mail address and a postcode, but not a full address.

Additionally, a short petition, with four signatories, was delivered in support of the application. Those signatories were residents or traders on St Albans Road. That petition was produced and submitted by Pope's Yard Brewery, and it bears their logo. They are partnered with the applicants as they are to be the operators of the craft beer tap room that is proposed. Pope's Yard have also written a separate letter in support of the application.

One letter of support has been received that was written and submitted by a member of the public in his own right, with full contact details included. He is a resident of Leaford Crescent in North Watford.

It is for the members of the Committee to decide what weight to place on the various public representations in reaching their decision, however all material planning considerations should be taken into account in determining the application.

**The following table contains a summary of the points that were raised both for and against the applications:**

Points Raised	Officer's Response
The flats on Church Road have already been completed, and some have been sold.	This lady has misunderstood the application. She has confused 147 St Albans Road (which stands on the junction with Church Road, but which is not part of the application site) with 147a St Albans Road (which is the listed former station building that is part of the application site). It is true that 147, which was previously the premises of a tool hire business, has recently been converted into flats; but that

	is not a part of this application.
Two residents of Church Road have written that their street suffers from parking congestion. One also mentioned that vehicles, including lorries, sometimes drive down it at dangerously high speeds.	Church Road is part of a Controlled Parking Zone in which only permit holders may park during the controlled hours. Streets to the south are also in the CPZ, as is Bedford Street to the north of the site. A s106 planning obligation will ensure that residents of the new homes that are proposed by this application will not be entitled to claim parking permits. This application is not likely to attract any additional traffic to Church Road, as there will be no access to the site from that street. The railway separates them.
Because only 20 of the 150 dwellings will have a parking space, insufficient off-street parking is proposed, and it is feared that the other residents will have to park on neighbouring streets, exacerbating problems of parking congestion there.	A total of 26 parking spaces are proposed comprising: 2 disabled, 4 for a public car club and 6 for a private car club, leaving 14 others; so most of the new homes will not have their own parking space, but they will have the use of shared car club vehicles, and there will be plenty of cycle storage. The main station is almost next door, and the Town Centre is just ten minutes' walk away, so the site is ideal for car-free living. Please refer to the <i>Parking and Transport</i> section of this report.
The buildings will not be in keeping with the character of the Nascot Conservation Area because of their scale and bulk. They will be an unsightly feature that will be visible from neighbouring areas. This is contrary to the proposals in the Council's draft masterplan (2016) for the Watford Junction Area, which suggested that buildings on this site should be mostly 2-3 storeys, with a maximum of 4 storeys.	Please refer to the <i>Design</i> section of this report.

<p>Inadequate provision is being made for green spaces and for children's play space, which will be needed as families are likely to occupy some of the flats.</p>	<p>The application is accompanied by several drawings by landscape architects showing the communal green space that is proposed in the centre of the development, which all the residents would have the use of. It would include a children's play area with equipment installed for that purpose. Every upper floor flat is to have a balcony, and the duplex houses in Block D are to have small rear gardens. The 6 storey element of Block B is to have a landscaped roof garden.</p>
<p>The development will cause an increase in traffic levels on the local road network.</p>	<p>The Transport Statement that has been submitted concludes that the development is likely to result in a <i>decrease</i> in the number of vehicle trips to and from the site during peak hours and daily. Hertfordshire County Council's Highways Service has accepted this, and they have not objected. It will be a car-light development, whereas currently the site is dominated by cars and vans – some for sale, some for hire, and some being repaired or serviced.</p>
<p>Schools nearby are oversubscribed.</p>	<p>Watford Borough Council and Hertfordshire County Council (who are the Local Education Authority) are aware of the need for increased school capacity, and work has been done in recent years to address this. Several new primaries have opened in Watford, two secondary schools in the borough have been rebuilt, and a new secondary is soon to be built just outside the borough in Croxley. Most new developments in Watford make financial contributions towards infrastructure through CIL, but this particular site is CIL exempt as it lies within a Special Policy Area.</p>



<p>This is a piecemeal development that does not comply with the stated aims of the Watford Local Plan. It does not include the tyre-fitting workshop. How can that be redeveloped in future if it is not part of this development?</p>	<p>The Watford Local Plan Part 1 (Core Strategy) contains a section (3.1) entitled <i>Our Vision For Watford</i>. It stresses the need for development that is sustainable, well designed, respectful of the town's character and heritage, well connected for transport links, with a mix of shops, offices, leisure and cultural facilities, and it should be well located for pedestrians and cyclists. This proposal meets those criteria.</p> <p>The tyre-fitting garage was not included in the site because the applicants were not able to persuade its owner to sell it to them. It would be possible to redevelop it in future – either the same or a different developer could do that. A separate application for planning permission would have to be made, and the Council would expect that its design would be consistent with the scheme that is being considered in the present application.</p>
<p>What overall benefit would this development bring to the area? How does it support the regeneration of the Watford Junction area?</p>	<p>Several benefits to the area would arise from this development. A run down and dirty industrial area near the town centre would be regenerated for much-needed housing to help meet the area's acute need for new housing, including some affordable tenures. This site is part of the Watford Junction Special Policy Area. A local business (Pope's Yard) which is the sole remaining brewery in a town that was once dominated by its brewing industry, would be given new premises, and this would provide a new lease of life to a run-down Grade II Listed Building of historical significance. The developers are agreeing to pay for improvements to the pedestrian subway and also to plant new street trees</p>

	<p>on St Albans Road to add greenery to the townscape where there is currently none. The ground floor of Block B could be used as a gym and the listed building as a craft beer tap room – both of which would be open to the public. The number of vehicles coming and going from the site would be reduced, helping to ease congestion on local roads.</p>
<p>A local historian, who is well known to the Council and who often takes an interest in planning applications affecting Listed Buildings, has written to say that she is pleased to see that the finishing material for the new buildings will be brick, and that a new use is being found for the Listed Building.</p> <p>She worries that Building B is too tall and that it would crowd the Listed Building and obscure views of it from the north. She would have preferred the tallest building to be in the position where Building A will be. She notes that references in the application to the height of future buildings on the eastern side of St Albans Road are only hypothetical.</p>	<p>Planning Officers made it clear to the developers at pre-application stage that this site is part of the Nascot Conservation Area, and that its finishing materials should acknowledge that by using brick, which characterises the Victorian streets nearby. Building B is the tallest of the blocks at 13 storeys, but its tallest element is stepped away from the Listed Building – that nearer section is to be only 6 storeys tall, so as to avoid it dominating the Listed Building. There is also to be a gap between Building B and the listed building, and that gap will be occupied by the outdoor drinking area for the craft beer tap room. It is true that views from the north of the Listed Building might be partially obscured.</p>
<p>A resident of North Watford writes that he considers this to be an imaginative development, on a difficult site; and that he is pleased to see that a new role is being found for the original railway station building, which will be restored from its current dilapidated condition. He writes that this development, unlike some others he has seen, has displayed a sensitivity to the history and character of the area.</p>	<p>Noted.</p>

The Committee will be informed of any further representations that are received up to the date of the committee meeting.

