



DEVELOPMENT CONTROL COMMITTEE

Thursday, 29th August, 2013

7.30 pm

Town Hall, Watford

Publication date: 20 August 2013

CONTACT

If you require further information or you would like a copy of this agenda in another format, e.g. large print, please contact Rosy Wassell in Democracy and Governance on 01923 278375 or by email to legalanddemocratic@watford.gov.uk .

Welcome to this meeting. We hope you find these notes useful.

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COMMITTEE MEMBERSHIP

Councillor R Martins (Chair)

Councillor G Derbyshire (Vice-Chair)

Councillors N Bell, I Brandon, S Johnson, A Joynes, I Sharpe, M Watkin and T Williams

AGENDA

PART A - OPEN TO THE PUBLIC

1. **APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP**
2. **DISCLOSURE OF INTERESTS (IF ANY)**
3. **MINUTES**

The minutes of the meeting held on 8 August 2013 to be submitted and signed.
(All minutes are available on the Council's website.)

CONDUCT OF THE MEETING

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The Committee to take items in the following order:

1. All items where people wish to speak to the Committee and have registered to do so by telephoning the Democratic Services Team.
 2. Any remaining items that the Committee agree can be determined without further debate.
 3. Those applications where Members wish to discuss matters in detail.
4. **OUTSTANDING PLANNING APPLICATION** (Pages 1 - 2)

A list of outstanding planning applications as at 20 August 2013

5. **GARSTON MANOR SCHOOL** (Pages 3 - 30)

An application to demolish the existing school and to erect a new school and associated landscaping

6. **73 - 75 GAMMONS LANE** (Pages 31 - 58)

An application for the conversion of existing retail, office and storage space into 9 no. flats involving removal of rear section of building, alteration to roof including an increase to its height at rear, installation of rooflights to front and rear, installation of dormers with balconies at rear and alterations to elevational treatment including new windows and doors.

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LIST OF OUTSTANDING PLANNING APPLICATIONS AS AT 20 August 2013

A total of 2 application reports are included on this agenda for decision, of which 2 will be within the Government's target dates for determination of applications

On 20.8.13 there was 1 application over 8 weeks not yet determined but under consideration by the Development Management Section Head, as follows:

<u>NUMBER</u>	<u>ADDRESS</u>	<u>DESCRIPTION</u>	<u>DATE VALID</u>	<u>REASON FOR NON-DETERMINATION</u>
<u>Over 8 Weeks</u>				
13/00476/FUL	Colne Valley Retail Park High Street Watford	Development of new 345sqm retail unit within the Colne Valley Retail Park.	15/05/2013	Awaiting signing of S106 Agreement.

PART A

Report of: **DEVELOPMENT MANAGEMENT SECTION HEAD**

Date of Committee:	29th August 2013
Site address:	Garston Manor School, Horseshoe Lane
Reference number:	13/00663/FULM
Description of development:	Demolition of existing school and erection of a new school and associated landscaping
Applicant:	Wates Construction Limited
Date received:	21st June 2013
13 week date (major):	20th September 2013
Ward:	Woodside

SUMMARY

Full planning permission is sought for the demolition of the existing school and the erection of a new school on the site. The school is a specialist secondary school for children with special educational needs but is significantly substandard in the floorspace and level of facilities provided. The application is part of the Government's Priority Schools Building Programme and is one of 42 capital projects funded by the Education Funding Agency. The site is located within the Green Belt at the northern edge of the Borough, and the boundary between Watford Borough Council and Three Rivers District Council cuts through the site. An identical application has also been submitted to Three Rivers District Council.

The proposed new school will have a floor area of 3007m² and will meet all current standards for a specialist school for 120 pupils. There will be no increase in the number of pupils as a result of the proposal. The new school will comprise a single storey building to be built immediately to the south of the existing school buildings. This will allow the existing school to continue to function fully during construction works.

The proposed new school building will constitute inappropriate development in the Green Belt and is therefore, by definition, harmful to the Green Belt. However, in this case, it is considered that very special circumstances exist to allow the proposal to be approved. It will provide a new specialist school for children with special educational needs that will replace the existing school and meet all current standards for a school of this nature and size. This will be a very significant benefit to the town and the wider area of south west Hertfordshire which the school serves. The layout of the site and the siting and design of the building have also been designed to minimise any impact on the openness of the Green Belt.

Although part of the southern playing field will be lost to accommodate the new building, the actual impact on outdoor pitches is limited due to the varying topography of this part of the site. Overall, the sports facilities within the site are to be improved through the provision of a new MUGA and multi-use hall and Sport England has raised no objections to the proposal. The proposal will also address existing problems of congestion and vehicle/pedestrian conflicts within the site which have also had an adverse impact on the adjacent highway and access to adjoining school sites.

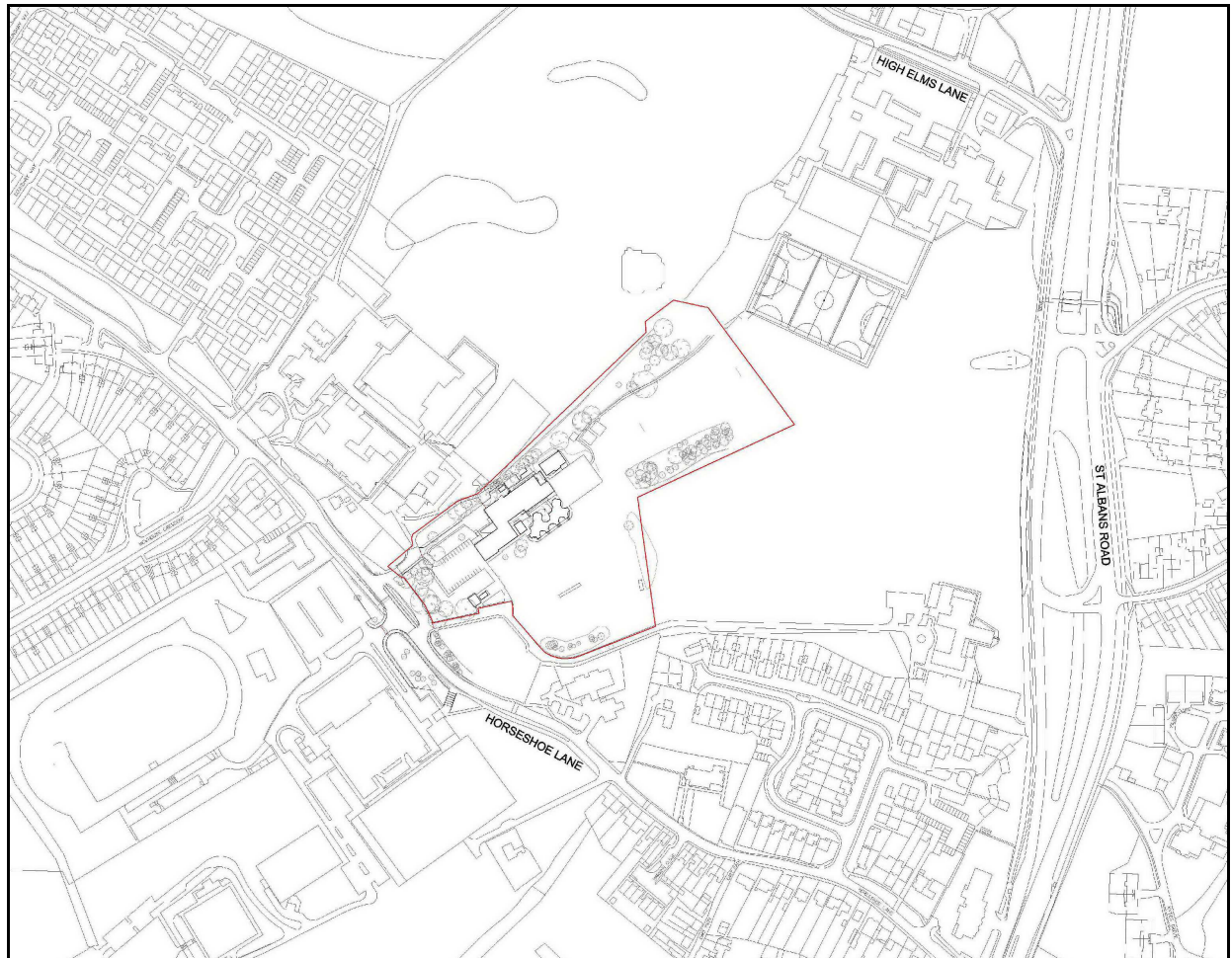
The Development Management Section Head therefore recommends that the Committee resolve to grant conditional planning permission for the application, subject to appropriate conditions, and that the Secretary of State for Communities and Local Government be consulted under the Town and Country Planning (Consultation) (England) Direction 2009, as set out in the report.

