



DEVELOPMENT CONTROL COMMITTEE

Thursday, 16th October, 2014

7.30 pm

Town Hall, Watford

Publication date: 8 October 2014

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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SPEAKING AT DEVELOPMENT CONTROL COMMITTEE

Only one person will be permitted to speak on behalf of objectors and one in support of a proposal. Precedence to speak in support of the proposal will be given to the applicant or their representative.

In order to speak, a person must register before 12 noon on the day of the meeting by contacting the Democratic Services Team. The contact details are available on the front of this agenda.

If a speaker wishes the Development Control Committee to consider any documentation at the meeting, then it must be submitted to the Democratic Services Team by 12 noon on the day of the meeting.

COMMITTEE MEMBERSHIP

Councillor R Martins (Chair)

Councillor G Derbyshire (Vice-Chair)

Councillors S Bashir, N Bell, J Connal, S Johnson, 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 18 September 2014 to be submitted and signed.

Copies of the minutes of this meeting are usually available seven working days following the meeting.

(All minutes are available on the Council's [website](#).)

CONDUCT OF THE MEETING

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. 885 ST ALBANS ROAD (Pages 1 - 28)

Part retrospective application for erection of single storey side extension and change of use from a family house to a 6 bedroom house in multiple occupation (AMENDED PLANS)

5. 184 PINNER ROAD (Pages 29 - 78)

Application for the demolition of existing dwelling and garage and erection of 2 new dwellings

6. CASSIOBURY PARK (Pages 79 - 122)

Application for the restoration, refurbishment and enhancement the park including; the reinstatement of the entrances, the re-location of bandstand to its original site within the park, the erection of extensions to existing tea house, the restoration of the original landscape settings, the demolition of the existing kiosks type structures and their replacement with the erection of a new hub building to consolidate the existing facilities in one location, the renovation of the existing water play facilities and the restoration and enhancement of historic designed views and conservation of associated estate watermill ruins. Re-surfacing of historic carriage drives.

PART A

Report of: **DEVELOPMENT MANAGEMENT SECTION HEAD**

Date of Committee:	16th October 2014
Site address:	885 St Albans Road
Reference Number:	14/00668/FUL
Description of Development:	Part retrospective application for erection of single storey side extension and change of use from a family house to a 6 bedroom house in multiple occupation (AMENDED PLANS).
Applicant:	Mr Michael Garkov
Date received:	6th May 2014
Statutory target date:	17th October 2014
Ward:	Stanborough

SUMMARY

The proposed HMO would not result in more than 10% of the houses in the street block being converted to flats or HMOs, which complies with “saved” Policy H13(a) of the Watford District Plan 2000. Furthermore, the HMO does not unacceptably alter the character of the street block because the property appears as a residential house.

Environmental Health has commented that due to the number and location of bathrooms and WCs in the property the total occupation of the property should not exceed 6 people. A condition could be attached to any grant of planning permission to restrict the number of occupants of the HMO to 6 people. This condition would also ensure that the bedrooms would not be over-occupied. Each room would benefit from sufficient levels of natural lighting and outlook.

The single storey side extension appears subordinate to the dwelling and has no adverse effect on the character and appearance of the street scene. Moreover, it has limited impact on the light received by, and outlook from, neighbouring residential properties.

There is evidence that occupants of the HMO are currently bumping vehicles over the kerb and parking up to 4 vehicles on the hard surfacing to the front of the property. A representation has been received which states that vehicles are using the vehicular crossover of No. 883 to access the hard surfacing of No. 885. The current situation is causing some nuisance because vehicles overhang the pavement and bins and cycles are being stored to the front of the property because the side alleyway is obstructed by the parked vehicles. However, vehicles could be prevented from bumping the kerb and using the vehicular crossover of No. 883 through the provision of a low boundary wall along the side and front boundaries. The provision of a boundary wall could be secured by condition and would address the nuisance that is currently being caused by the parked vehicles.

The property previously has two un-obstructed parking spaces on-site, however, the proposed side extension has resulted in the loss of a parking space to the side of the house. Consequently, the proposed development has resulted in an increase in habitable accommodation but a decrease in on-site parking spaces. However, significant weight should be given to the fallback position that the change of use from a dwellinghouse (Use Class C3) to a house in multiple occupation with a maximum of 6 occupants (Use Class C4) does not require planning permission. As such, the original house could have added a single storey side extension (resulting in the loss of a parking space) under permitted development and could have been converted to a 6 person HMO without needing planning permission. Taking the fallback position into account, a reason for refusal based on insufficient on-site parking could not be substantiated. However,

it would be necessary to attach a condition restricting the number of occupants to 6 people to ensure that change of use from Class C3 to Class C4 is a genuine fallback position. Moreover, it should be borne in mind that the application site is close to a designated neighbourhood centre and associated public transport and local shops.

Accordingly, the Development Management Section Head recommends that the application be approved as set out in the report.

BACKGROUND

Site and surroundings

The application site relates to No. 885 St Albans Road. The property was constructed in 1894 as a two storey house. It has previously had a two storey rear extension in 1979 under reference 79/00409/FUL, which increased the number of bedrooms to four.

The property has recently been enlarged by the addition of a single storey side extension and converted to a house in multiple occupation (HMO). This development was carried out in breach of planning control and the current planning application seeks retrospective planning permission. In terms of the accommodation being provided, the four bedrooms on the first floor of the house are unaltered and the single storey side extension provides two bedrooms – the rear bedroom in the extension includes a kitchenette. The living room of the original house was converted to provide a self-contained unit, including a bedroom, living room with kitchenette and W.C. No alterations have been made to the kitchen/dining room at the rear of the property and this is a communal facility for occupants of the HMO. As such, the house was converted to provide an HMO with 7 bedrooms.

The current planning application proposes to remove the self-contained unit that is positioned in the original living room, and revert the space back to a living room that would be a communal facility for the occupants of the HMO. As such, the bedroom, W.C. and kitchenette would all be removed. The removal of the self-contained unit would therefore reduce the HMO to 6 bedrooms. In addition, the kitchenette in the rear bedroom of the extension would be removed.