---

## **6 APPRAISAL**

### **6.1 Uses**

Watford has an acute housing shortage, and Priority 1 of the Council's Corporate Plan is to: *"identify ways to meet the borough's housing needs."*

Primarily this will be a housing development – the main use class being C3 (single household dwellings). This will bring about a significant change to the character of the site, which has long been dominated by small-scale businesses relating to selling, renting and repairing vehicles (although it is understood that the listed former station building was used as a home between the 1930s and the 1980s). While it will certainly be a change, this is considered to be a change for the better, given that the site lies in between two long established residential areas: Bedford Street to the north and the main part of the Nascot Conservation Area to the south. The proposal complies with Policy SPA2 of the Watford Local Plan, which envisages this land as part of a major new residential neighbourhood of at least 1,500 homes. This development of 144 homes would be the first contribution towards that target, supplying nearly 10% of it.

The other proposed uses relate to the ground floor of Building B and to the repurposing of the listed former station building. Discussions between planning officers and the applicants have focused on the most likely uses being a gym in Building B and a craft beer tap room for a small local independent brewery called Pope's Yard in the listed building. A drinking establishment is class A4. However the planning permission application is seeking to keep other options open by also applying for use classes D1 (non-residential institutions, for instance an exhibition space), D2 (assembly and leisure, such as a meeting hall) and B2 (general industrial, presumably so that beer could be brewed on the premises). Of these, the only class that might give rise to some concern is B2, since certain types of heavy industrial activity would be undesirable next to a new residential development; but that can be controlled by a specifically worded condition to make it clear that a blanket B2 permission is not being granted (see Condition 4 at the end of this report).

The proposal to convert the listed building to a craft beer tap room (class A4) and exhibition space (D1) is considered acceptable in principle. The Council's Environmental Health service has been consulted, and in his response our Environmental Health Officer

has pointed out that this use might give rise to some noise – both from within the tap-room building and from the proposed outdoor seating area – which could disturb residents in some of the new flats if they have their windows open. He also raised a similar concern about the notion of a gym being included on the ground floor of Building B because such a use can sometimes involve noise and vibration, potentially affecting flats above it. The application was accompanied by a Noise Exposure Assessment which was prepared for the applicants by consultants, but our Environmental Health Officer considers that more detail on these issues is required. For these reasons a condition should be applied to the planning permission requiring the submission of further details on measures to mitigate noise and vibration before the flats that might be affected can be occupied (see Condition 12 at the end of this report).

## **6.2 Alterations to the Listed Building**

The fact that a building is Listed does not necessarily mean that extensions and alterations should never be allowed, but rather that the appropriateness of any such works should be carefully considered. In their recent enhanced listing of the former station building English Heritage noted that the exterior of the building is of more importance than the interior, but we must consider the proposals as a whole.

The proposal will make little difference to the external appearance of the building, other than to tidy it up. A small side extension is proposed to contain a toilet on the left side of the building, which will reinstate a toilet that once stood there; but this will be hidden behind an original boundary wall. Condition 3 at the end of this report would require the submission of brick and slate samples to ensure a good match. A window at the rear, which currently serves a toilet, is to be enlarged below to make it into a back door to the narrow open space behind the building.

Various internal works are proposed, but those require only Listed Building Consent, which has already been approved by the D.M. Committee on 3<sup>rd</sup> January (please refer to the committee report appended to the agenda of that meeting for details).

The Conservation Manager has reviewed the application and made the points below. Only those comments that are pertinent to this application for planning permission are listed here; other comments relating to the Listed Building Application have already been considered.

- She supports the principles of the proposal, which is to give the Listed Building a new lease of life.

- The proposed changes will involve only minor demolition and they will not cause significant harm to the fabric or the character of the Listed Building.

### **6.3 Design / visual impact on heritage assets**

The site falls within the Nascot Conservation Area, the main part of which lies to the south and is separated from the site by the railway cutting; but the Conservation Area also includes Bedford Street with its single side of terraced two storey Victorian houses – some in their original London stock bricks while others have been rendered and painted white (numbers 8-18 are locally listed). In the main part of the conservation area bricks are the predominant finishing material, and most of the buildings are two, three or four storeys tall.

This being a key site that is allocated for significant amounts of housing as part of Special Policy Area 2 (Watford Junction) clearly it would be wasteful to use this site for two or three storey houses – the number of those that the site could accommodate would not make a significant contribution to solving the borough's acute need for new homes (which was estimated in 2016 as a need for 577 new homes per year, and which is likely to rise if the government's proposed new standardised methodology for calculating housing need is introduced). The sites that are considered most suitable for high density housing and for taller buildings are those that are near major public transport nodes such as stations, and indeed the Watford Junction Special Policy Area is recognised as such a location in the Watford Local Plan.

The architect has been presented with a conundrum: how to design a scheme that is high density, making efficient use of the land to provide the maximum reasonable number of new homes, while also respecting the character of the Nascot Conservation Area. Clearly blocks of flats that are up to 11 storeys tall do not resemble Victorian two storey terraced houses; but the aim is not to reproduce or to pastiche historic buildings, but rather to produce new buildings that acknowledge them, and which do not detract from them. This has been done (successfully in the opinion of the case officer and of the Development Management Section Head) partly by the choice of bricks as the finishing material, using three different shades to distinguish the different blocks and to avoid monotony, but all of them being subdued tones of brown or grey that respect their Victorian surroundings; partly it has been achieved by staggering the heights of the buildings so that they step down where they approach sensitive neighbours such as the listed building or the houses on Bedford Street; and partly it has been achieved by the breaks between the buildings and the introduction of soft landscaping within the site, and by the planting of street trees on the St Albans Road which is currently lacking trees on this side, and which is dominated by hard surfaces and road traffic.