BACKGROUND

Site and surroundings

The application site is located on the north-western side of Horseshoe Lane opposite Woodside Leisure Centre. It is surrounded to the north and east by other schools and their

associated playing fields – Francis Combe Academy, St Michael’s School and St Catherine’s Primary School. To the south is Woodside Court, a residential block of flats. To the west is Horseshoe Lane which provides the main access to the school off a small lay-by which also serves Francis Combe Academy and St Catherine’s School.



Location plan

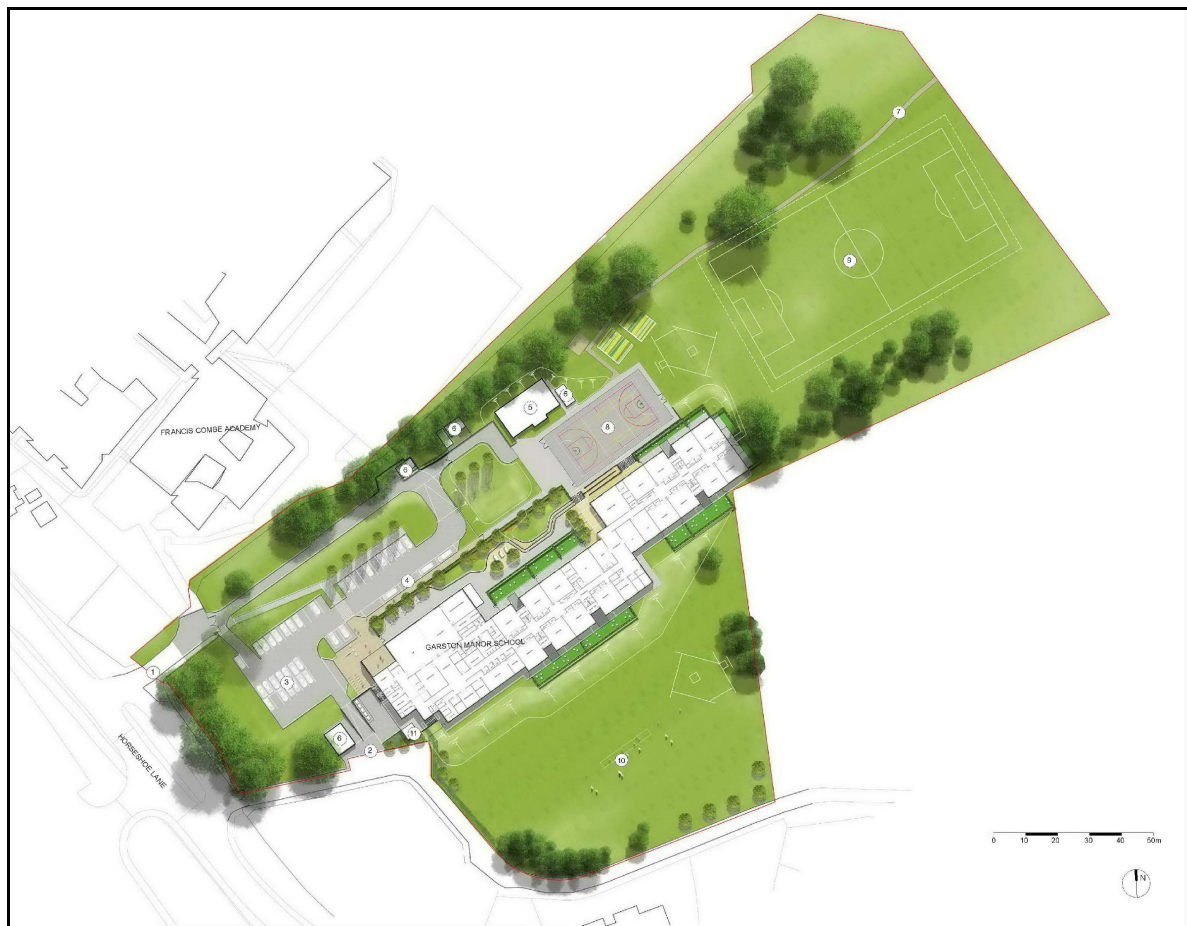
The whole of the site is located within the Green Belt and straddles the boundary between Watford Borough Council and Three Rivers District Council. It has an area of 3.3 hectares. The northern boundary with Francis Combe School is formed by a significant belt of trees that extend the length of the boundary. The southern boundary is formed by the access road to St Catherine’s School. Although the eastern boundary is not physically defined, as it sits within a wider area of playing fields, it can be generally identified by several linear

groups of trees. The existing school comprises various single storey buildings located close to the northern boundary of the site, approximately 60m from the Horseshoe Lane entrance. To the north-east and south of these buildings are the school playing fields. To the west, close to the entrance, is a car park for staff and visitors.

None of the buildings on the site is nationally or locally listed and there are no tree preservation orders that affect the site.

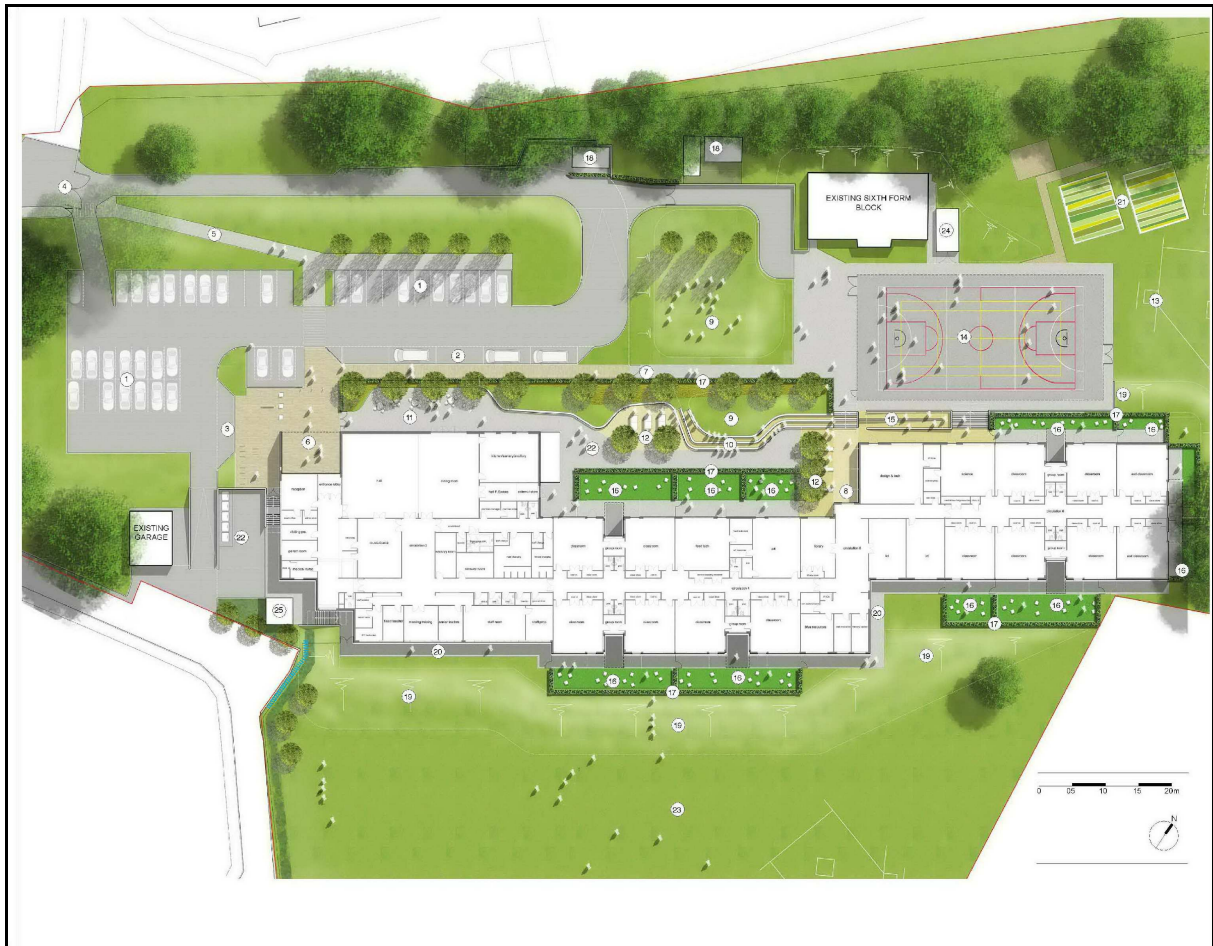
Proposed development

Full planning permission is sought for the demolition of the existing school and the erection of a new school on the site. The school is a specialist secondary school for children with special educational needs and accommodates 120 pupils.



Proposed development

It currently has an internal floor area of 1610m² but this is significantly below the current recommended standards for this type and size of school. The application is part of the Government's Priority Schools Building Programme and is one of 42 capital projects funded by the Education Funding Agency.