Therefore, the revised layout consists of the original living room and kitchen, which would be used communally, two bedrooms in the single storey side extension, and the un-altered four bedrooms at first floor. A bathroom is located at first floor and the side extension includes a W.C. with a shower.

The single storey side extension is designed with a flat roof and the external walls are finished in pebble-dash. The frames of the front window are finished brown to match the windows on the existing house; however, the window cill is finished white.

A new ground floor window has been inserted in the south-western side elevation of the house. The window has white frames.

There is a small single storey addition on the south-western side of the house, which is proposed to be removed to facilitate access to the rear garden. The rear garden is fairly large.

The property is served by a vehicular crossover on to St Albans Road, which is classified as a Class A Principal Road. The nearby road junction with North Orbital Road is traffic-light-controlled. There were previously two on-site un-obstructed parking spaces; however, the proposed side extension has reduced the number of un-obstructed parking spaces to one.



House prior to conversion and extension



House after conversion and extension

The neighbouring detached property at No. 883 has an attached garage adjacent to the shared boundary. The property also has a vehicular crossover close to the boundary with the application site.

No. 887 is a detached bungalow and has an attached garage adjacent to the boundary. There is an extant planning permission at the neighbouring property (14/00959/FUL) for the erection of a two and a half storey building to provide four flats.



Aerial view of site

The application site is approximately 300m from Garston Park Parade, which is classified as a Neighbourhood Centre in paragraph 7.1.6 of the Watford Local Plan Core Strategy 2006-31. Neighbourhood centres include a range of small shops of a local nature, serving a small catchment area, typically including a small supermarket, a newsagent, a sub-post office and a pharmacy. Other

facilities could include a hot-food takeaway, a laundrette, hairdresser/beauty salon and services such as GP centre or a dentist. There is a bus stop at Garston Park Parade, which provides routes to the town centre. Garston Park is close to the application site.

The property is not listed or located in a designated conservation area.

Proposed development

The application is part retrospective and seeks planning permission for the erection of a single storey side extension and conversion of the house into a 6-bedroom house in multiple occupation (HMO). The current layout of the HMO would be altered as described in the 'site and surroundings' section of this report. The living room and kitchen of the original house would be used as a communal facility for occupants of the HMO. The single storey side extension provides two bedrooms and four bedrooms are located at first floor. There is a first floor bathroom and a W.C. in the single storey side extension.

The agent submitted amended plans on 12th September to provide escape windows to the front and rear of the side extension. The drawings also show a front and side boundary wall to prevent vehicles bumping the kerb and utilising the vehicular crossover of No. 883.

The single storey addition on the south-western side of the house would be removed to provide access to the rear garden.

Planning history

79/00409/FUL - Erection of a two storey rear extension. Conditional Planning Permission. October 1979.

79/00195/OUT - Outline application for first floor bedroom extension. Conditional Outline Permission. June 1979.

79/00163/FUL - Single storey rear extension. Conditional Planning Permission.
June 1979.

Relevant policies

National Planning Policy Framework

- Section 4 Promoting sustainable transport
- Section 6 Delivering a wide choice of high quality homes
- Section 7 Requiring good design
- Section 10 Meeting the challenge of climate change, flooding and coastal change
- Section 11 Conserving and enhancing the natural environment

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

- 1 Strategy for the Provision for Waste Management Facilities
- 1a Presumption in Favour of Sustainable Development
- 2 Waste Prevention and Reduction
- 12 Sustainable Design, Construction and Demolition

Hertfordshire Minerals Local Plan (saved policies)

No relevant policies.

Watford Local Plan Core Strategy 2006-31

- WBC1 Presumption in favour of sustainable development
- SS1 Spatial strategy
- UD1 Delivering high quality design
- SD1 Sustainable Design
- SD2 Water and Waste Water
- SD3 Climate change
- SD4 Waste

HS1	Housing supply and residential site selection
HS2	Housing mix
T2	Location of New Development
T3	Improving Accessibility
T4	Transport Assessments
T5	Providing New Infrastructure

Watford District Plan 2000

H13	Conversions
SE7	Waste Storage and Recycling in New Development
SE22	Noise
SE23	Light Pollution
T10	Cycle Parking Standards
T21	Access and Servicing
T22	Car Parking Standards
T24	Residential Development

Supplementary Planning Guidance

SPG6	Internal Room Space Standards
SPG10	Open Space Provision

Supplementary Planning Documents

Residential Design Guide Volume 1. Building New Homes Adopted November 2008

Watford Character of Area Study Adopted December 2011

CONSULTATIONS

Neighbour consultations

Letters were sent to a total of 4 properties in the surrounding area. 5 letters of objection have been received, and a consideration of these objections is outlined below.

Statutory consultations

Hertfordshire County Council (Highway Authority)

The Highway Authority does not wish to restrict the grant of permission.

Informative

1. All materials and equipment to be used during the construction shall be stored within the curtilage of the site unless otherwise agreed in writing by the Highway Authority prior to commencement of the development. Reason: In the interest of highway safety and the free and safe flow of traffic.

This is a part of retrospective planning application for construct of single storey side extension and change of use from a family house to a 6 bedroom house in Multiple occupation at 885 St. Albans Road, Watford. WD25 ONH. The applicant states that there is no new vehicle access. There are 3 existing parking spaces for the proposed site. The development site is a small scale and has good public transport accessibility level. It is near a local neighbourhood centre with shops and other local amenities. Hertfordshire County Council as the Highway Authority does not recommend refusing this application.

Environmental Health

Occupation of ground floor bedrooms

Due to their size, both ground floor bedrooms can only be occupied by 1 person in each room

Escape windows

Due to their location off a high fire risk room (the kitchen) both bedrooms must be fitted with windows which are suitable as a means of escape:

- The window must have an unobstructed openable window area that is at least 0.33msq with at least the width or height dimension being a minimum of 450mm.
- Side hung opening lights are recommended.
- The bottom of the openable area (window cill level) must be not more than 1100mm, and not less than 800mm above floor level.
- The ground below the windows must be flat and free from hazards (low walls, railings etc).
- Where security is provided on windows, means of opening must be readily available within the room.