Work is still underway on producing a final version of the Council's masterplan for the redevelopment of the wider Watford Junction Special Policy Area. The draft version that was published for consultation in 2016 set out some ideas for building heights, but those may change in the final adopted version. At any rate it is clear that there will be denser development and taller buildings on the eastern side of St Albans Road than on this western side because that side is outside the Nascot Conservation Area while this side is within it.

The building heights that are proposed here (2/4/6/7/11 storeys) are not considered unreasonable in this context.

For instance at the D.M. Committee meeting of 3<sup>rd</sup> January 2018 (the same meeting at which this case was deferred) an application (17/01367/FULM) was approved for a 10 storey block of flats on the site of the Fiat car dealership at 16-18 St Albans Road, just a short walk from this site on the same street. That site at 16-18 is not within a Special Policy Area, whereas this site is, so allowing one more storey here seems reasonable.

Another recent precedent to consider is planning permission 16/01245/FULM which was granted in April 2017 for an office and residential building of up to 14 storeys on land that is just 115 metres from this site. That site was Clarendon House at 33 Bridle Path, just off St Albans Road, between the Holiday Inn Express hotel and the railway.

The proposal that is now before us has been reduced by a third since the original pre-application scheme was first shown to officers with an 18 storey tower; and since it was presented to the D.M. Committee on 3<sup>rd</sup> January it has been reduced again from 13 to 11 storeys. This restraint reflects the sensitivity of this site, where the impact of the development on the setting of a Grade II listed building and on the character of a Conservation Area must be considered. There are also two Locally Listed pubs immediately to the north of the site, and Locally Listed houses at numbers 8-18 Bedford Street, whose setting must be considered. Clearly there will be some impact on the setting of these heritage assets if taller buildings are erected near them; and there will be some obstruction of views of the listed station building from further north up the St Albans Road, but overall it is not considered that the impact will cause significant harm because the tallest buildings will be set away from them. At present the site has a run down and scruffy appearance, dominated by vehicles, which is hardly to the benefit of the setting of the locally listed buildings, the nationally listed building or the conservation area.

These buildings, despite their size, are designed in a simple modern style that will not draw undue attention to themselves or away from historic buildings nearby. Their varied heights, the breaks between them, and the faceted way in which Building B turns the corner beside the vehicular entrance, all help to avoid the development appearing monolithic or overbearing in the street-scene.

#### **6.4 Quality of the homes**

The homes would all be large enough to provide a satisfactory standard of accommodation. They would all comply with the nationally described technical housing standards, which are set out by the government for the internal spaces of new homes, and which have been adopted by the Council as part of the Residential Design Guide supplementary planning document.

Most of the flats would be dual aspect, so that they will enjoy natural light and views from two sides. All of the upper floor flats will have balconies, the four duplex terraced houses in Block D will have private rear gardens (albeit those will be small), and all of the residents will have the use of the communal gardens, which will be landscaped with paths designed to be reminiscent of railway tracks, and with a central children's play area.

Storage rooms are proposed in the basements, and a condition should be applied to ensure that those are secure, and managed by the concierge, so that residents will be able to store bulky domestic items, sports equipment etc that they cannot accommodate in their flats (see Condition 10 at the end of this report).

#### **6.5 Affordable housing**

The original proposal was that 30 of the 150 dwellings (i.e. 20%) would have been affordable housing (a mix of *social rent*, *affordable rent* and *intermediate ownership*). The 22 social rent and affordable rent units were to be in Block C (making up the whole of that block) while the 8 intermediate units were to have been in Block A (which would also have contained 60 private flats). Following discussions between viability consultants representing the applicants and consultants representing the Council, a commuted sum was later offered (or an alternative offer of a further 14 intermediate units); and subsequently on the date of the committee meeting (3<sup>rd</sup> January 2018) that sum was increased.

However at the Committee meeting of 3<sup>rd</sup> January most of the Members made it clear that they felt the height of Building B was excessive and that it should be reduced. The case was deferred to allow time for the applicants to amend their plans, which they have now

done – reducing that building by two floors, which has resulted in the loss of six private market flats.

An inevitable consequence of this is that the level of affordable housing offered has also been reduced. Because two floors have been lost from Building B, six flats have been lost (an overall reduction from 150 flats to 144). That is a loss of 5,285 square metres of floor-space. Because those would have been private market flats this has reduced the likely profits from the scheme. That has affected the number of affordable homes that the applicants are able to offer without rendering the development financially unviable. The number of Social Rented and Affordable Rented homes has not changed, but there will no longer be any Intermediate tenure homes, and the commuted sum has been reduced. Please see the table in section 6.5 (Affordable Housing) of this report for details.

**This table shows the changes that have been made to the affordable housing offer:**

<b>Previous offer for affordable housing</b>	<b>Revised offer for affordable housing</b>
As presented at the committee meeting on 3 <sup>rd</sup> Jan 2018 (including a revised commuted sum offer made on the day and thus not mentioned in that committee report, although it was explained on the update sheet for that meeting).	Taking account of the loss of two storeys containing six private flats
<b>Social rented:</b> 5 homes (all with 3 bedrooms) All located in Building C  <b>Affordable rented:</b> 17 homes (4x1- beds, 11x2-beds, 2x3-beds) All located in Building C  <b>Intermediate:</b> 8 homes (5x1-beds, 3x2-beds) All in block A  <b>Total provision on site:</b> 30 affordable homes out of 150 i.e. 20%	<b>Social rented:</b> 5 homes (all with 3 bedrooms) All located in Building C  <b>Affordable rented:</b> 17 homes (4x1- beds, 11x2-beds, 2x3-beds) All located in Building C  <b>Intermediate:</b> None  <b>Total provision on site:</b> 22 affordable homes out of 144 i.e. 15%



**Additional offer:**

As the Committee Members prefer:

*Either*

An additional 14 intermediate units on site

Plus a commuted sum of £218,967

*Or*

A commuted sum of £602,160

**Additional offer:**

Commuted sums totaling £480,000

Policy HS3 (Affordable Housing) of the Watford Local Plan states that a rate of 35% affordable housing is usually sought for developments of ten or more new homes, except in cases where the developer can demonstrate exceptional constraints on the development through the submission of a viability assessment. In this case their initial proposal, when this application was submitted in October, was that 20% of the homes would be affordable housing of one tenure or another, and the applicants supported their proposal by submitting a viability appraisal that had been prepared for them by specialist consultants (its front cover was marked “confidential” but their planning agent subsequently agreed that we may publish it as our policy on publication had changed during the period in which we had been considering this application – the Council now expect that viability appraisals will normally be published).