Detail of proposed development

The proposed new school will have a floorarea of 3007m² and will meet all current standards for a specialist school for 120 pupils. There will be no increase in the number of pupils as a result of the proposal. The new school will comprise a single storey building to be built immediately to the south of the existing school buildings. This will allow the existing school to continue to function fully during construction works. The existing school buildings, with the exception of a detached building used by sixth form pupils, will only be demolished once the new building is occupied. The site of the existing school buildings will

then be used to provide landscaped informal space, pedestrian circulation space, improved and extended minibus drop-off spaces and new parking for staff and visitors.

As the boundary between Watford Borough Council and Three Rivers District Council cuts through the site, an identical application has also been submitted to Three Rivers District Council.

Planning history

The existing main school buildings were built in the 1960s and 1980s and are all single storey. In 2006 planning permission was granted for a single storey detached building which is used as the sixth form block.

Relevant policies

National Planning Policy Framework

- Section 7 Requiring good design
- Section 8 Promoting healthy communities
- Section 9 Protecting Green Belt land
- Section 10 Meeting the challenge of climate change, flooding and coastal change
- Section 11 Conserving and enhancing the natural environment

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

No relevant policies.

Hertfordshire Minerals Local Plan Review 2002-2016

No relevant policies.

Watford Local Plan Part 1 - Core Strategy 2006-31

- SD1 Sustainable Design
- SD2 Water and Wastewater
- SD3 Climate Change

- SD4 Waste
- T2 Location of New Development
- T3 Improving Accessibility
- T4 Transport Assessments
- T5 Providing New Infrastructure
- UD1 Delivering High Quality Design
- GI1 Green Infrastructure
- GI2 Green Belt
- GI3 Biodiversity

Watford District Plan 2000

- SE7 Waste Storage and Recycling in New Development
 - SE22 Noise
 - SE27 Flood Prevention
 - SE36 Replacement Trees and Hedgerows
 - SE39 Tree and Hedgerow Provision in New Development
 - SE40 Landscape Character Area Assessment
 - T10 Cycle Parking Standards
 - T21 Access and Servicing
 - T22 Car Parking Standards
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CONSULTATIONS

Neighbour consultations

Letters were sent to 90 properties in Horseshoe Lane and The Glebe. No replies have been received.

The Committee will be advised of any additional representations received after the date this report was written.

Advertisements in local paper/site notices

Two site notices were placed outside the site on 1st July 2013. The application was advertised in the Watford Observer on 28th June 2013.

Consultations

Sport England

Sport England has considered the application in the light of its playing fields policy. The aim of this policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demand for pitch sports within the area. The policy seeks to protect all parts of the playing field from development and not just those which, for the time being, are laid out as pitches. The policy states that:

“Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field, or land last used as a playing field or allocated for use as a playing field in an adopted or draft deposit local plan, unless, in the judgement of Sport England, one of the specific circumstances applies.”

The proposal involves redeveloping the school to provide a new school building and external works that would be sited on part of the school’s playing field. As part of the development, the school’s existing hard play area would be extended and improved to become a multi-use games area (MUGA). I consider that Exception E5 of Sport England’s playing fields policy would be the most applicable to the proposal:

“The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.”

I have visited the site and considered the information provided and would make the following assessment of how the proposed development would relate to exception E5:

Sports Development Benefits

The key potential sports development benefits of the proposed development are considered to be as follows:

- The proposal to extend the hard play area to the north of the site to become a MUGA would offer potential to significantly improve the delivery of curricular and extra-curricular sport/PE at Garston Manor School. The proposed MUGA would be of sufficient size to be used for netball, basketball and tennis and a number of other sports and appropriate line markings would be provided. This would allow these sports to be played on a suitably sized surface for the first time at the school as the existing hard play area is too small for all of these sports. The MUGA would offer an all weather surface for a range of outdoor sports which could be used continuously throughout the year by the school and could also be used as an alternative facility for pitch sports if the school's natural turf pitches are not available in the winter season due to ground conditions. The 3m high weld mesh fencing is an important addition as this will help retain balls and provide safety for spectators and new drainage is also proposed;
- The new school building would provide a new multi-purpose assembly/dining hall which would provide some opportunities for indoor sports activities. At present, the school use off-site facilities nearby for meeting many of their formal sports needs. While this would be expected to continue, the new hall would be superior in size (250 sqm compared to 200 sqm) and quality (improved flooring and internal height) to the one that it would replace and would therefore provide greater opportunities for the school's indoor PE curriculum to be met on-site e.g. small sided games suitable for the needs of the school's pupils.

Impact on Playing Field

In relation to the impact on the playing field, the new school building would be sited to the south of the existing school on the school's southern playing field. This playing field has the characteristics of a bowl as it slopes down from the existing school building before

rising up to the school's southern boundary. Due to the topography, this area is not used for playing pitches such as football but is marked out for a running track in summer and there is a disused artificial cricket strip in the centre. The school are understood to use this playing field mainly for informal sport and recreation as the school's northern playing field is more suitable for playing pitches which require a more consistent gradient. The majority of the new school building would be sited on a slope which due to its gradient would not be suitable or capable of being used for marking out conventional playing pitches (i.e. would accord with exception E3 of our policy). While a minority of the development area is less constrained, it is not considered that the development would prejudice the use of the remaining playing field due to the constraints imposed by the gradients of this area. It would still be possible to mark out a linear running track in the summer in the less constrained area at the centre of the bowl and the area could still be used informally for sports such as cricket and rounders. The oval running track would be relocated to the school's northern playing field which has a more suitable gradient.

Part of the new school build and the hard play area extension would encroach onto the school's northern playing field where a football pitch is marked out in the winter and a rounders pitch in the summer. However, the existing pitches would not be affected and the areas of the playing field that would be encroached onto are relatively small in size and would offer limited potential for being marked out for additional playing pitches in any case due to the lack of space available.

Conclusion

On the basis of the above assessment, I consider that, on balance, the potential sports development benefits to Garston Manor School that the proposed MUGA and school hall would offer would outweigh the detriment caused by the impact on the playing field. I therefore consider that the proposal would meet exception E5 of our playing fields policy. This being the case, Sport England does not wish to raise an objection to this application.

Environment Agency

We are pleased to see that the applicant is proposing a greenfield runoff rate. This will be achieved through the use of swales and permeable paving. We request that the following condition is attached to any planning permission granted:

The development shall not begin until a detailed surface water drainage scheme for the site has been prepared and approved by the local planning authority. The scheme design shall be based on the criteria identified in Section 3 of the approved Flood Risk and Drainage Document prepared by Mott MacDonald dated January 2013. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Thames Water

Waste Comments - There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.

No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface

sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water.

Hertfordshire County Council (Highway Authority)

Hertfordshire County Council as Highway Authority has no objection to the proposal subject to the imposition of conditions relating to the parking of contractors vehicles, storage of materials, a Construction Traffic Management Plan and the continued implementation of the school's existing travel plan.

Police Architectural Liaison/Crime Prevention Officer

Has made a number of detailed comments relating to the design of security measures within the school building. Other more planning related comments are:

- I do have some concerns over the cycle storage as it would appear only to be “hoops” with no security and I would recommend an enclosed cycle store which can be secured, or even something like CycloPods. Whilst I accept very few students will cycle, some local members of staff and visitors may cycle to the school and they should have somewhere safe and secure to leave their cycles.
- We discussed the boundary treatment along the roadway to St Catherine's School and this will be upgraded.
- There is currently an access through the boundary fencing between Francis Combe and Garston Manor and no gate is shown. Any gate must be kept secured until used by either school and again locked once having been used, as the gate will compromise the security of both schools.

APPRAISAL

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

- (a) *Watford Local Plan Core Strategy 2006-31*;
- (b) the continuing “saved” policies of the *Watford District Plan 2000*;
- (c) the *Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026* ; and
- (d) the *Hertfordshire Minerals Local Plan Review 2002-2016*.

The East of England Plan 2008 and the “saved” policies of the Hertfordshire Structure Plan 1991-2011 were revoked on 3rd January 2013.

Land allocation

The site has no specific allocation on the Proposals Map of the Watford District Plan 2000 but is located within the Green Belt. Paragraph 87 of the National Planning Policy Framework (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 states that substantial weight should be given to any harm to the Green Belt and that ‘very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

New buildings in the Green Belt are considered inappropriate development; however, six exceptions to this are set out in paragraph 89 of the NPPF. Only two are relevant to the consideration of the current application:-

- 1) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

In this case, the proposed replacement building will be in the same use but will be significantly larger in its footprint than the existing building. It will also be sited within a different part of the site and not on the same siting as the existing buildings.

- 2) limited infilling or partial or complete redevelopment of previously developed sites (brownfield land) which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

In this case, the open playing fields around the existing school buildings are not classed as previously developed land. The proposed new building will be sited within part of the open playing field to the south of the existing buildings and will therefore have an impact on the openness of the Green Belt.