Bathroom facilities

Due to the number and location of bathrooms and WC's in the property the total occupation of the property should not exceed 6 people.

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 2013;*
- (b) the continuing "saved" policies of the *Watford District Plan 2000;*
- (c) the "saved" policies of the *Hertfordshire Waste Local Plan 1995-2005;* and
- (d) the *Hertfordshire Minerals Local Plan Review 2002-2016.*

A revised version of the Residential Design Guide has been produced by the Council and was subject to a public consultation from Monday 4 November until Monday 16 December 2013. The revised document was adopted on the 23rd

July 2014 and replaces the original version of the Residential Design Guide and SPG6. There is a transitional arrangement for applications that had already been submitted to the Council at the time the revised Residential Design Guide was adopted. The transitional arrangement is that for applications submitted on or after 12 May 2014 up to and including 23 July 2014, the provisions of the original version of the Residential Design Guide and SPG6 will be applied. The current application was made valid on 23 July 2014, and therefore the transitional arrangement apply.

Housing

“Saved” Policy H13 of the Watford District Plan 2000 states that proposals to sub-divide existing dwellings, including the creation of housing in multiple occupation (HMO) or the conversion of non-residential buildings to dwellings will be acceptable in principle provided:

- (a) they do not result in more than 10% of the existing residential frontage in a street block consisting of a mix of conversions, HMO or guest houses;
- (b) they do not affect the residential frontage in a street block so as to unacceptably alter the character of that street block or the immediate neighbourhood;
- (c) car parking associated with the scheme is provided on-site or nearby in off-street facilities so as not to add to congestion, cause problems of highway safety or adversely affect the quality of the surrounding environment (see Policies T22 and T24); and adequate amenity space and facilities for refuse storage are provided.

The western side of St. Albans Road in the immediate vicinity of the application site does not have a strong residential frontage because it includes a McDonald’s restaurant, two purpose built blocks of flats at Nos. 863 and 865, and a restaurant at No. 859. As such, for the purposes of Policy H13, the properties between Nos. 877 – 887 (odds) and Nos. 998 – 1026 (evens) should be viewed

as the “street block”. The street block consists of 22 properties and only No. 881 St. Albans Road has been converted to flats or HMO. Therefore, taking into account the existing HMO at No. 885, 2 of the 22 properties in the street block have been converted to flats or HMO, which equates to a conversion rate of 9%. The proposal therefore complies with the 10% threshold in “saved” Policy H13(a).

The HMO at No. 885 does not unacceptably alter the character of the street block because the property appears as a residential house – as can be seen from the photographs above. The proposed HMO therefore complies with “saved” Policy H13(b).

Car parking provision is assessed in the ‘Traffic generation and parking’ section of this report.

Design and layout

The proposed HMO would have a ground floor living room and kitchen which would be used communally by occupants. The single storey side extension provides two bedrooms and a WC and the first floor consists of four bedrooms and a bathroom. Environmental Health comments that, due to the number and location of bathrooms and WC’s in the property, the total occupation of the property should not exceed 6 people. A condition could be attached to any grant of planning permission to restrict the number of occupants of the HMO to 6 people.

The communal living room and kitchen are of good sizes and each of the bedrooms is large enough to be occupied by one person. A condition limiting the number of occupants of the HMO to 6 people would ensure that the bedrooms would not be over-occupied. Each room would benefit from sufficient levels of natural lighting and outlook.

The rear garden exceeds 50sqm in area and would provide a usable outdoor amenity area for occupants.

The single storey addition to the south-western side of the house is to be demolished to provide an external access between the front and rear gardens. Bin and cycle storage could therefore be provided in the rear garden. A condition should be attached to any grant of planning permission to require details of the siting, size and design of refuse, recycling and cycle storage to be submitted to the Local Planning Authority for approval.

The single storey side extension appears subordinate to the original house because of its modest width and single storey height. The extension is designed with a flat roof, which is acceptable. Several properties in the area have side garages or side extensions designed with flat roofs, and therefore the extension does not appear out of keeping in the street scene.

Environmental Health has commented that both the bedrooms in the side extension must be fitted with windows that are suitable to be used as a means of escape because of their location off a high fire risk room (the kitchen). Among other things, Environmental Health require that the window cill of the windows are not more than 1100mm, and not less than 800mm, above floor level. The agent submitted amended plans on 12th September to show escape windows to the front and rear of the side extension. The drawing shows that the window cills would be 800mm above floor level.

The new ground floor window in the south-western side elevation has white frames, which does not reflect the brown frames of the other windows. However, given that the window is located at ground floor level in the side elevation it would not be noticeable in the street scene. As such, the window would not have a significant harmful impact on the character and appearance of the area.

The front window of the side extension has brown frames to match the existing windows. The window cill is white; however, this is not particularly noticeable and it does not have a significant impact on the appearance of the area.

Impact on neighbouring properties

The single storey side extension has minimal impact on the light received by, and the outlook from, neighbouring properties. No. 887 has an attached garage adjacent to the boundary and the extension is a sizeable distance from principal habitable windows.

The new ground floor window in the side elevation of No. 885 faces the garage of No. 883 and, therefore, it has not resulted in a loss of privacy to the neighbouring property. In any case, a ground floor side window could be installed under permitted development rights.

A representation has been received from the occupants of No. 883 St. Albans Road, pointing out that the occupants of the HMO 'bump the kerb' and park up to four vehicles to the front of the house. It is also stated that the occupants of the HMO are utilising the vehicular crossover of No. 883 to access the hardstanding to the front of No. 885. It is accepted that this has the potential to cause nuisance to the occupants of No. 883. However, the agent submitted amended plans on 12th September to include the provision of a 1m high boundary wall that would be positioned along the side boundary with No. 883 and along the front boundary of the site, which would prevent vehicles 'bumping the kerb' and utilising the vehicular crossover of No. 883. The provision of a low boundary wall would address the nuisance being cause to the occupiers of No. 883 and a condition should be attached to require the boundary wall to be provided in accordance with the submitted details and retained at all times thereafter.