The Council commissioned another specialist firm of consultants to examine the viability report to determine whether it is accurate, and agreement was reached on the methodology that was used and the figures that were arrived at.

The Council’s Housing team regard *Intermediate* units (i.e. shared ownership) as being less useful in terms of meeting the needs of people on our housing list than social rented or affordable rented tenures – all three are nationally recognised forms of affordable housing, but in an area where property prices are as high as they are in Watford some are more affordable to people on our Housing List than others. After the D.M. Committee had voted on 3<sup>rd</sup> January to defer the case so that the height of Building B could be reduced, planning officers, recognising that some of the previously offered affordable housing units would have to be sacrificed, advised the applicants that those should be the Intermediate units, rather than the Social Rented or Affordable Rented units. That is what has been done – the offer now consists entirely of Social Rented and Affordable Rented units (the same numbers and sizes as before) without any Intermediate units.

## **6.6 Fire safety**

While strictly speaking fire safety is a matter that is covered by the Building Regulations rather than being a Planning consideration as such, it is reassuring to note that this proposal has taken account of it. This is set out in section 10.3 of the Design and Access Statement. All the flats are to have sprinklers installed, and dry risers are to be included in all the buildings.

## **6.7 Amenity of neighbouring residents**

This site is separated from the rear gardens of houses on Church Road by the railway. Section 3.4 of the Design and Access Statement shows that the separation distances between the proposed new buildings and the rear windows of those existing houses would be at least 45 metres, and more in some places. This compares favourably with the requirement in our Residential Design Guide that separation gaps of at least 27 metres be retained in such cases, so as to offer reasonable protection to the privacy of neighbours' private rear windows.

To the north of the site the neighbours are the terraced houses on Bedford Street. Once again the positioning is fortuitous because there are no houses backing onto the site – only the other side of Bedford Street has houses, and those are facing the site rather than backing onto it, so their private rear windows and rear gardens will not be overlooked. In any case, the tall buildings that are proposed will be at least 50 metres away from those terraced houses. The part of the development (Building D) that will front onto Bedford Street will be mainly just two storeys tall where it stands opposite those houses, so it will not be overbearing towards them.

One of the supporting documents that the applicants have commissioned from specialist consultants is a Daylight and Sunlight Report, which contains appendices with visual images of the proposal in relation to existing neighbouring houses and their windows. Using two widely recognised methodologies, the study concludes that any overshadowing of neighbouring houses' windows will be so minor as to have only a negligible impact on them. This is because of the way in which the scheme has been designed to keep the tallest elements away from neighbouring residential premises.

## **6.8 Parking and transport**

Policy T2 (Location of New Development) of the Watford Local Plan states that:

*New development should be located in close proximity to sustainable transport nodes and local centres or the town centre where facilities can be accessed without the need to travel by private car.*

This proposal complies with that policy. Being located barely five minutes' walk from Watford Junction Station, with excellent rail links to London as well as a local bus depot, and being approximately 15 minutes' walk from the Town Centre and from public facilities such as the Central Leisure Centre, the Town Hall, the library and Cassiobury Park, this should be regarded as a sustainable site that is suitable for homes in which the residents do not own cars.

Residents of this development are likely to walk to Watford Junction Station via the neighbouring pedestrian underpass, which is in need of some refurbishment. The applicants have indicated that they would agree to pay for the old lighting of that underpass to be replaced by bright, low maintenance modern LED lighting as part of a Section 106 agreement. This will make it a safer and more agreeable route to the station.

Ample provision will be made for the safe storage of 215 bicycles (for the 144 dwellings) which exceeds the requirement for one space per dwelling that is set out in both our existing policy (Appendix 2 of the Watford District Plan 2000 supporting saved Policy T10) and our most recently published draft policy in Appendix H of the draft Local Plan Part 2 (published in July 2016 but not adopted).

There will be only 26 car parking spaces provided within the site, which is a modest provision when one considers that the scheme will contain 144 households and a commercial business in Building B. Those 26 spaces will be as follows:

- There would be only 4 surface level spaces, and those would be reserved for a car club which the general public would be entitled to join (not only residents of the development).
- In the basement of Building A there would be 2 parking spaces for disabled users plus 20 standard sized spaces – 6 of which would be specifically for car club vehicles that would be only for the use of residents or staff of the development. That would leave 14 standard spaces for privately owned cars, plus the 2 disabled spaces.

Hertfordshire County Council are the local highway authority, and they were consulted on this application. A summary of the points that they raised is provided above, in the section of this report entitled *Representations received from statutory consultees, partner agencies and Council colleagues*. Hertfordshire Highways have not objected to the

application (although they have asked that four conditions be applied – see below) and they have accepted the conclusions of the Transport Assessment document which was prepared for the applicants by consultants Caneparo Associates, which were that there would be a significant reduction in the number of vehicle trips associated with the site. Indeed this is obvious because currently the site is dominated by vehicles – with the several businesses that operate here revolving around used car sales, car repairs, MOT testing and van rentals, whereas the proposal is to replace those uses with a development that would have only 26 parking spaces. Hertfordshire County Council estimate that there would be a decrease of 20 two-way vehicle movements in the peak morning period and of 8 two-way vehicle movements in the peak afternoon period. The result would be an improvement to the flow of traffic on the St Albans Road.

There will be no new access to the highway because the existing access point is to be used. Some alterations will have to be made to that access, and the County Council have asked that a condition be applied to request further details such as kerb radii etc. However it is not considered that such a condition would be justified for two reasons. Firstly because it would be duplicating the process that is already mandatory, by which the developers will have to apply to the County Council for an agreement to carry out works affecting the public highway under Section 278 of the Highways Act 1980. No purpose would be served by duplicating that process through a condition of a planning permission, and such a condition would be unjustified. Secondly because the site location plan shows that the application site is bisected by the access road which does not belong to the applicants – it belongs to Network Rail. A planning condition cannot be applied to land that is outside the red line defining the site.