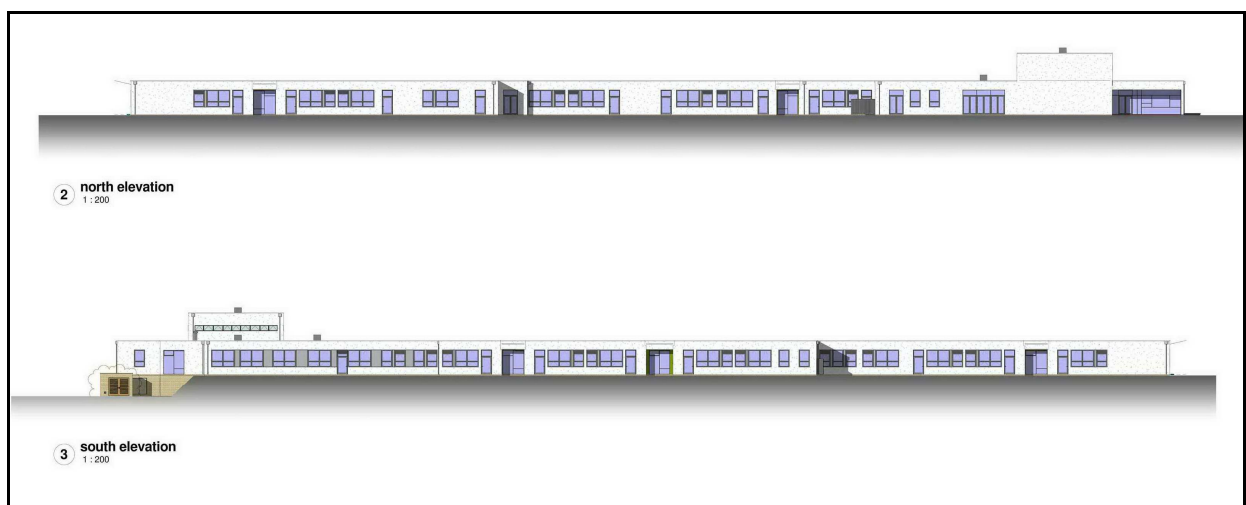
The proposed replacement school building does not, therefore, fall within any of these exceptions. Notwithstanding the current use of the site, the proposal therefore constitutes inappropriate development within the Green Belt which is, by definition, harmful to the Green Belt. It will, therefore, be necessary to demonstrate that 'very special circumstances' exist to justify the proposal and that harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

In assessing the matters that may constitute or contribute significantly towards establishing 'very special circumstances' for the proposal, two of the main considerations are the existing use of the site and its context. The site currently provides a specialist secondary school for children with special educational needs. The existing school buildings are, however, nearing the end of their useful life with some of the buildings being approximately 50 years old. The buildings also fail to meet current standards for educational provision, with the existing floorspace of the buildings being some 46% below the current standards for this type and size of school. The fact that the school has been included in the Government's Priority Schools Building programme as one of only 42 capital projects emphasises the importance of rebuilding this school.

The context of the site is also important. The school is surrounded by 3 other schools – Francis Combe, St Michael's and St Catherine's – all of which were developed in the post-war period to meet the educational needs of a growing town. Francis Combe has only

recently been completely redeveloped as a new academy and St Michael's School has also undergone a number of extensions and refurbishments in recent years. Although all of these schools are within the Green Belt, the character of this part of the Green Belt is one of educational buildings surrounded by open playing fields. The current proposal will be in keeping with this character.

The proposal has also sought to minimise any harm to the openness of the Green Belt through its siting and design. Because of the need to keep the existing school open during construction works, it has not been possible to provide the new school on the site of the existing school buildings, which would have been the preferred option. This has necessitated building the new school within the open space in the school site. In order to minimise the impact of the new development, the new school is proposed as close as possible to the existing school on its southern side where it will be seen in context with the existing built form along Horseshoe Lane. This also ensures that the new building is as close as possible to the edge of the Green Belt boundary, which runs along the edge of Horseshoe Lane at this point. The building also sits between two belts of trees, one along the western boundary adjacent to the main entrance, and the other sited along the eastern boundary. The other option, to site the building to the north-east of the existing buildings, would have given rise to a significant encroachment into the open area of playing fields and Green Belt. Visually, this would have been far more intrusive.



North and south elevations

The design of the school building has been kept at single storey to minimise its visual impact, with the exception of a relatively small two storey element that forms the main assembly/dining hall. Due to the site levels falling away to the south of the existing buildings, the new building will also be sited at a lower level than the existing buildings.

Overall, it is considered that 'very special circumstances' do exist in this case. The benefits of replacing the existing, inadequate school buildings that are nearing the end of their life with a new building that meets all current standards for a specialist school of this nature is considered to outweigh any harm to the Green Belt through inappropriate development. Furthermore, it is considered that the siting and design of the new building has successfully minimised any additional impacts on the openness of the Green Belt in this location.

Under the Town and Country Planning (Consultation) (England) Direction 2009, where a local planning authority proposes to approve inappropriate development within the Green Belt of 1000m² or more, the authority is required to consult the Secretary of State for Communities and Local Government before any planning permission can be issued. The Secretary of State has the power to call-in the application for his own determination. As the proposed new school building falls within these criteria, the Council will need to consult with the Secretary of State in accordance with this Direction if a resolution to grant planning permission is made by the Committee.

Principle of development

Setting aside the matter of the site being within the Green Belt, discussed above, the principle of a replacement school building being provided on this site is considered acceptable. Although the site is within a primarily residential area, it has been in educational use for the past 50 years and is adjoined by three other educational sites. Together with the Woodside Leisure Centre and athletics track opposite, the immediate locality is characterised by larger scale educational and leisure buildings. The proposed new school building will sit comfortably within this context.

As the new building will be sited to the south of the existing buildings, partially within the southern playing field area, Sport England was consulted as a statutory consultee on the application. In its response on the application, Sport England is satisfied that the proposed benefits of the scheme outweigh the disbenefits of part of the southern playing field being lost. In particular, the southern playing field is far from ideal for normal playing pitches as the land forms a bowl shape with land levels sloping down from the existing school buildings before rising up again towards the southern boundary (formed by the road to St Catherine's School). As such, this area is largely used for informal sporting activities. The loss of the northern part of this area would not prevent similar informal sporting activities taking place on the remaining land. In contrast, the playing field to the north-east of the school buildings is largely level and used for more formal sports activities, and will be unaffected by the proposals.

The benefits of the scheme include an enlarged and upgraded multi-use games area (MUGA) that will provide an all-weather facility for various sports, and a new assembly/dining hall which has been designed to provide improved facilities for indoor sports.

Flood risk and drainage

The site is located within Flood Zone 1 with minimal risk of flooding from all sources. In order to minimise the risk of post-development flooding, a surface water drainage strategy has been proposed based upon sustainable drainage principles. This approach is set out in the submitted Flood Risk Assessment and has been agreed by the Environment Agency. This also accords with the recommendations of Thames Water.

Transportation, access and parking

The access to the site is from Horseshoe Lane via a small lay-by, with the access off the northern end of this lay-by. The lay-by also gives access to St Catherine's School which is located at the southern end. The initial part of the access road to Garston Manor is also shared with Francis Combe Academy, with a northern spur immediately before the entrance to the site leading to the staff car park. These access arrangements will remain

as existing. The number of pupils at the school will remain unchanged at 120 with the number of staff also unchanged at 47. As such, the proposal will have no impact on Horseshoe Lane or the wider highway network in terms of traffic generation, which is predicted to be unchanged.

In terms of highway safety, the improved site layout will provide enlarged and improved facilities for minibuses. Due to the nature of the school, a high proportion of pupils arrive by minibuses which currently have no dedicated drop-off/pick-up facility. Consequently, this takes place within the staff car park, which also operates as a one-way route through the site. This leads to significant congestion within the site which on occasion results in congestion in the lay-by and on Horseshoe Lane. The proposal will provide five dedicated minibus bays that are separate from the staff car park and located outside the main entrance to the building. This will resolve fully the current congestion issues experienced at the site.

Car parking for staff and visitors will be increased from 32 spaces to 39 spaces, including 2 disabled spaces. This level of provision is below the maximum standard for the number of staff and pupils. Fifteen cycle parking spaces will also be provided adjacent to the main entrance of the building, which accords with current standards.

Layout and design

The layout of the site has been dictated by the need for the existing school to remain fully operational during construction works and to minimise the encroachment of the new building into the Green Belt and school playing fields, as previously discussed. In terms of circulation and the separation of vehicles and pedestrians, addressing existing issues of site congestion, and improving general security, the proposed layout is very successful.

The relationship of the new building to surrounding buildings, in particular Woodside Court to the south, is acceptable. Although the new building will be 27m closer to Woodside Court, it will remain 78m from this building. Furthermore, direct views of the new building from Woodside Court will be prevented by an existing belt of trees along the southern

boundary of the school. The new building will therefore have no adverse impact on the amenities currently enjoyed by the occupiers of Woodside Court.

