

Committee date	Tuesday 6 February 2024
Application reference Site address	23/01019/VARM - 99 St Albans Road, Watford, WD17 1SJ
Proposal	Variation of Condition 2 (approved drawings) of planning permission 17/01104/FULM for the redevelopment of the former Lloyds Bank site, with the retention of the front façade of the bank building to provide a mixed use scheme four storey extension on the roof for 14 residential units 12 x 1-bedroom flats and two 2-bedroom flats on the first to fourth floor (Class C3) and retail units (Class E uses) on the ground floor, with associated cycle parking, car parking, and public realm improvements. Replacement of cladding with brickwork, fenestration changes and increase in height of building by 480mm.
Applicant	Mr Antonio Gjata
Agent	MJD Planning Ltd
Type of Application	S73 Variation of condition to Major Application
Reason for committee Item	Variation to a Major Application
Target decision date	Thursday 8 February 2024
Statutory publicity	Watford Observer, Neighbour Letters and Site Notice
Case officer	Andrew Clarke, andrew.clarke@watford.gov.uk
Ward	Nascot

1. Recommendation

- 1.1 That planning permission be granted subject to conditions as set out in section 8 of this report.

2. Site and surroundings

- 2.1 The application site relates to the former Lloyds Bank premises at the corner of St Albans Road and Langley Road. The site contains a small single storey brick building with two storey extension. The original roof is hipped and tiled. To the rear is hardstanding which was used for parking. The building is locally listed.
- 2.2 The immediate surroundings are mixed use in terms of use and style. The site is within the Nascot Conservation Area and forms part of the Local Centre on St Albans Road. The surroundings contain other locally listed buildings.

3. Summary of the proposal

3.1 Proposal

3.2 An application under section 73 of the Town and Country Planning Act 1990 (as amended) for a material amendment to the development approved under ref. 17/01104/FULM for the redevelopment of the site, retaining the front façade and extending the building upwards and providing 14 residential units with commercial uses at ground floor level. The application seeks to amend the approved drawings under Condition 2 as follows:

- Change external finish from cladding to brickwork
- Reduce width of angled corners at 2nd and 3rd floor.
- Increase overall building height by 0.48 metre.

The amendments are sought to as a result of developing technical drawings and to comply with building regulations.

3.3 Conclusions

3.4 The proposed change of the external materiality to brick, along with the amended corner design and overall height are considered to produce a more successful relationship with the retained façade, protect views into the Nascot Conservation Area and would produce a high quality external appearance. The proposal is therefore considered to accord with relevant policy.

4. Relevant policies

4.1 Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application is determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. Relevant site history/background information

5.1 Conditional planning permission was granted at appeal for the subject redevelopment of the site in February 2019 following refusal at Development Management Committee in 2018 (application ref: 17/01104/FULM). This permission allowed the redevelopment of the site, retaining the front façade and extending the building upwards by four storeys providing 14 residential units with commercial uses at ground floor level. Condition 10 of this application which relates to a construction management plan was discharged in March 2022 (application ref: 21/01758/DISCON). A lawful development certificate which demonstrated that the development had commenced by

virtue of internal demolition was granted in May 2022 (application ref: 22/00399/LDC).

- 5.2 Planning permission was refused for a different proposal at Development Management Committee in January 2020 (application ref: 19/00835/FULM). This permission sought to demolish the existing building and construct an 8 storey building providing 21 residential units with commercial uses at ground and first floor levels. This decision to refuse was appealed and upheld by the Planning Inspectorate in December 2020.

6. Main considerations

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

- (a) Principle of the development
- (b) The effect of the proposal on the character and appearance of the area
- (c) Quality of residential accommodation
- (d) Impact upon neighbouring residential amenity
- (e) Access and parking

6.2 (a) Principle of the development

Planning permission has been granted and commenced for the subject redevelopment of the site. The principle of amending the external appearance of the contested building is accepted.