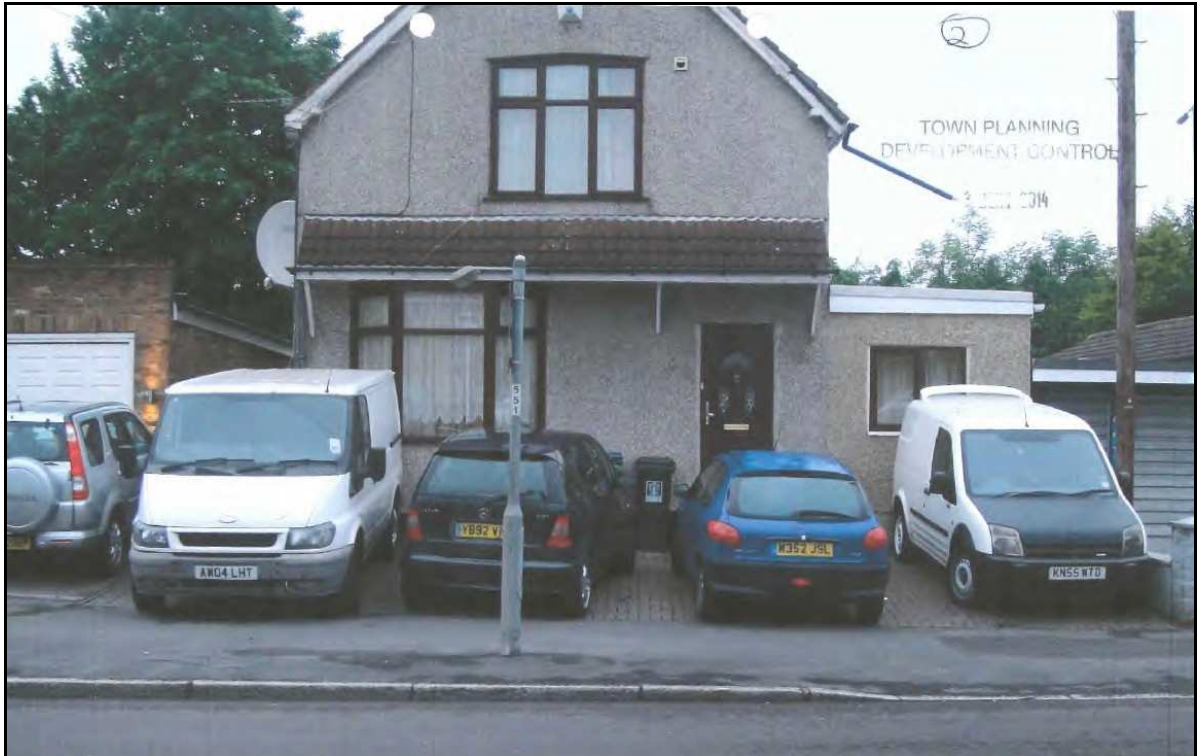
Traffic generation and parking

The Highway Authority has commented that the development is small in scale and has good accessibility to public transport. It has highlighted that the site is near a local neighbourhood centre with shops and other local amenities. In these circumstances, the Highway Authority has commented that it does not object to the proposed development and does not wish to restrict the grant of planning permission.

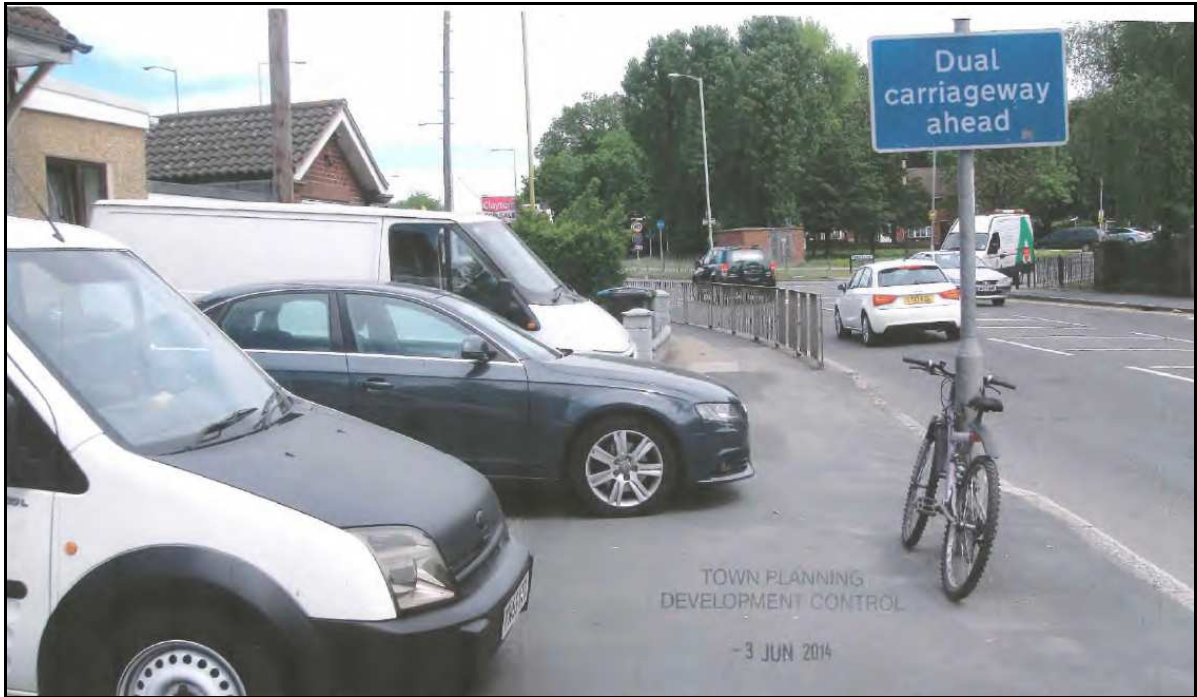
The property previously had two un-obstructed parking spaces on-site; however, the side extension has resulted in the loss of a parking space to the side of the house. Consequently, the proposed development has resulted in an increase in habitable accommodation but a decrease in on-site parking spaces. However, significant weight should be given to the fallback position that a change of use from a dwellinghouse (Use Class C3) to a house in multiple occupation with a maximum of six occupants (Use Class C4) does not require planning permission (being permitted development under Class I of Part 3 to Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended). This means that planning permission would not have been required for the conversion of the original house to an HMO occupied by up to six people; in addition, an HMO continues to benefit from the permitted development rights granted to dwellinghouses generally, so that the construction of the single storey side extension (which has resulted in the loss of a parking space) also constitutes permitted development, Class A of Part 1 to Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended). Taking the fallback position into account, a reason for refusal based on insufficient on-site parking could not be substantiated. However, it would be necessary and appropriate to attach a condition restricting the number of occupants to no more than six people, in order to ensure that change of use from Class C3 to Class C4 is a genuine fallback position. If the HMO were to be occupied by more than six people it is likely that this would lead to an

unacceptable impact on the surrounding area due to parking and traffic generation.