The new school building is essentially single storey with only a relatively small two storey element accommodating the increased height for the assembly/dining hall, which also provides space for indoor sport. The design of the building successfully meets the design criteria for the new school. It meets the internal space and accessibility requirements for a school of this nature, where a high proportion of pupils have mobility difficulties. It also provides outdoor learning spaces for each classroom as well as areas for outdoor social spaces.

The design itself is simple comprising white rendered elevations with a high proportion of glazing to maximise natural light to the classrooms. This gives the building a light and uncluttered appearance. All plant areas are also provided at basement or ground level to avoid the need to place plant on the roof of the building.

No BREEAM rating is to be sought for the building but a number of significant sustainability measures have been incorporated into the design. These include:-

- A fabric first approach to the thermal envelope of the building to significantly exceed the Building Regulations for insulation and air-tightness and reduce the need for heating and minimise energy use.
- Maximising natural daylight levels within the classrooms to reduce the need for artificial lighting.
- A hybrid ventilation strategy maximising natural ventilation, including automated night-time purge ventilation, with the use of secondary mechanical ventilation with heat recovery units to maintain constant room temperatures.
- The use of high performance glazing to reduce heat loss, control solar thermal gain and maximise the transmission of natural light.
- A Smart Building Management System.

Ecology, trees and landscaping

An Extended Phase 1 Habitat Survey of the site has been undertaken to identify habitats of significant ecological value and potential signs/habitats suitable for protected species. The most significant habitats on the site are the broadleaved woodland belts and the groups of trees located around the boundaries of the site. These are considered of moderate ecological value. The other habitats (amenity grassland, allotments, hardstanding and buildings) are all of low value. With regard to protected species, none were found on the site with only the woodland/tree belts having potential value. The site overall was considered to be of high value for foraging bats with 3 mature trees on the site having high bat roost potential. As such, a bat activity survey and bat roost potential survey has been recommended. Within the woodland along the northern boundary, evidence of badgers was found in the form of 3 disused sett entrances but no signs of the current use of the site. This area of woodland will be unaffected by the proposal.

The only additional survey work recommended is the bat activity survey and bat roost potential survey. Appropriate conditions should ensure no tree works/removal is undertaken in the bird nesting season (March-September) and that the opportunity is taken to secure bat and bird boxes in the landscape scheme, together with the use of native species where possible.

An Arboricultural Impact Assessment has also been undertaken. This identified 42 individual trees, 6 groups of trees and 2 woodland areas, largely located around the boundaries of the site. This has recommended the removal of 15 individual trees, comprising 5 category B trees, 4 category C trees and 6 category U trees (dead or in severe decline). Only the removal of the 9 category B and C trees, 4 from the centre of the site and 5 from the western end of a tree group, are required due to a direct conflict with the proposed development. The category U trees are recommended for removal as good arboricultural practice.

Conclusion

The proposed new school building will constitute inappropriate development in the Green Belt and is therefore, by definition, harmful to the Green Belt. However, in this case, it is considered that very special circumstances exist to allow the proposal to be approved. It will provide a new specialist school for children with special educational needs that will replace the existing school on the site which is in poor condition and is significantly substandard in the floorspace and level of facilities provided. This will be a very significant benefit to the town and the wider area of south west Hertfordshire which the school serves. The layout of the site and the siting and design of the building have also been designed to minimise any impact on the openness of the Green Belt. The proposal will also address existing problems of congestion and vehicle/pedestrian conflicts within the site which have also had an adverse impact on the adjacent highway and access to adjoining school sites. Although part of the southern playing field will be lost to accommodate the new building, the actual impact on outdoor pitches is limited due to the varying topography of this part of the site. Overall, the sports facilities within the site are to be improved through the provision of a new MUGA and multi-use hall and Sport England has raised no objections to the proposal.

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.

RECOMMENDATIONS

- (A) That the Secretary of State for Communities and Local Government be consulted on the application in accordance with the Town and Country Planning (Consultation) (England) Direction 2009.

(B) That, provided the Secretary of State does not call in the application for his own determination, planning permission be granted subject to the following conditions:

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

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

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

PSBPE-GM-PL-L-000 P00, 001 P00, 002 P00, 004 P00, 005 P00, 006 P00
A-7426-20-001-5, 24-001-2, 20-020-3, Z4000-001-P1
LNS2079 HD 500 P2, 501 P2

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

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

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties during the time that the development is being constructed, pursuant to saved Policy SE22 of the Watford District Plan 2000.

4. No development shall commence within the site until a Construction Environmental Management Plan has been submitted to and approved by the Local Planning Authority. This Plan shall include details of the routing of and access for construction vehicles, contractors parking, the delivery and storage of materials,

measures to mitigate noise and dust, wheel washing facilities, plant and equipment and a contact procedure for complaints. The Plan as approved shall be implemented throughout the construction period.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties and prevent obstruction of the adjoining highway during the time that the development is being constructed.

5. The development shall only be carried out in accordance with the Site Specific Method Statement Arboricultural Report (ref. PP-02708437 dated 24th June 2013 by Marishal Thompson Group) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the health and vitality of the existing trees which represent an important visual amenity during the period of construction works, in accordance with saved Policies SE37 and SE39 of the Watford District Plan 2000.

6. No trees, scrub or hedges on the site shall be lopped, topped, felled, grubbed up or otherwise removed from the site between 1st March and 31st August in any year unless a suitably qualified ecologist has previously surveyed the trees, scrub or hedges and certified in writing to the Local Planning Authority that such works of removal are unlikely to harm any protected species.

Reason: In order to avoid harm to any protected species, in accordance with Policies GI1 and GI3 of the Watford Local Plan Core Strategy 2006-31.

7. No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been

submitted to and approved in writing by the Local Planning Authority. Any piling shall only be undertaken in accordance with the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

8. No development shall commence until a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme design shall be based on the criteria identified in Section 3 of the approved Flood Risk and Drainage Document prepared by Mott MacDonald dated January 2013. The building shall not be occupied until the drainage scheme has been constructed in accordance with the approved details.

Reason: To ensure the surface water drainage is designed to minimise the likelihood of flooding downstream, to reduce the risk of flooding by ensuring the satisfactory storage of and disposal of surface water from the site, and to reduce the impact of flooding on the proposed development in accordance with Policy SD2 of the Watford Local Plan Core Strategy 2006-31.

9. No development shall commence until details of the materials to be used for all the external finishes of the building, including all external walls, doors and windows, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved materials.

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

10. No development shall commence until full details of a soft landscaping scheme, as shown in principle on drawing no. PSBPE-GM-PL-L-004 P00, has been submitted to and approved in writing by the Local Planning Authority. This shall include measures to enhance the biodiversity value of the site, as set out in paragraph 8.3 of the Extended Phase 1 Habitat Survey by Marishal Thompson Group (dated 21st June 2013). The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of the development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

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

11. No development shall commence until details of an external lighting scheme for the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be installed as approved before the first occupation of any part of the development.

Reason: To meet the needs for safety and security for users of the site in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

12. No development shall commence within the site until details of all means of enclosure around the boundaries of the site and within the site have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until all related means of enclosure have been provided as approved. Once provided, all means of enclosure shall be retained at all times thereafter, unless otherwise approved in writing by the Local Planning Authority.

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

13. The new school building shall not be occupied until the new multi-use games area (MUGA) shown on the approved drawings has been constructed to Sport England standards, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To off-set the loss of part of the southern playing field and to ensure the quality of sports facilities at the site is improved, in accordance with the policies of Sport England.

Informatives

1. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended. The Council also gave pre-application advice on the proposal prior to the submission of the application and undertook discussions with the applicant's agent during the application process.

Case Officer: **Paul Baxter**
Tel: **01923 278284**
Email: paul.baxter@watford.gov.uk

Garston Manor School, Horseshoe Lane

13/00663/FULM



GIS by ESRI (UK)



Legend

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Organisation	Not Set
Department	Not Set
Comments	
Date	20 August 2013
SLA Number	Not Set

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PART A

Report of: **DEVELOPMENT MANAGEMENT SECTION HEAD**

Date of Committee: **29th August 2013**
Site address: **73-75, Gammons Lane**

Reference Number: **13/00709/FUL**
Description of Development: **Conversion of existing retail, office and storage space into 9 no. flats involving removal of rear section of building, alteration to roof including an increase to its height at rear, installation of rooflights to front and rear, installation of dormers with balconies at rear and alterations to elevational treatment including new windows and doors.**

Applicant: **AS Property Developers Limited**
Date received: **10th July 2013**
8 week date (minor): **4th September 2013**
Ward: **Callowland**

SUMMARY

This application is for the alteration of this commercial building and its conversion into 9 self-contained flats. The provision of new flats on this site is acceptable in principle in this residential area. It will have no adverse impact on the local shopping frontage and will enhance the appearance of the building and the wider street scene. Subject to the imposition of appropriate conditions, it will have no

adverse impact on surrounding residential properties. All of the proposed flats will have acceptable internal areas and layouts and will provide a good level of amenity for future occupiers. Although the scheme only includes 7 on-site parking spaces for the 9 flats proposed, it is not considered that this shortfall of 2 spaces will lead to any significant increase in on-street parking on surrounding roads. Overall, the proposal will bring a largely vacant commercial building into use and is considered to be acceptable.