6.3 (b) The effect of the proposal on the character and appearance of the area

The consented bronze cladding on the upper levels would be replaced by grey brickwork. The consented brickwork to the rear addition would also be changed to the same grey brickwork. This colour would intentionally not match that of the retained bank façade to ensure a clear visual distinction between the historic retained façade of the former bank and the newer additions. The use of brickwork would appear higher quality than metal cladding, which is not characteristic of the surroundings. The contrasting brick colour ensures a visual distinction though does this more characteristically than the bronze cladding. Full details and samples of all materials to be used for the external surfaces of the building are still required by condition 3 of the planning consent prior to construction works.

- 6.4 The fenestration to the upper levels of the building would be amended insofar as the width of the angled corners would be reduced slightly and the extent of glazing would be reduced. These changes would better reflect the vertical emphasis of the openings in the retained part of the building.

- 6.5 The consented building is 18.87 metres in height. Due to the setting out of the proposed brickwork in advancing to a technical design the overall height of the building would be increased by 0.48 metre to 19.35 metres. This additional height would not be significant relative to the consented height.
- 6.6 Local Plan Policy QD6.4 which relates to building design seeks to enhance the positive qualities of the area with façades which have positive relationship with the street using high quality materials which are robust, durable, age well and sit comfortably with buildings in the area, adding to local distinctiveness.
- 6.7 Local Plan Policy HE7.2 relates to designated heritage assets such as conservation areas and Policy HE7.3 relates to non-designated heritage assets such as locally listed buildings. These historic environment policies seek to enhance existing features which make a positive contribution, protect viewpoints and ensure developments have an appropriate design and materiality.
- 6.8 The proposed change of the external materiality to brick, along with the amended corner design and overall height, are considered to produce a more successful relationship with the retained façade, protect views into the Nascot Conservation Area and would produce a high quality external appearance. The proposal is therefore considered to accord with the aforementioned policies.
- 6.9 (c) Quality of residential accommodation
The only change to the quality of accommodation would result from the narrower corner windows. These windows all serve living / kitchen and dining rooms which benefit from two other windows. Any reduction of light internally would be negligible.
- 6.10 (d) Impact upon neighbouring residential amenity
The proposed amendments will have no materially greater impact on surrounding properties. The additional height of the building will have no significant impacts on sunlight or daylight.
- 6.11 (e) Access and parking
The changes would have no impact on the parking or servicing arrangements. A planning obligation in the form of a Section 106 agreement would prevent future residents from entitlement to permits and to ensure that the development would not give rise to additional on road parking demand.

7 Consultation responses received

7.1 Statutory consultees and other organisations

None required.

7.2 **Internal Consultees**

None required.

7.3 **Interested Parties**

Letters were sent to 64 properties in the surrounding area, the application was publicised in the Watford Observer and a site notice was erected outside the site. Two responses were received, one in objection, the other in support.

- 7.4 The matters raised in the objection relate to elements of the proposal which are not being varied, though the change from cladding to brickwork is raised. This matter is addressed in the appraisal above. The response in support asserted that the redevelopment of this currently vacant, prominent site would be a benefit.

8 **Recommendation**

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

Section 106 Heads of Terms

- i) To secure a financial payment to the Council of £2,000 (two thousand pounds) towards the variation of the Borough of Watford (Controlled Parking Zones) (Consolidated) Order 2023 to exclude future residents of the Development from entitlement to resident and visitor parking permits for the controlled parking zone in Zone D as defined by that order in accordance with paragraph 11.58 of the Watford Local Plan 2021-2038.

Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 2019-L-00-01, 2019-L-01-01, 2076-L-01-02, 2019-A-D01-01, 2019-A-D02-01, 2076-A-01-00, 2076-A-01-01, 2076-A-01-02, 2076-A-01-03, 2076-A-01-04, 2076-01-05, 2076-A-02-01, 2076-A-02-02, 2076-A-02-03, 2076-A-02-04, 2076-A-02-05, 2076-A-02-06, 2076-A-03-01, 2076-A-03-02, 2019-A-09-01-A, 2019-A-07-01, 2076-A-09-10, 2076-A-09-11 and 2076-A-09-12.