The second of the four conditions that Hertfordshire Highways requested was for detailed plans of the basement parking area, including the dimensions of parking spaces and a swept path analysis to show how cars would manoeuvre into them. However we must be mindful of the fact that the car park will be in a private basement, where it will have no impact on the functioning of the public highway, so it is difficult to see how such a condition would be relevant to the role of the local highway authority. Swept path diagrams showing how various types of vehicle would enter and leave the site, to and from the public highway, have already been submitted in appendices G and H of the Transport Assessment document. Conditions should only be applied if they are necessary to prevent harm; but this development would still be acceptable even if it had fewer than 22 parking spaces in the basement; so it would be difficult to justify such a condition.

The third condition that Hertfordshire Highways have suggested would require a Servicing and Delivery Plan, and the reason that is given to justify that requirement is “in the interests of maintaining highway efficiency and safety.” However we must again be

mindful that conditions are only justified if they are necessary to prevent harm, and if without those conditions the scheme would have had to have been refused. In this case the servicing of the site currently involves service vehicles stopping on St Albans Road itself, whereas the proposal is that the servicing of the development would be carried out entirely within the site – which would constitute an improvement to the free flow of traffic on the public highway. It would therefore be difficult to justify such a condition. There will be a concierge on site who can manage deliveries and services such as refuse collection, the basement refuse stores will be equipped with a refuse hoist, and tracking diagrams have been submitted in the appendices of the Transport Assessment to show that large service vehicles can enter and leave the site in forward gear; so it is difficult to see any strong reason that would justify a condition requiring further details.

The fourth condition that Hertfordshire Highways suggested would have required the submission of a Construction Traffic Management Plan, the stated reason being “to protect highway safety and the amenity of other users of the public highway and rights of way.” However we must remember that planning conditions must meet the relevant tests. It is understandable that Hertfordshire Highways are interested in the movement of construction vehicles and contractors’ vehicles on the surrounding roads; but we should consider that any vehicle that is legally taxed is entitled to drive on the public highway at any time (planning conditions cannot restrict this), and issues such as depositing dirt on the highway or causing obstructions to the public highway are already controlled by other regulations, so it is not considered appropriate to attach such a condition to the planning permission.

Even in a sustainable location such as this, with excellent rail and bus connections nearby, residents might need the use of a car from time to time – for instance to visit places that are not well served by public transport, or to move bulky items. In such cases the residents will have the benefit of being able to use one of the 10 vehicles that will be provided by car clubs on the site – six of which will be exclusively for residents or staff, while 4 will be open to anybody who wishes to join the club. The proposal is that residents will be entitled to free membership for the first three years. Car clubs usually use environmentally friendly electric vehicles.

## **6.9 Opportunities for further development in future**

The developers have assembled the application site by purchasing several plots of land, but they have not been able to buy 149 St Albans Road (Tyre City) or any of Network Rail’s land. The access route which bisects the site still belongs to Network Rail. However the applicants have given some thought to how further buildings could be added in future if any of that land were to become available, and these hypothetical buildings are shown as

white blocks in the 3D aerial image in section 6.3 of the Design and Access Statement. Such further works could be carried out by incorporating them into this development, or they could be undertaken separately by other developers; but in either case further planning permissions would be required.

#### **6.10 Surface water drainage**

The drainage scheme that is proposed includes green roofs (i.e. with plants to absorb water) and blue roofs (i.e. with holding areas to release water gradually). Apart from some areas of permeable paving, infiltration drainage has not been adopted in this proposal because the site is over chalk, where infiltration is not appropriate on account of the risk of sink holes being formed. The soft landscaping of the garden will absorb a certain amount of rainwater; but otherwise the aim of the proposals is to release rainwater gradually to the sewers, since there is no water course nearby into which it could be discharged.

Hertfordshire County Council are the lead local flood risk authority. Although they initially objected to the proposal, that was on the grounds that insufficient information had been submitted on the subject of sustainable drainage, rather than because they had any particular disagreement with the proposals *per se*. Responding to their request for further detail, the applicants submitted a second and then a third set of documents to demonstrate that the development would not give rise to surface water flooding. Hertfordshire County Council's drainage team have now pronounced themselves satisfied, although they have asked that some conditions be attached to the planning permission.

A pragmatist might have taken the view that it is obvious that the development will not give rise to any increased likelihood of flooding because the proposal includes some soft landscaped gardens, some "green" roofs and some "blue" roofs, whereas the existing site contains no greenery or bare earth at all, being entirely made up of hard surfaces, so if anything the development is likely to bring about an improvement in the amounts of rainwater that would be absorbed within the site.

### **7 Conclusion**

The proposed development strikes a sensitive balance between respecting its context among some historic buildings (including a nationally listed former station building, two locally listed pubs, and the streets of a Victorian conservation area) on the one hand, and on the other providing significant amounts of new housing (144 homes) in a sustainable location that has been allocated as one of the borough's main housing sites: the Watford

Junction Special Policy Area. The new homes will provide a good standard of amenity for their residents, without compromising the amenity of their neighbours.

Some relatively tall buildings are proposed, and it will be possible to see some of them from surrounding areas; but none will exceed 11 storeys and they will not cause any significant harm. In response to concerns that were raised by Members, Building B, which would have been the tallest at 13 storeys, has been reduced to 11 storeys.

Although the reduction in the height of Building B has meant that less affordable housing can be offered on site than was previously offered, and the commuted sum on offer has also been reduced, so as to ensure that the scheme will remain financially viable, this has been done by sacrificing only the Intermediate (shared ownership) units – leaving the on-site provision of Social Rented and Affordable rented units unchanged. A good mixture of 1, 2 and 3 bedroom units is included in that offer.

The impact of the proposals on the Grade II listed former station building is considered acceptable in terms of its setting, and also as regards the works to the building itself – those works having already been granted Listed Building Consent. The change of use of that building will bring about a significant public benefit.

## **8 Human rights implications**

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

---

## **9.1 Recommendation**

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

## **9.2 Section 106 Heads of Terms**

- To require the submission and implementation of a phasing plan setting out the phasing of the delivery of the development.