The Development Management Section Head therefore recommends the application be approved, subject to conditions and the completion of a planning obligation, as set out in the report.

BACKGROUND

Site and surroundings

The site is located on the western side of Gammons Lane between the junctions with Brighton Road and Ashby Road. The surrounding area is characterised by terraced and semi-detached post-war housing to the north and east (Harebreaks Estate) and terraced Victorian housing to the west and south. To the north of Ashby Road is Callowland Recreation Ground.

The site itself has an area of 500m² and comprises a detached, two storey building in commercial use, built in 1908, known as Graphic House. The ground floor comprises two units. No.73 is currently vacant but was formerly a printing shop (Class A1 use) with ancillary storage. No.75 is currently occupied by a launderette (sui generis use). The first floor comprises offices (Class B1 use) which are partially occupied at the present time.

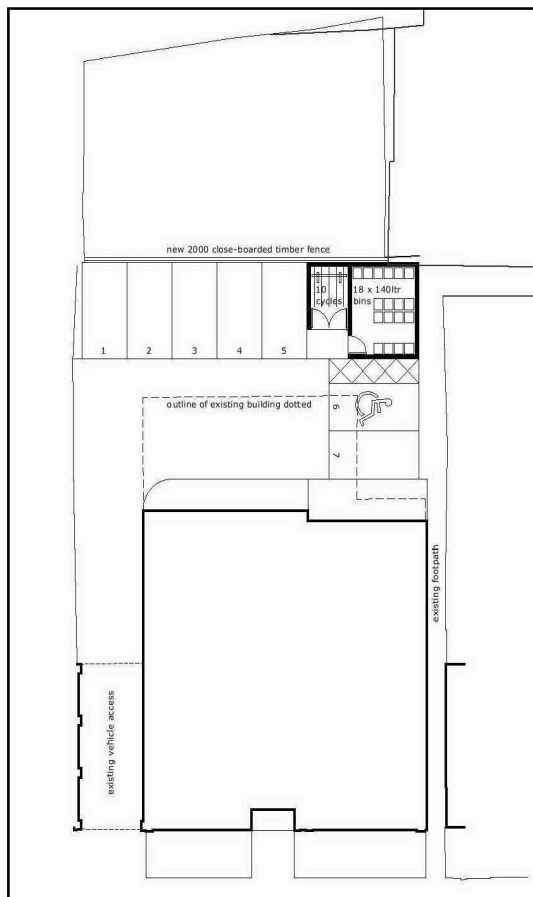
The building has a pitched roof with gable ends fronting Gammons Lane, incorporating two distinctive, steeply pitched gable features on the front

elevation. To the rear, the building has two 2 storey rear projections of differing depths and widths, both with pitched roofs which sit slightly below the ridgeline of the front roof. A car park to the rear of the building is accessed via an archway on the southern side of the building and can accommodate 11 cars. Approximately two-thirds of this rear car park is leased from the adjoining Merryfields flats and does not form part of the application site.

The building is not listed or locally listed and the site does not adjoin any listed or locally listed buildings. The site is also not situated within a conservation area.

Proposed development

Full planning permission is sought to alter the existing building and convert it into 9 self-contained flats.



Site layout plan



Street view



Rear view

The main alterations comprise the following elements:

- i) demolition of the rear 6m of the existing two storey rear projections and formation of new rear elevation;
- ii) removal of the existing roofs and replacement with a new roof 0.8m higher, to match the ridgeline of the front roof, incorporating new rooflights and dormer windows/balconies;
- iii) removal of the existing shopfronts at ground floor level and formation of a new ground floor elevation incorporating a communal entrance.

The conversion of the building into flats will provide the following units:

Ground floor	2 no. one bed flats and 1 no. two bed flat
First floor	3 no. one bed flats and 1 no. two bed flat
Second floor	2 no. one bed flats

To the rear of the building, 7 car parking spaces are provided together with a combined bin and cycle store. The parking spaces will be accessed via the existing archway on the southern side of the building. There are no changes to the existing access arrangements from Gammons Lane.



Front elevation as proposed and as existing



Rear elevation as proposed and as existing

Planning history

77/00244/FUL Planning permission granted 6 July 1977 Continuation of use of land as a car park and surfacing operations to the entire site.

77/00452/FUL Planning permission granted 9 November 1977 Continuation of present use as a car park and resurfacing of whole area.

80/00544/COU Planning permission granted 4 December 1980 Change of use from a retail shop to production and sale of photocopies, printing and dyelines.

81/00255/FUL Planning permission granted 1 July 1981 New shop front.

84/00498/FUL Planning permission granted 14 November 1984 Continuation of use as a car park.

91/00058/FUL Planning permission granted 4 April 1991 Continued use of land as a car park.

09/00127/COU Planning permission granted 28 April 2009 Change of use of ground floor storage area to vehicle garages.

09/00735/COU Planning permission granted 4 December 2009 Change of use of retail area at No. 73 to storage and rear storage area into vehicle garage and installation of a roller shutter to front entrance doors.

Relevant Policies

National Planning Policy Framework

- Section 1 Building a strong, competitive economy
- Section 2 Ensuring the vitality of town centres
- Section 4 Promoting sustainable transport
- Section 6 Delivering a wide choice of high quality homes
- Section 7 Requiring good design

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

No relevant policies.

Hertfordshire Minerals Local Plan Review 2002-2016

No relevant policies.

Watford Local Plan Part 1 - Core Strategy 2006-31

- SS1 Spatial Strategy
- SD1 Sustainable Design
- SD2 Water and Wastewater
- SD3 Climate Change
- HS1 Housing Supply
- HS2 Housing Mix
- HS3 Affordable Housing
- T2 Location of New Development
- T3 Improving Accessibility
- T5 Providing New Infrastructure
- INF1 Infrastructure Delivery and Planning Obligations
- UD1 Delivering High Quality Design

Watford District Plan 2000

- SE7 Waste Storage and Recycling in New Development
- T10 Cycle Parking Standards
- T21 Access and Servicing
- T22 Car Parking Standards
- T24 Residential Development
- T26 Car Free Residential Development
- H10 Educational and Community Facilities
- H13 Conversions
- S9 Non-retail uses in North Watford Shopping Centre/Local Shopping Frontages
- L8 Public Open Space
- L9 Children's Play Space

Supplementary Planning Guidance Notes and Supplementary Planning Documents

- SPG6 Internal Space Standards
- SPG10 Open Space Provision

CONSULTATIONS

Neighbour consultations

Letters were sent to 31 properties in Gammons Lane, Ashby Road and Brighton Road. Eight letters have been received, raising the following objections:

- Loss of privacy to adjoining properties from first floor kitchen window of Flat 6.
- Inadequate car parking provision. Will exacerbate existing on-street parking problems.
- Increased traffic generation close to busy junction and a bus stop and across the footpath.
- Loss of launderette.
- Loss of sunlight to garden areas due to increased height of roof.
- Accommodation in the roofspace with result in a loss of privacy to surrounding properties.
- Further loss of family character of the area.

The Committee will be advised of any additional representations received after the date this report was written.

Advertisements in local paper/site notices

None.

Consultations

Hertfordshire County Council - Highway Authority

No objection is raised to the proposal subject to a contribution being secured towards sustainable transport measures in accordance with the County Council's Planning Obligations Toolkit.

Police Architectural Liaison/Crime Prevention Officer

Has made detailed comments regarding Secured By Design and measures to reduce the risk of crime.

APPRAISAL

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

- (a) *Watford Local Plan Core Strategy 2006-31;*
- (b) *the continuing “saved” policies of the Watford District Plan 2000;*
- (c) *the Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026; and*
- (d) *the Hertfordshire Minerals Local Plan Review 2002-2016.*

The East of England Plan 2008 and the “saved” policies of the Hertfordshire Structure Plan 1991-2011 were revoked on 3rd January 2013.

Land allocation

The site is located within a primarily residential area on the Proposals Map of the Watford District Plan 2000. It also forms part of a small local shopping frontage comprising Nos. 69-75, Gammons Lane. There is no objection in principle to the introduction of residential dwellings on this site subject to satisfying the relevant policy relating to the local shopping frontage. Similarly, there is no objection in principle to the loss of the first floor office use in this location.

Shopping policies

The small local shopping frontage on Gammons Lane, which includes the application site, comprises only 4 properties. The two properties within the application site are not in retail use (Class A1) with the former printing shop being changed to storage use in 2009 and the existing launderette being a sui generis

use. The other two properties within the frontage, nos. 69-71, comprise a Londis convenience store.