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

2. No construction works shall commence until full details and samples of the materials to be used for the external surfaces of the building (including walls, roofs, windows, doors and balconies) have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with those approved details.

Reason: In the interests of the visual appearance of the site, pursuant to Policies QD6.2 and QD6.4 of the Watford Local Plan 2021-2038.

3. No flat shall be occupied until details of a communal terrestrial television aerial(s) and satellite dish(es) have been submitted to and approved in writing by the local planning authority. Other than the communications equipment agreed by this condition, no other communications development permitted by Class B or Class C of Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) shall be undertaken on the building.

Reason: In the interests of the visual appearance of the site, pursuant to Policies QD6.2 and QD6.4 of the Watford Local Plan 2021-2038.

4. No plant or equipment shall be sited on the external elevations of the building unless details have been submitted to and approved in writing by the local planning authority.

Reason: In the interests of the visual appearance of the site, pursuant to Policies QD6.2 and QD6.4 of the Watford Local Plan 2021-2038.

5. No part of the development shall be occupied until the refuse and recycling store to serve the development, as shown on the approved drawings, has been constructed and made available for use. This facility shall be retained as approved at all times.

Reason: To ensure appropriate amenity for residents, pursuant to Policy QD6.4 of the Watford Local Plan 2021-2038.

6. The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment and Drainage Statement prepared by Infrastruct CS Ltd (reference ICS-2616.07.001) and drawing ref: 1655-300-P02, including its mitigation measures. The scheme shall be fully implemented and subsequently maintained in accordance with the timing/phasing

arrangements within that assessment, or within any other period as may subsequently be agreed in writing by the local planning authority.

Reason: To ensure appropriate flood risk, ground water and surface water management measures are undertaken, pursuant to Policies NE9.1, NE9.4 and NE9.5 of the Watford Local Plan 2021-2038.

7. No development above damp proof course level shall take place until a detailed scheme in respect of the natural ventilation for the development has been submitted to and approved in writing by the local planning authority. The ventilation system shall be implemented in accordance with the approved scheme prior to the first occupation of the building, and shall be retained as such thereafter, unless a modified scheme is agreed in writing by the local planning authority.

Reason: To ensure appropriate amenity for residents, pursuant to Policy QD6.4 of the Watford Local Plan 2021-2038.

8. Prior to the first occupation of the development, a Car and Cycle Parking Management Plan shall be submitted to, and approved in writing by, the local planning authority. The approved plan shall be fully implemented before the development is first occupied or brought into use, and the development shall be managed in accordance with those approved details thereafter.

Reason: To ensure transportation impacts are managed, pursuant to Policies ST11.1, ST11.3, ST11.4, ST11.5 and ST11.6 of the Watford Local Plan 2021-2038.

9. Works shall be carried out in accordance with the Construction Traffic Management Plan, prepared by Origin, (Version 3, dated March 2022).

Reason: To ensure transportation impacts are managed, pursuant to Policies ST11.1 and ST11.6 of the Watford Local Plan 2021-2038.

10. Prior to the first occupation of the development, a Delivery and Servicing Plan shall be submitted to, and approved in writing by, the local planning authority. The development and the use of the building shall be carried out in accordance with the approved details.

Reason: To ensure transportation impacts are managed, pursuant to Policies ST11.1 and ST11.6 of the Watford Local Plan 2021-2038.

Informatives

1. IN907 – Positive and proactive statement
2. IN909 – Street naming and numbering
3. IN910 – Building Regulations
4. IN911 – Party Wall Act
5. IN912 – Hours of Construction
6. IN913 – Community Infrastructure Levy Liability