Moreover, it should be borne in mind that the application site is close to a designated neighbourhood centre and associated public transport and local



Photograph showing four vehicles parked at the front of the property



Photograph showing vehicles overhanging the footway and a bicycle chained to the lamp post

shops. The Council's parking standards are maximum standards, which seek to dissuade people from using cars and instead encourage the use of sustainable transport. The proposed development would not exceed the maximum parking standard in Appendix 2 of the Watford District Plan 2000, which is acceptable.

As discussed earlier in the report, there is evidence that occupants of the HMO are 'bumping the kerb' and parking up to four vehicles on the hard surfacing to the front of the property. As a result, vehicles overhang the pavement and bins and cycles are stored to the front of the house due to the obstruction of the access to the side of the house (see photographs above). Consequently, the current situation has an adverse impact on highway safety, it detracts from the appearance of the area, and it is causing a nuisance to neighbours. However, the impact arising from vehicles 'bumping the kerb' and parking to the front could be prevented by the erection of the low boundary wall, which could be secured by condition.

“Saved” Policy T10 of the Watford District Plan 2000 requires the provision of secure and weatherproof cycle storage in new developments. The policy highlights that people may be encouraged to cycle if appropriate storage facilities were provided. Cycle storage is indicated on the proposed drawings. The provision of secure and weatherproof cycle storage could be secured by condition.

Consideration of representations

Neighbour’s Objection	Officer’s Response
<p>Currently there are 5 cars belonging to the residents. 4 parked in front of the house, of which 1 is a commercial vehicle and overhangs the pavement with its bonnet and front wheels.</p> <p>The 5th vehicle has taken up residence on the grass verge to the other side of my property which belongs to the Council. This is also the place where visitors to the property park as well as on the pavement outside 885.</p> <p>Currently the 4 vehicles when parked side by side block the side access to the back of the property preventing residents getting their bicycle in and out of the cycle store. Therefore at least one bike is regularly chained to the Dual Carriageway signage at the front of the house. I have registered my concern that the largest white transit van parks straight on the drive over a full kerb and is 4.8 mtrs long on the drive of 3.8 mtrs. This vehicle extends a full metre over the pavement which whether the house is residential or an HMO is hazardous. Although having remained so for many months nothing has been done about advising the owner.</p> <p>Site plan 802/E shows cross over for 885 and 887 and states that they are shared. I dispute this statement. Each cross over has only ever serviced its own property. 887 has a low brick wall on the boundary line of the driveway and it is impossible to enter or exit 885 frontage using 887 cross over.</p>	<p>The provision of a low boundary wall along the side boundary with No. 883 and along the front boundary would prevent vehicles bumping the kerb and parking inappropriately to the front of No. 885.</p> <p>This would stop vehicles using the vehicular crossover of No. 883 and it would prevent vehicles overhanging the pavement and causing danger to pedestrians. Obstruction to the side alleyway would be prevented which means that bins and cycles could be stored in the rear garden.</p>

<p>Site Plan 001/D shows cross over at my property, 883 and states that this is shared with 885. My cross over has never been shared with 885. My own vehicles occupy my drive and are positioned on my boundary line with 885 making it impossible for those vehicles to enter or exit via this drop kerb.</p> <p>The plans show parking for 2 vehicles on the frontage of 885. The vehicle positioned across the front of the property will have great difficulty entering and exiting with a vehicle parked in the designated space. The vehicles drawn on the plans are shown as cars when in fact the reality is that these vehicles are quite likely to be large vans and will obscure the windows of the house and overhang on to the pedestrian footpath.</p> <p>There is no mention on the plans of the advisory Dual Carriageway signpost that is situated approx 4m from No. 883 cross over in front of the proposed parking for the second vehicle at 885 - this makes entering and exiting No. 885 frontage even more difficult.</p> <p>Given that so many vehicles are linked to people renting this property my feeling is that this will not change. Together with a constant flow of visitors vehicles parked, very often on the pavement outside No. 885, on occasion on my actual driveway and as I have recently discovered on the drive of 887, this property cannot safely support this many vehicles. My question would be how will these vehicles be monitored and prevented from just continuing all this haphazard parking if permission is granted for on HMO. The vehicle collecting the machinery is a works van and often leaves dust and mud on the pavement where it has parked again a pedestrian hazard.</p> <p>The vehicles are causing danger to pedestrians.</p>	
<p>Large amounts of rubbish are starting to be generated and to date no extra facilities have been made for waste and recycle bins. There is no mention on the plans for the provision and storage areas for any extra bins and how they would be accessed.</p>	<p>A bin store could be provided in the rear garden, which would be accessed from the alleyway to the side of the house. Details of the bin storage facilities could be secured by condition.</p>