Saved Policy S9 of the Watford District Plan 2000 seeks to resist the loss of retail uses and only allow non-retail uses when certain criteria are met. In this case, the proposal will not result in the loss of any Class A1 use, will not diminish local shopping facilities (the Londis store provides a wide range of local convenience goods) and will not result in more than 2 adjacent non-retail uses or more than 50% of the frontage in non-retail use. The appearance of the frontage will also be significantly improved and the relationship with the upper floors improved with a new communal entrance.

The proposal therefore satisfies saved Policy S9 and is acceptable.

Housing policies

The principle of new residential dwellings within a primarily residential area is acceptable. As the proposal involves the alteration and conversion of an existing commercial building, there is no objection to the provision of flats in this case. There will be no loss of family housing as a result of the proposal. The proposal will provide a mix of one and two bedroom flats which is acceptable.

All of the proposed flats exceed the Council's internal space guidelines and have acceptable internal layouts. All of the flats will provide a good level of residential amenity in terms of outlook, privacy and natural light. No communal amenity area has been provided as the area to the rear of the building has been used to provide 7 car parking spaces and for the provision of the bin/cycle store. However, the 3 ground floor flats have been provided with small patio areas and the 4 flats facing to the rear of the site each have a private balcony. Only the two first floor flats at the front of the building have no private space. Overall, having regard to the nature of the proposal and the location of the site, it is considered that this is an acceptable and appropriate compromise.

As the proposal is only for 9 dwellings, there is no requirement to provide affordable housing in this case.

Design and appearance

The proposed external alterations to the building will significantly improve the appearance of the building and the wider street scene. The existing poor quality shopfronts will be replaced by a new communal entrance and windows/doors to the ground floor flats, framed in a cream render with grey render infill panels. The existing window openings at first floor level will be retained but with modern windows inserted. The side and rear elevations will be rendered in cream to give the rear of the building a uniform appearance. Cream and white painted render is commonly seen along Leavesden Road to the south, particularly on prominent corner buildings and on commercial buildings. The use of cream render will therefore not be out of character with the wider area. The existing corrugated rear roof will be replaced by a new roof covered in grey slate tiles to match the main roof on the front of the building.

Impact on neighbouring properties

The depth of the two storey rear element of the building will be reduced by 6m as part of the proposal. This will significantly reduce the visual impact of the building when viewed from surrounding properties. The appearance of the building at the rear will also be significantly improved.

On the south facing side elevation, the number of first floor windows will be reduced from 3 to 2. As they overlook the roof of the adjoining Londis store, there will, in any event, be no adverse impact on amenity. On the north facing side elevation, the number of windows will be reduced from 3 to 1 (excluding small windows to toilets). The remaining window will serve the kitchen of Flat 6 and will allow directly overlooking of the rear windows and garden areas of the adjoining properties. To overcome this, it is recommended that this window should be fitted with obscure glazing.

On the rear elevation, the number of windows will be increased with the introduction of two balconies at first floor level and two dormer windows with balconies at roof level. These windows and balconies will directly overlook the car parking area of the adjacent Merryfields flats and will also give more oblique views towards the flats and the houses in Brighton Road. However, this is no different to the existing situation and is a common relationship between properties in urban areas. The balconies do have the potential to give rise to direct overlooking of the garden areas of properties to the north on Gammons Lane and it is therefore proposed that the north side of each of the balconies should be fitted with obscure glazed privacy screens. This is considered acceptable and can be secured by condition.

Transportation, access and parking

The existing vehicular access to the site is via an archway on the southern side of the building directly from Gammons Lane. This will remain unchanged. The access is sited between a bus stop, sited directly outside the site, and a pedestrian crossing sited a short distance to the south outside No.67, Gammons Lane. Whilst this is not an ideal situation, and care will need to be used when entering and leaving the site, this has been the case for many decades. The current car park can accommodate 11 cars and commercial uses will generally generate a greater number of peak time vehicle movements than residential use. The reduction in the number of spaces on the site to 7 and the proposed residential use will not result in any increase in vehicle movements at peak times and is likely to result in a reduction. Although the overall number of vehicle movements may increase as a result of the residential use, they will be spread across the day. Hertfordshire County Council, as the Highway Authority, has raised no objection to the proposal.

The provision of 7 parking spaces on the site maximises the number of spaces within the area available. This will mean that 2 of the flats will be car-free. As the

site is not within a controlled parking zone there will not be the normal powers available to restrict entitlement to permits and minimise the likelihood of additional on-street parking occurring. The proposal could, therefore, give rise to additional on-street parking. One factor mitigating against this is the bus stop outside the site which is on the W10 bus route and directly serves Watford Junction, the town centre and the hospital and therefore provides good accessibility for the site. Another factor is that car ownership in Callowland ward is 1.1 cars per household, with the vast majority of dwellings being family houses. It is unlikely, therefore, that the two proposed car-free flats will generate any significant additional on-street parking.

The level of parking provision accords with the Council's maximum standards and is therefore considered to be acceptable in this case.

The proposal incorporates a secure, communal cycle store for 9 cycles in the rear parking area which will further encourage sustainable non-car travel. The applicant has also agreed to a contribution of £5,875 towards wider sustainable transport measures in Watford.

Sustainable development

The conversion of the existing building rather than its demolition is a sustainable form of development. The conversion will also need to satisfy the current Building Regulations which will significantly improve the thermal properties of the building and its energy efficiency. A sustainable drainage scheme can be secured for the rear car parking area.

Planning obligation

The development proposed in this application is one where, in accordance with Policy INF1 of the Core Strategy, the Council will normally require the applicant to enter into a planning obligation to provide contributions towards the provision or improvement of community facilities and infrastructure. Under Regulation 122

of the Community Infrastructure Levy Regulations 2010, where a decision is made which results in planning permission being granted for development, a planning obligation may only constitute a reason for granting planning permission for that development if the obligation is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

Policies T3, T4, T5 and INF1 of the Watford Local Plan Core Strategy and saved Policies L8, L9 and H10 of the Watford District Plan 2000, together with *SPG 10: Open Space Provision*, recognise that cumulative small developments within the urban area of Watford can produce significant additional demands for services and facilities in the same way that a smaller number of larger developments would. However, unlike larger developments which can often accommodate some provision of these services and facilities within the site, smaller developments are clearly unable to do so and it would be unreasonable to expect them to. It is therefore reasonable to expect the applicant in such cases to make a financial contribution towards improved services and facilities within the Borough.

Most new residential developments within Watford comprise fewer than 50 dwellings. The Council seeks financial contributions on a per unit basis from all new residential developments. This is considered to be a reasonable approach as it ensures that all such developments make contributions on an equal basis, with actual payments determined by the number and, in some cases, the size of the units proposed. This approach therefore does not disadvantage applicants proposing larger developments within the Borough, but rather ensures that all applicants make payments in proportion to the additional demand on services and facilities that their development will generate.

The Council's approach to seeking financial contributions by means of a planning obligation is fully in accordance with the advice set out in paragraphs 203 to 205 of the National Planning Policy Framework. In each case, the contributions received are pooled together in order to accumulate sufficient funds for the Council, the County Council and the Primary Care Trust to undertake capital works within the Borough. Given the small size of the Borough, this is considered to be a reasonable and acceptable approach to the provision of new or improved services and facilities and accords with paragraphs 203 to 205 of the national Planning Policy Framework.

The contributions in the case of the development proposed in this application are set out below. As these contributions have been calculated in accordance with the County Council's Planning Obligations Toolkit (adopted January 2008) and the relevant saved policies of the Watford District Plan 2000, they are directly related to the proposed development, are fairly and reasonably related in scale and kind to that development and are necessary to make the development acceptable in relation to those policies. Accordingly, the requirement for such contributions meets the tests in Regulation 122 of the Community Infrastructure Regulations 2010, and, consequently, the planning obligation can be taken into account as a material planning consideration in the determination of the application.

i) Community facilities

●	Secondary education	£1,217
●	Primary education	£2,283
●	Nursery education	£614
●	Childcare	£170
●	Youth	£47
●	Libraries	£797

ii) Open space and children's playspace

As the site is located in an area where there is no deficit in open space a 50% reduction in the normal contribution set out in SPG10 is applicable. As the site is within 200m of an existing children's playspace at Callowland Recreation Ground, which has recently been expanded and improved, no contribution towards children's playspace facilities is required.

- Open space £11,124

iii) Sustainable transport

- Sustainable transport £5,875

A planning obligation is being prepared to secure these financial contributions towards the provision or improvement of facilities within the Borough of Watford. The agreement will also secure the provision of any necessary fire hydrants to serve the development.

Consideration of objections received

Objections	Officer's response
Loss of privacy to adjoining properties from first floor kitchen window of Flat 6.	A condition is recommended to secure obscured glazing to this window.
Inadequate car parking provision. Will exacerbate existing on-street parking problems.	The provision of 7 spaces for 9 flats accords with the Council's maximum parking standards. The average car ownership in Callowland ward is 1.1 cars per household with the predominant housing type being 2 and 3 bed houses. This level of provision is therefore considered acceptable.