- To secure affordable housing units in Building C (at least 5 x three bedroom units in social rented tenure and at least 17 units in affordable rented tenure comprising at least 4x one bedrooms, 11 x two bedrooms and 2 x three bedroom units).
- To secure a financial payment of £480,000 as a commuted sum to fund further affordable housing elsewhere in the borough of Watford.
- To secure an agreement with a car-club operator to provide car clubs operating on the site for at least three years from the first occupation of the development. The agreement is to include free car club membership for 3 years for residents of the development and a £50 drive credit for each resident.
- A financial contribution of £2000 towards the amendment of local Traffic Orders in the streets to the South of the site, and also in Bedford Street, to exclude the residents of the development from entitlement to claim residents' permits to park in those Controlled Parking Zones.
- A financial contribution of £45,000 towards 2 public consultations (one to be held during construction of the development and the other to be held after occupation of the development) into a proposal to introduce a new Controlled Parking Zone to the North of the site; and, in the event that the public response is broadly favourable, towards the implementation of such a Controlled Parking Zone. In the event that the public responses are both negative the developer will be entitled to a 10% rebate.
- The provision of such fire hydrants as may be required by Hertfordshire Fire Service to serve the proposed development.
- A financial contribution towards the planting of street trees outside the site on St Albans Road, subject to the agreement of Hertfordshire County Council (the Local Highway Authority) and subject to the locations not conflicting with immovable subterranean services. The contribution to be £1000 (one thousand pounds) per tree, to a maximum of £4000 (four thousand pounds) in total.
- A financial contribution of £10,000 towards the installation of modern LED lighting in the neighbouring public pedestrian underpass beneath St Albans Road, to improve public safety and amenity there.
- A financial contribution of £6000 for Hertfordshire County Council's Highways Service's expenses in monitoring of the Travel Plan (Appendix L of the Transport Assessment).

### **9.3 Conditions**

#### **1. THREE YEAR EXPIRY**

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. DRAWINGS APPROVED

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 3388 / PA2.21 by ARP  
Drawing 3388 / PA2.22 by ARP  
Drawing 3388 / PA2.31 by ARP  
Drawing 3388 / PA2.32 by ARP  
Drawing 3388 / PA2.33 by ARP  
Drawing 3388 / PA2.34 by ARP  
Drawing 3388 / PA2.41 by ARP  
Drawing 3388 / PA2.42 by ARP  
Drawing L/S/001/71757/PGA01 by BBUK  
Drawing L/S/002/71757/PGA02 by BBUK  
Drawing L/S/003/71757/PH03 by BBUK  
Drawing L/S/004/71757/PH04 by BBUK  
Drawing L/S/005/71757/PP05 by BBUK  
Drawing L/S/006/71757/PP06 by BBUK  
Drawing L/S/007/71757/PTR07 by BBUK  
Drawing L/DE/401/71757/D01 by BBUK  
Landscape Statement L/RPT/71757/LS by BBUK  
Drawing 1624-LS-S-XX-DR-A-000 by Lynas Smith  
Drawing 1624-LS-S-XX-DR-A-001 by Lynas Smith  
Drawing 1624-LS-S-XX-DR-A-701 by Lynas Smith  
Drawing 1624-LS-S-XX-DR-A-702 by Lynas Smith  
Drawing 1624-LS-S-XX-DR-A-703 by Lynas Smith  
Drawing 1624-LS-S-XX-DR-A-704 by Lynas Smith  
Drawing 1624-LS-S-XX-DR-A-705 by Lynas Smith  
Drawing 1624-LS-S-XX-DR-A-706 by Lynas Smith  
Drawing 1624-LS-S-XX-DR-A-707 by Lynas Smith  
Drawing 1624-LS-S-LG-DR-A-1100 by Lynas Smith  
Drawing 1624-LS-S-LG-DR-A-1100 by Lynas Smith  
Drawing 1624-LS-S-00-DR-A-1100 by Lynas Smith  
Drawing 1624-LS-S-05-DR-A-1100 by Lynas Smith  
Drawing 1624-LS-S-10-DR-A-1100 by Lynas Smith  
Drawing 1624-LS-S-20-DR-A-1100 by Lynas Smith  
Drawing 1624-LS-S-30-DR-A-1100 by Lynas Smith

Drawing 1624-LS-S-40-DR-A-1100 by Lynas Smith  
Drawing 1624-LS-S-50-DR-A-1100 by Lynas Smith  
Drawing 1624-LS-S-60-DR-A-1100 by Lynas Smith  
Drawing 1624-LS-S-70-DR-A-1100 by Lynas Smith  
Drawing 1624-LS-S-80-DR-A-1100 by Lynas Smith  
Drawing 1624-LS-S-90-DR-A-1100 by Lynas Smith  
Drawing 1624-LS-S-100-DR-A-1100 by Lynas Smith – revision of 10.01.2018  
Drawing 1624-LS-S-20-DR-A-1100 by Lynas Smith  
Drawing 1624-LS-S-RP-DR-A-1100 by Lynas Smith  
Drawing 1624-LS-S-20-DR-A-1100 by Lynas Smith  
Drawing 1624-LS-S-XX-DR-A-1200 by Lynas Smith – revision of 10.01.2018  
Drawing 1624-LS-S-XX-DR-A-1201 by Lynas Smith – revision of 10.01.2018  
Drawing 1624-LS-S-XX-DR-A-1202 by Lynas Smith – revision of 10.01.2018  
Drawing 1624-LS-S-XX-DR-A-1300 by Lynas Smith – revision of 10.01.2018  
Drawing 1624-LS-S-XX-DR-A-1301 by Lynas Smith – revision of 10.01.2018  
Drawing 1624-LS-S-XX-DR-A-1302 by Lynas Smith – revision of 10.01.2018  
Drawing 1624-LS-A-XX-DR-A-1500 by Lynas Smith  
Drawing 1624-LS-A-XX-DR-A-1501 by Lynas Smith  
Drawing 1624-LS-A-XX-DR-A-1502 by Lynas Smith  
Drawing 1624-LS-A-XX-DR-A-1503 by Lynas Smith  
Drawing 1624-LS-A-XX-DR-A-1504 by Lynas Smith  
Drawing 1624-LS-A-XX-DR-A-1505 by Lynas Smith  
Drawing 1624-LS-A-XX-DR-A-1506 by Lynas Smith  
Drawing 1624-LS-B-XX-DR-A-1500 by Lynas Smith  
Drawing 1624-LS-B-XX-DR-A-1501 by Lynas Smith  
Drawing 1624-LS-B-XX-DR-A-1502 by Lynas Smith  
Drawing 1624-LS-B-XX-DR-A-1503 by Lynas Smith  
Drawing 1624-LS-B-XX-DR-A-1504 by Lynas Smith – revision of 10.01.2018  
Drawing 1624-LS-C-XX-DR-A-1500 by Lynas Smith  
Drawing 1624-LS-C-XX-DR-A-1501 by Lynas Smith  
Drawing 1624-LS-C-XX-DR-A-1502 by Lynas Smith  
Drawing 1624-LS-D-XX-DR-A-1500 by Lynas Smith  
Drawing 1624-LS-D-XX-DR-A-1501 by Lynas Smith  
Drawing 1624-LS-A-XX-DR-A-1800 by Lynas Smith  
Drawing 1624-LS-A-XX-DR-A-1801 by Lynas Smith  
Drawing 1624-LS-A-XX-DR-A-1802 by Lynas Smith  
Drawing 1624-LS-A-XX-DR-A-1800 by Lynas Smith  
Drawing 1624-LS-B-XX-DR-A-1800 by Lynas Smith – revision of 10.01.2018  
Drawing 1624-LS-B-XX-DR-A-1801 by Lynas Smith – revision of 10.01.2018  
Drawing 1624-LS-B-XX-DR-A-1802 by Lynas Smith – revision of 10.01.2018