<p>The white pvc window that was cut in to the south facing wall at the time of the alterations is not in keeping with the brown pvc windows of the original house. This window is haphazardly installed.</p>	<p>The new ground floor window in the south-western side elevation has white frames, which does not reflect the brown frames of the other windows. However, given that the window is located at ground floor level in the side elevation it would not be particularly noticeable in the street scene. As such, the window would not have a significant harmful impact on the character and appearance of the area.</p>
<p>The ground floor layout shows an arrow denoting demolish to the south facing side – not very clear but am guessing this refers to the side lean-to being removed to allow bicycle access to the rear of the garden store. My comment would be that 6 bicycles would seem to be a little over ambitious as I have only seen 1 bicycle used at the property.</p> <p>The lean-to does, however appear to house some heavy machinery that is collected in the morning by various workmen and returned at the end of the day, unloaded from various large white vans parking up on the pavement outside on a regular basis. The plans do not mention where this machinery will now be housed and where the works vehicles will load and unload.</p>	<p>The single storey addition on the south-western side elevation of the house would be demolished to allow access to the rear garden. There is no objection to cycle storage for 6 bicycles because this would encourage sustainable transport.</p> <p>The storage of machinery is not a material consideration for the current planning application for an HMO. A separate enforcement investigation may be necessary if a business is being operated from the premises.</p>
<p>The proposed plan of the internal layout of 885 shows that a very large living room will be made available for the use of the renters where there was none before. My feeling is that if permission is granted for an HMO this space in time will be divided up again into one or possibly two further bedrooms making the house 8 bedrooms.</p>	<p>It is suggested that a condition be attached to any planning permission to prevent more than 6 people occupying the HMO. Any proposal for additional occupants would then require a new planning application.</p>

Conclusion

The proposed HMO would not result in more than 10% of the houses in the street block being converted to flats or HMOs, which complies with “saved” Policy H13(a). Furthermore, the HMO does not unacceptably alter the character of the street block because the property will continue to appear as a residential house.

Environmental Health comments that, due to the number and location of bathrooms and WCs in the property, the total occupation of the property should not exceed 6 people. A condition could be attached to any grant of planning permission to restrict the number of occupants of the HMO to 6 people. This condition would also ensure that the bedrooms would not be over-occupied. Each room would benefit from sufficient levels of natural lighting and outlook.

The single storey side extension appears subordinate to the dwelling and has no adverse effect on the character and appearance of the street scene. Moreover, it has limited impact on the light received by, and outlook from, neighbouring residential properties.

There is evidence that occupants of the HMO are currently bumping vehicles over the kerb and parking up to 4 vehicles on the hard surfacing to the front of the property. A representation has been received which states that vehicles are using the vehicular crossover of No. 883 to access the hard surfacing of No. 885. The current situation is causing some nuisance because vehicles overhang the pavement and bins and cycles are being stored to the front of the property because the side alleyway is obstructed by the parked vehicles. However, vehicles could be prevented from bumping the kerb and using the vehicular crossover of No. 883 through the provision of a low boundary wall along the side and front boundaries. The provision of a boundary wall could be secured by condition and would address the nuisance that is currently being caused by the parked vehicles.

The property previously has two un-obstructed parking spaces on-site, however, the proposed side extension has resulted in the loss of a parking space to the side of the house. Consequently, the proposed development has resulted in an increase in habitable accommodation but a decrease in on-site parking spaces. However, significant weight should be given to the fallback position that the change of use from a dwellinghouse (Use Class C3) to a house in multiple

occupation with a maximum of 6 occupants (Use Class C4) does not require planning permission. As such, the original house could have added a single storey side extension (resulting in the loss of a parking space) under permitted development and could have been converted to a 6 person HMO without needing planning permission. Taking the fallback position into account, a reason for refusal based on insufficient on-site parking could not be substantiated. However, it would be necessary to attach a condition restricting the number of occupants to 6 people to ensure that change of use from Class C3 to Class C4 is a genuine fallback position. Moreover, it should be borne in mind that the application site is close to a designated neighbourhood centre and associated public transport and local shops.

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.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. The alterations shown on drawing No. MG/002/F Rev F, received by the Local Planning Authority on 12th September 2014, including the removal of kitchen units, internal bedroom partition walls, W.C. and shower room; demolition of the single storey addition on the south-western side of the house; and provision of escape windows to front and rear elevations of the side extension hereby approved, shall be implemented by 16th December 2014.

Reason: To ensure that a satisfactory standard of accommodation is provided and to ensure that the proposed house in multiple occupation would not adversely effect the amenity and appearance of the surrounding area.

2. Unless otherwise agreed in writing by the Local Planning Authority, a 1m high brick boundary wall shall be erected adjacent to the side boundary with No. 883 St. Albans Road and adjacent to the front boundary, as shown on drawing No. MG/801/B Rev B received by the Local Planning Authority 12th September 2014. The boundary wall shall be erected by 16th December 2014 and shall be retained at all times thereafter.

Reason: To prevent vehicles bumping the kerb and utilising the vehicular crossover of No. 883 St. Albans Road, to protect the amenity and appearance of the surrounding area, and to avoid an adverse effect on highway safety.

3. The property shall not be occupied by more than 6 people.

Reason: To ensure that the accommodation has sufficient amenities to meet the needs of the occupants; to prevent over-crowding of bedrooms; and to limit the impact on the surrounding area, including parking and traffic generation.

4. Construction of the development hereby permitted shall not take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturday, 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.

5. Details of the siting, size and design of refuse, recycling and cycle storage shall be submitted to the Local Planning Authority for approval by 16th November 2014. The storage facilities shall then be installed in accordance with the approved details within one calendar month of the written approval of the Local Planning Authority. The storage facilities shall be retained at all times thereafter.

Reason: In the interests of the visual appearance of the site, and to ensure that sustainable transport objectives are met.

6. This permission shall relate to the plans and application form as amended by the drawings received by the Local Planning Authority on 12th September 2014.

For the avoidance of doubt as to what has been permitted.