Increased traffic generation close to busy junction and a bus stop and across the footpath.	It is not considered that the proposal will result in any significant increase in traffic. Commercial uses tend to generate higher levels of peak time traffic than residential.
Loss of launderette.	The Council has no power to retain a launderette on this site.
Loss of sunlight to garden areas due to increased height of roof.	The increase in the height of the roof by 0.8m will have no adverse impact on the amount of sunlight received by the adjacent garden areas.
Accommodation in the roofspace with result in a loss of privacy to surrounding properties.	The new windows and balconies at second floor level will give rise to some oblique overlooking of surrounding properties but this is no different to the existing situation and is common in urban areas.
Further loss of family character of the area.	There is no loss of family housing. The introduction of flats on the commercial site will enhance the residential character of the area.

Conclusion

The proposed alteration of this commercial building and its conversion into 9 self-contained flats is acceptable in principle in this residential area. There will be no adverse impact on the local shopping frontage and the proposal will enhance the appearance of the building and the wider street scene. Subject to the imposition of appropriate conditions, there will be no adverse impact on surrounding residential properties. All of the proposed flats will have acceptable internal areas and layouts and will provide a good level of amenity for future occupiers. Although the scheme only includes 7 on-site parking spaces for the 9 flats

proposed, it is not considered that this shortfall of 2 spaces will lead to any significant increase in on-street parking on surrounding roads. Overall, the proposal will bring a largely vacant commercial building into use and is considered to be acceptable.

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.

RECOMMENDATIONS

- (A) That planning permission be granted subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990 to secure the following contributions and subject to the conditions listed below:

Section 106 Heads of Terms

- i) To secure financial payments to the Council of:
 - a) £11,124 (index linked) towards the provision and improvement of public open space in the Borough in accordance with Policy L8 of the Watford District Plan 2000;

- ii) To secure financial payments to the County Council of:

- a) £5,875 (index linked) towards the implementation of the South West Hertfordshire Transport Strategy and sustainable transport measures in Watford in accordance with Policies T3 and T5 of the Watford Local Plan Core Strategy 2006-31;
 - b) £1,217 (index linked) towards the provision of secondary education in accordance with Policy H10 of the Watford District Plan 2000;
 - c) £2,283 (index linked) towards the provision of primary education in accordance with Policy H10 of the Watford District Plan 2000;
 - d) £614 (index linked) towards the provision of nursery education in accordance with Policy H10 of the Watford District Plan 2000;
 - e) £170 (index linked) towards the provision of childcare facilities in Watford in accordance with Policy H10 of the Watford District Plan 2000;
 - f) £47 (index linked) towards the provision of youth facilities in Watford in accordance with Policy H10 of the Watford District Plan 2000;
 - g) £797 (index linked) towards the provision of library facilities in accordance with Policy H10 of the Watford District Plan 2000;
- iii) To secure the provision of fire hydrants as required by the County Council in accordance with Policy H10 of the Watford District Plan 2000.

Conditions

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

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

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

9335/PL/001, 002A, 003A, 004, 005, 006, 007, 008A, 009, 010, 011, 012A.

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

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

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties during the time that the development is being constructed, pursuant to saved Policy SE22 of the Watford District Plan 2000.

4. No development shall commence within the site until a Construction Environmental Management Plan has been submitted to and approved by the Local Planning Authority. This Plan shall include details of temporary access for construction vehicles, contractors parking, the delivery and storage of materials, measures to mitigate noise and dust, wheel washing

facilities, plant and equipment and a contact procedure for complaints.
The Plan as approved shall be implemented throughout the construction period.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties and prevent obstruction of the adjoining highway during the time that the development is being constructed.

5. No development shall commence until details of the materials to be used for all the external finishes of the building, including all external walls, roofs, doors, windows, fascias, and balconies have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved materials.

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

6. No development shall commence until a hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the approved hard landscaping works have been carried out. The approved soft landscaping works shall be carried out not later than the first available planting and seeding season after completion of the development. Any plants which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

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

7. No development shall commence until details of a sustainable surface water drainage scheme for the development has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the approved drainage scheme has been implemented in full.

Reason: To ensure the surface water drainage is designed to minimise the likelihood of flooding downstream, to reduce the risk of flooding by ensuring the satisfactory storage of and disposal of surface water from the site, and to reduce the impact of flooding on the proposed development in accordance with Policy SD2 of the Watford Local Plan Core Strategy 2006-31.

8. The north facing first floor kitchen window to Flat 6 shall be permanently fixed closed below 1.7m internal floor level and shall be fitted with obscured glass at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent overlooking and a loss of privacy to the adjoining properties to the north.

9. The first and second floor balconies to Flats 5, 6, 8 and 9 shall be fitted with obscure glazed privacy screens on their northern side before the first occupation of any of these flats and these privacy screens shall be retained as such at all times thereafter.

Reason: To prevent overlooking and a loss of privacy to the adjoining properties to the north.

10. No part of the development shall be occupied until the 7 car parking spaces shown on drawing no. 9335/PL/002 have been laid out and constructed in full. These spaces shall be retained thereafter at all times for the parking of cars.

Reason: To ensure adequate parking facilities are provided on the site and to minimise any additional on-street car parking, in accordance with saved Policies T22 and T24 of the Watford District Plan 2000.

11. No part of the development shall be occupied until the bin/cycle store has been provided in accordance with approved drawing nos. 9335/PL/002 and 012 (unless otherwise approved in writing by the Local Planning Authority). The store shall be retained thereafter at all times for refuse/recycling and cycle storage only and shall not be used for any other purpose.

Reason: To ensure adequate facilities are provided for the occupiers of the site and in the interests of the visual appearance of the site and its impact on the street scene and character of the surrounding area, in accordance with Policies SD1 and UD1 of the Watford Local Plan Core Strategy 2006-31 and saved Policies T10 and T21 of the Watford District Plan 2000.

12. No gate shall be installed to the access to the rear parking area unless details shall previously have been submitted to and approved in writing by the Local Planning Authority. The gate shall only be installed in accordance with the approved details.

Reason: To ensure vehicles waiting to enter the site do not obstruct the adjoining public highway and the gates do not have an adverse impact on the amenities of the ground floor Flat 1.

Informatives

1. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure financial contributions towards the provision or improvement of public open space, education facilities, childcare, youth facilities, library facilities and sustainable transport measures within the Borough of Watford. The agreement also requires the provision of necessary fire hydrants to serve the development.

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 2010, as amended. The Council also gave pre-application advice on the proposal prior to the submission of the application and undertook discussions with the applicant's agent during the application process.

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- (B)** In the event that an acceptable planning obligation under Section 106 of the Town and Country Planning Act 1990 has not been completed by 2nd September 2013 in respect of the Heads of Terms set out above, the Development Management Section Head be authorised to refuse planning permission for this application for the following reasons:

1. The proposed development fails to make provision for public open space, either in the form of on-site works or commuted payments, and as such is contrary to saved Policy L8 of the Watford District Plan 2000.
2. The proposed development fails to contribute towards the implementation of sustainable transport measures forming part of the South West Hertfordshire Transportation Strategy, either in the form of off-site highway works or commuted payments, and as such is contrary to Policies T3, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31.
3. The proposed development fails to contribute to the provision or improvement of education and community facilities (youth facilities, childcare and libraries) in the Borough and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.
4. The proposal fails to make provision for fire hydrants to serve the development and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.

Drawing numbers

9335/PL/001, 002A, 003A, 004, 005, 006, 007, 008A, 009, 010, 011, 012A

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73-75 Gammons Lane

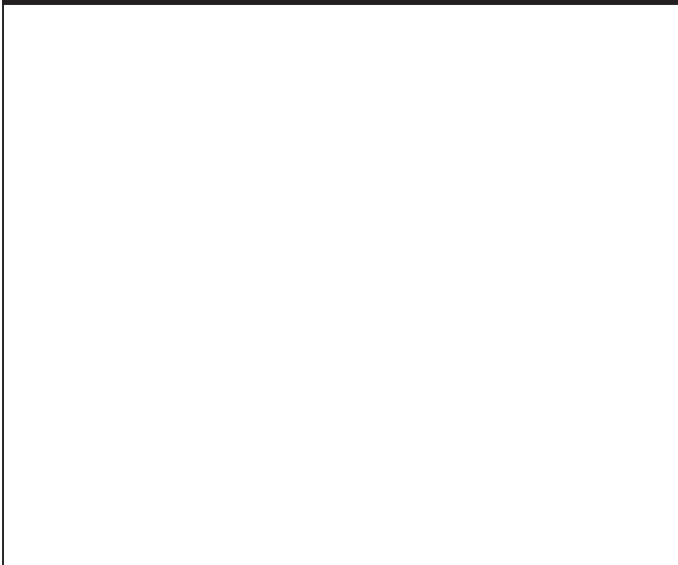
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Legend



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Organisation	Not Set
Department	Not Set
Comments	
Date	20 August 2013
SLA Number	Not Set

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