Drawing 1624-LS-B-XX-DR-A-1803 by Lynas Smith – revision of 10.01.2018  
Drawing 1624-LS-C-XX-DR-A-1800 by Lynas Smith  
Drawing 1624-LS-D-XX-DR-A-1800 by Lynas Smith  
Schedule 1624-LS-S-XX-SH-A-501 by Lynas Smith  
Schedule 1624-LS-S-XX-SH-A-504 by Lynas Smith  
Schedule 1624-LS-S-XX-SH-A-505 by Lynas Smith  
Schedule 1624-LS-S-XX-SH-A-506 by Lynas Smith  
Schedule 1624-LS-S-XX-SH-A-507 by Lynas Smith  
Design and Access Statement by Lynas Smith, dated 10.10.2017  
Addendum to Design & Access Statement by Lynas Smith, dated 10.01.2018  
Planning Statement by DP9, dated Oct 2017  
Addendum to Planning Statement by DP9, dated 10.01.2018 (misprinted as 2017)  
Statement of Community Involvement by GS8 / Forty Shillings, dated Oct 2017  
Heritage and Townscape Appraisal by KM Heritage, dated Oct 2017  
Specification of works, dated Sep 2017  
Affordable Housing Note dated 27.11.2017  
Noise Exposure Assessment 12653-NEA-01 Rev A  
Energy Report 61646/DMW Rev 01, by Malcolm Hollis, dated 27 Sep 2017  
Daylight and Sunlight Report by TFT  
Air Quality Assessment, dated Oct 2017  
Financial Viability Assessment by DS2 ref DS1318, dated Sep 2017  
Transport Assessment by Caneparo, dated Oct 2017  
Drainage Strategy & SUDS Statement 2170485 rev P2 dated Oct 2017  
Technical Drainage Note 2170485 ref EWR001 rev P2 dated 28.11.2017

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

### 3. MATERIALS TO BE APPROVED

No construction work shall commence above the level of the damp-course until full details of the bricks and of the window frames for the new buildings shall have been submitted to and approved in writing by the Local Planning Authority. Regarding the proposed extension to the Listed Building, the external walls of the proposed side extension shall be finished in bricks, and its roof shall be clad in natural (not synthetic) slates; and no work shall commence on the construction of that extension until the bricks and slates have been submitted to, and approved in writing by the Local Planning Authority.

Reason: To ensure that only appropriate materials are used, which are sympathetic to the character of the Nascot Conservation Area in which the site is located, and which respect the period and style of the Victorian Listed Building, pursuant to Policies UD1 (Delivering High Quality Design) and UD2 (Built Heritage Conservation) of the Watford Local Plan.

#### 4. USE CLASSES

The Old Station building shall not be used for any purpose except those falling within the following use classes: A4 (drinking establishment), D1 (non-residential institutions), D2 (assembly and leisure), and B2 (general industrial) only for the purposes of manufacturing beer or other drinks. The commercial space on the ground floor of Block B shall not be used for any purposes except those falling within the following use classes: A1 (retail), A2 (financial and professional services), B1 (offices) and D2 (assembly and leisure).

Notwithstanding that the application also sought permission for an A3 (restaurants and cafes) use on the ground floor of Block B, that use is not permitted by this planning permission; no cooking facilities shall be installed in the ground floor premises of Building B, nor in the Old Station building, unless with the further specific written permission of the Local Planning Authority (which may be by applying to vary this condition or by seeking a fresh planning permission, accompanied by full details of the kitchen ventilation systems and of their likely impacts on residential units above and nearby).

Reason: To safeguard the amenities and quiet enjoyment of neighbouring residential properties pursuant to saved Policies SE20 (Air Quality) and SE22 (Noise) of the Watford District Plan 2000.

#### 5. CONTAMINATED LAND: PRE-COMMENCEMENT

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

i) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings and service lines and pipes, adjoining land, ground waters and surface waters, and ecological systems.

iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

The above must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

## 6. REPORTING UNEXPECTED CONTAMINATION

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 1, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 5.

## 7. LANDSCAPING & CHILDREN'S PLAYSPACE

The residential units shall not be occupied until the landscaping scheme, including the roof garden on Building B and the children's play-space with its equipment, has been installed, as shown on the plans that are hereby approved; unless otherwise approved in writing by the Local Planning Authority. Thereafter the landscaping and the children's play space shall be retained. 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 such other details as shall have been approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the site, in accordance with Policy UD1 (Delivering High Quality Design) of the Watford Local Plan, and to ensure that residents of the new dwellings will have the use of suitable space for outdoor recreation.

#### 8. PARKING, CYCLE STORES AND CAR CLUBS

The development shall not be occupied until all 26 of the proposed car parking spaces (including those which are to serve car clubs), and all of the bicycle storage spaces (sufficient for 215 cycles) shall have been provided as shown on the plans that are hereby approved. The 4 surface level parking spaces, and at least 6 of the 22 basement car parking spaces shall be reserved specifically for electrically powered car-club vehicles, and they shall be equipped with suitable charging posts. Of the 22 basement car parking spaces, at least 2 shall be reserved for residents or staff of the development who are registered disabled motorists. No parking spaces shall be installed other than those that are shown on the plans that are hereby approved, unless further specific permission has been granted in writing by the Local Planning Authority.