Informatives

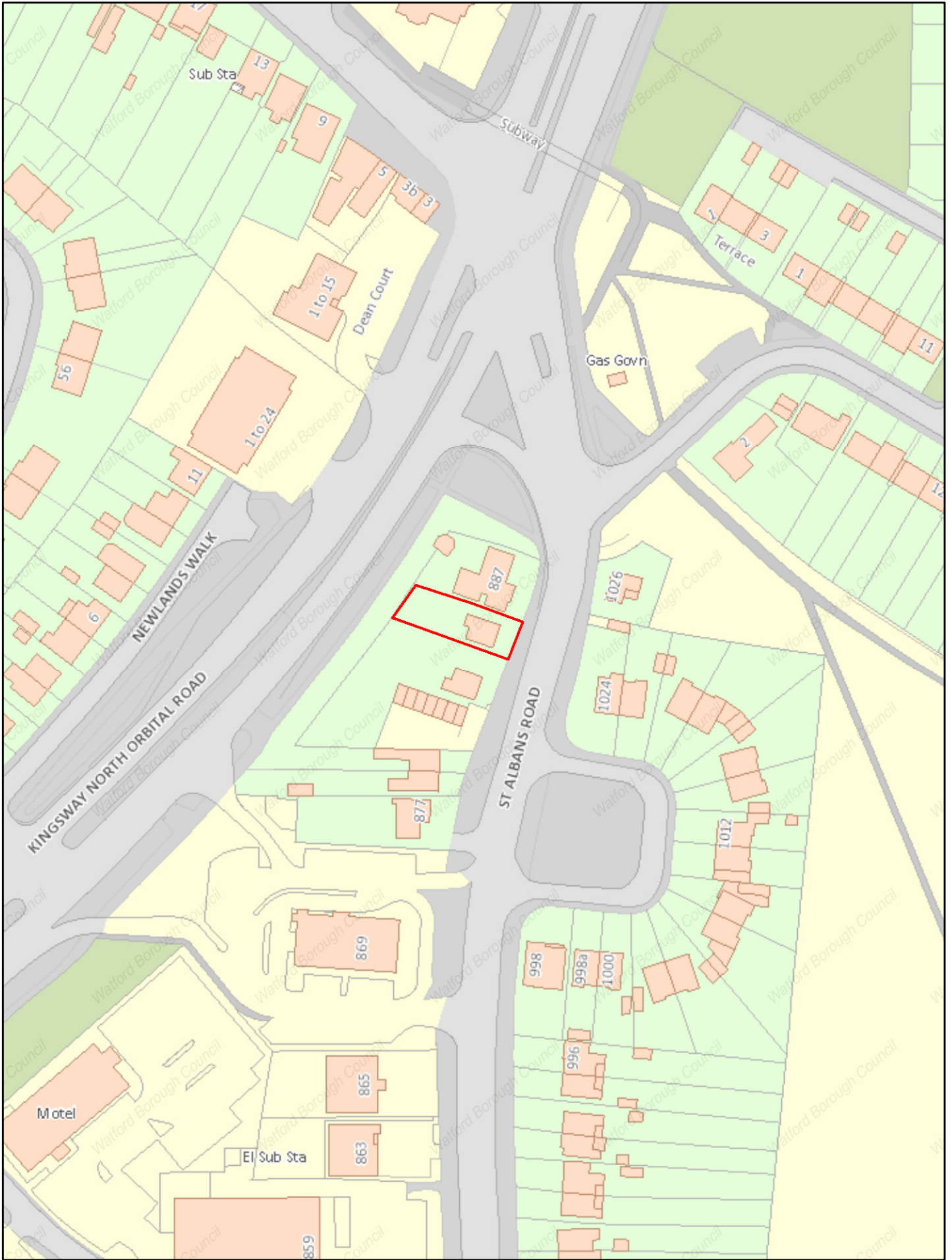
1. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance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

Drawing numbers

MG/001/D Rev D; MG/002/F Rev F; MG/701/A Rev A; MG/801/B Rev B;
MG/802/E Rev E

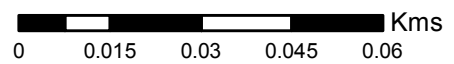
Case Officer: Chris Osgathorp
Email: chris.osgathorp@watford.gov.uk
Tel: 01923 278968

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885 St Albans Road

Date: 06/10/2014



Scale 1:1,250



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PART A

Report of: **DEVELOPMENT MANAGEMENT SECTION HEAD**

Date of Committee: **16th October 2014**
Site address: **184 Pinner Road Watford**
Reference Number : **14/01145/FUL**
Description of Development: **Demolition of existing dwelling and garage
and erection of 2 new dwellings**
Applicant: **Mr Steven Muscat and Mr Darren Secunda**
Date received: **2nd September 2014**
8 week date (minor): **28th October 2014**
Ward: **Oxhey**

SUMMARY

Full planning permission is sought for the demolition of the existing dwelling and garage on the site and the erection of two new detached dwellings.

The application has been submitted following extensive pre-application discussions, resulting in a scheme that will provide two well-designed properties that will be finished to a high standard. The new properties will provide suitable living conditions for their future occupiers without compromising the amenities of neighbours.

The design and layout of the development is sympathetic to the surrounding built form and respects the character of the Watford Heath Conservation Area in which the site is located.

A Unilateral Undertaking has been completed by the owners of the site which secures financial contributions to offset the impacts of the development on local services and infrastructure.

The Development Management Section Head recommends that planning permission be granted as set out in the report, subject to conditions.

BACKGROUND

Site and surroundings

The site comprises a detached chalet bungalow and its associated garden area which is located within a primarily residential area in the Oxhey ward of the Borough. The property lies on the northeastern side of Pinner Road, adjacent to the junction with Sherwoods Road. Vehicular access to the site is gained via a crossover off Sherwoods Road. There is a detached garage building to the northeast of the house, close to the boundary shared with the neighbouring property of 30 Sherwoods Road.