Reason: Because the site is in a sustainable location it is possible for the residents of the 150 proposed new homes to live here without owning their own private cars, and for that reason the provision of only 22 car parking spaces is acceptable; but this is on condition that they have access to shared car-club vehicles for those occasions when they might need them, and also on condition that they can have bicycles, with secure and weatherproof storage facilities for them. To ensure that this will be a sustainable development, pursuant to paragraph 34 of the National Planning Policy Framework, the Council require that shared car club vehicles be electrically powered. The prohibition of additional parking spaces is necessary in the interests of the visual amenity of the site, and to maximise the green space that is available for the enjoyment of residents, and to ensure that this does not become a car-dominated development that might put unacceptable pressure on congested local highways, pursuant to Policy T2 (Location of New Development) of the Watford Local Plan.

#### 9. REFUSE STORES

Unless otherwise approved in writing by the Local Planning Authority, no refuse shall be stored in locations other than those that are proposed in the plans and documents that are hereby approved.

Reason: To ensure that adequate facilities are provided for the hygienic storage of waste, and that no harm will be caused to the visual amenity of the site, pursuant to saved Policy SE7 (Waste Storage, Recovery and Recycling in New Development) of the Watford District Plan 2000 and Policy UD1 (Delivering High Quality Design) of the Watford Local Plan (Part 1: Core Strategy) 2006-31.

## 10. STORES FOR BULKY ITEMS

The store rooms that are shown as proposed in the basements shall be provided as shown, and no dwellings shall be occupied until those stores are provided. They shall be retained thereafter for the use of the residents, for secure storage of their bulky items, and they shall be managed by the concierge.

Reason: A well planned flatted development needs space in which residents can securely store items that are too large to keep in their flats, such as sports or leisure equipment etc. Management of these stores by the concierge is necessary to prevent theft.

## 11. CONCIERGE

The development shall be staffed daily by an on-site concierge, for whom a dedicated office shall be provided and retained on the ground floor of Block B, as shown on the plans that are hereby approved, or in such other location as has been agreed in writing by the Local Planning Authority. No dwelling shall be occupied until the concierge service has been provided, and that service shall be retained thereafter.

Reason: A residential development of this size requires on-site supervision to ensure its orderly management, to address and prevent antisocial behaviour, crime, noise nuisance, and inappropriate parking, to proper storage and collection of refuse, secure and orderly storage of bicycles and bulky items, receipt of deliveries on behalf of residents including internet shopping, and management of the two car clubs that are to be operated within the site.

## 12. NOISE MITIGATION

No dwellings in Building D shall be occupied, and no dwellings on the ground floor, mezzanine or first floor of Building B shall be occupied, until full details have been submitted to and approved in writing by the Local Planning Authority setting out how their amenity is to be protected from nuisances that might arise from noise and vibrations emanating from the Old Station building, from the ground floor commercial unit in Building B, and from the existing tyre fitting establishment at 149 St Albans Road; and also in the case of Building D how those dwellings will be protected from fumes or odours emanating from the neighbouring public house at 151 St Albans Road.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring residential properties pursuant to saved Policies SE20 (Air Quality) and SE22 (Noise) of the Watford District Plan 2000.

## 13. SUSTAINABLE DRAINAGE 1

The development permitted by this planning permission shall be carried out in accordance with the approved Drainage Strategy and SuDS Statement Job Number 2170485 Revision P2, dated October 2017, updated by the Technical Note, Note Ref. EWR001, Revision P2, dated 28/11/2017, prepared by Elliottwood, and the following mitigation measures detailed within the drainage strategy:

1. Limiting surface water discharge off the site at a maximum allowable rate of 5.0l/s for the 1 in 100 year plus 40% for climate change event.
2. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
3. Implementing appropriate drainage strategy based on attenuation and discharge into Thames surface water sewer at a discharge rate of 5 l/s.

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

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site; and to reduce the risk of flooding to the proposed development and future occupants.

#### **14. SUSTAINABLE DRAINAGE 2**

No development shall take place above the level of the damp-courses until the final design of the drainage scheme is completed and sent to the Local Planning Authority for approval. The scheme shall include;

1. In case blue roofs will be included within the final drainage strategy, updated modelling/calculation and updated drainage layout should be provided.
2. Detailed engineered drawings of the proposed sustainable drainage features including their, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations and modelling.
3. 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 prevent an increased risk of flooding, both on and off the site.

### **9.4 Informatives**

1. For details of how the Local Planning Authority has reached its decision on this application please refer to the report of the Development Management Section Head



to the Development Management Committee, which can be obtained from the Council's website [www.watford.gov.uk](http://www.watford.gov.uk), where it is appended to the agenda of the committee meeting of 3<sup>rd</sup> January 2018; and please refer 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](http://www.watfordbuildingcontrol.com).
4. This planning permission does not remove the need to obtain any separate consent of the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc Act 1996 contains requirements to serve notice on adjoining owners of property under certain circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters. A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/393927/Party\\_Wall\\_etc\\_\\_Act\\_1996\\_-\\_Explanatory\\_Booklet.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc__Act_1996_-_Explanatory_Booklet.pdf)
5. 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](https://www.watford.gov.uk/info/20010/your_environment/188/neighbour_complaints_%E2%80%93_construction_noise)

6. This planning permission is accompanied by a planning obligation in the form of a Section 106 agreement, which is binding upon the owners and their successors in title. It obliges the owners to make certain contributions to local services and infrastructure when work commences on implementing this permission. It includes an obligation to inform the Local Planning Authority when work commences by contacting the Section 106 Co-Ordinator in the Planning department.
7. The Planning Permission that is hereby granted does not include Advertisement Consent. The applicants are reminded that signage to be erected on the site might require separate Advertisement Consent.
8. The applicants are reminded that works affecting the public highway, including any alterations to the existing vehicular access to the site, will require a separate agreement with Hertfordshire County Council (the Highway Authority) under Section 278 of the Highways Act 1980.
9. Development, excavation or piling within 3 metres of a public sewer will require the consent of Thames Water. Information is available on-line at [thamewater.co.uk/buildover](http://thamewater.co.uk/buildover) Likewise any discharge of groundwater to a public sewer will require a permit from Thames Water.
10. The developer is advised to meet the standards of the Secured By Design scheme, which can reduce levels of burglary and other crime in new developments. Further information is available from Hertfordshire Constabulary's Crime Prevention Design Service.

---

**Case Officer:** Max Sanders  
**Tel:** 01923 278261  
**Email:** [max.sanders@watford.gov.uk](mailto:max.sanders@watford.gov.uk)