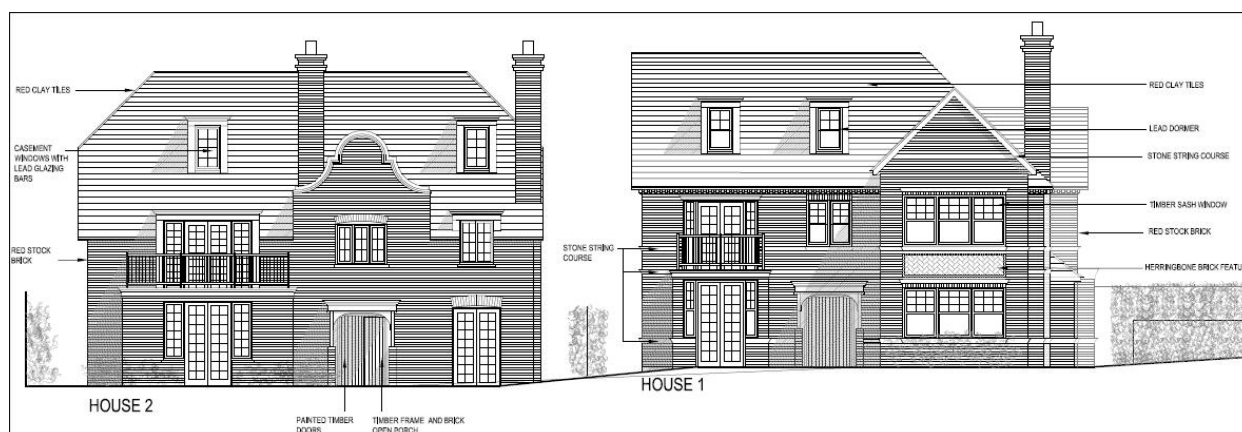
The house itself was built in the 1920s and occupies a generous, square-shaped plot which covers an area of 0.128ha. The house sits within landscaped gardens and there are a number of mature trees both in, and around, the site which contribute positively to the character of the area. Four of the trees within the site are protected by a Tree Preservation Order (TPO No. 220). Evergreen hedging exists along the southeastern and southwestern boundaries of the site.

The surrounding area is primarily residential in character and incorporates a mix of housing types which vary in architectural style and age. The area also has a semi-rural character given its location on the edge of the town. The nearby open grassland heath including the buildings that surround it create the character of a village green.

The property is located within the Watford Heath Conservation Area. The site does not encompass any statutory or locally listed buildings. However, there are a number of locally listed buildings that lie within the vicinity of the site. These include 31-33 Sherwoods Road, 186 Pinner Road (also known as Pinehurst), 201-205 Pinner Road, 207 Pinner Road (Load of Hay Public House) and Nos 32, 33, 34, 35, 36, 37 Watford Heath.

Proposed development

Full planning permission is sought for the demolition of the existing dwelling and garage on the site and the erection of two individually-designed, detached dwellings.



Proposed elevations facing Pinner Road

The proposed dwellings will each comprise five bedrooms and will be arranged over three floors. The houses will front Pinner Road. The easternmost house (labelled as House 1 on the submitted plans) will feature an entrance and porch on its southeast elevation which fronts Pinner Road.

Vehicular access to the properties will be gained utilising the existing crossover on the Sherwoods Road frontage. Each of the proposed properties will have two parking spaces.

Refuse, recycling and cycle storage for each of the properties will be provided within purpose-built enclosures.

Amendments

The scheme has been amended during the course of the application at the request of the Council. Below is a summary of the amendments:

- The first floor window above the door on the front elevation of House 1 has been amended. This redesign has resulted in the window being widened which improves

its proportions and its alignment with the door beneath and the dormer above, thereby enhancing the elevational appearance of the front elevation of the house.

- The Dutch gable feature on the front elevation of House 2 has been redesigned to integrate better with the building.

Relevant planning history

Date of erection – 1921.

Ref. 00/00262/FUL – Erection of a conservatory – Conditional Planning Permission granted in June 2000.

Ref. 01/00287/FUL – Replacement front bay window – Conditional Planning Permission granted in June 2001.

Ref. 12/00810/CON – Conservation Area Consent for demolition of single dwelling – Refused Consent in October 2012 for the following reason (N.B: This application was submitted in tandem with 12/0811/FUL – see below):

1. *The demolition of the existing property, in the absence of an approved scheme for its replacement, would neither preserve nor enhance the character or appearance of the Watford Heath Conservation Area, contrary to Policy U20 of the Watford District Plan 2000.*

The Council's reason to refuse the above consent was appealed against (see below).

Ref. 12/00811/FUL – Demolition of existing dwelling and construction of replacement dwelling plus one additional dwelling – Refused Planning Permission in October 2012 for the following reasons:

1. *The proposed development would not suitably address the street frontage to Sherwoods Road by virtue of its poor layout and design. The proposed houses*

would face away from the street, effectively turning their backs towards both Pinner Road and Sherwoods Road. The southeast-facing elevation of Plot 1 would feature a large, relatively uninterrupted, expanse of wall which would present an unattractive appearance to the development when viewed from the street. It is considered that the development would have a detrimental impact on the streetscene, the character and appearance of the Watford Heath Conservation Area and the setting of the nearby Locally Listed Buildings. The proposal contravenes the provisions of Supplementary Planning Guidance 27 (SPG27), the Residential Design Guide, Volume 1 (RDG) and Policies H7, U1, U2, U3, U15, U18 and U19 of the Watford District Plan 2000. In addition, the development would fail to make a positive contribution to the local character and distinctiveness of the area, contrary to the advice contained within Section 12 of the National Planning Policy Framework (NPPF).

2. *The proposed building would be considerably larger than the existing detached property in terms of its scale and height, thus increasing both the overall massing and footprint on the site. The houses would be higher than the neighbouring properties, particularly that at 184A Pinner Road, and would appear dominant when viewed from the street. This would also result in the new houses having a poor relationship with the surrounding development. As such, the scheme would neither enhance nor preserve the character or appearance of the Watford Heath Conservation Area and would cause harm to the visual amenity of the site and its surroundings including the setting of the nearby Locally Listed Buildings, contrary to the provisions of Supplementary Planning Guidance 27 (SPG27), the Residential Design Guide, Volume 1 (RDG), Policies H7, U1, U2, U3, U15, U18 and U19 of the Watford District Plan 2000 and the advice contained within Section 12 of the National Planning Policy Framework (NPPF).*
3. *The design of the proposed development fails to respect the context of the site and the character of the Watford Heath Conservation Area. The new properties would have a modern, largely symmetrical appearance and houses of this design would*

not enhance the character of the area. The application also fails to demonstrate that the new houses would feature a suitable use of materials and external finish given the lack of detail provided within the application submission. The dormer windows would appear incongruous by reason of their excessive size and siting. They would appear disproportionate with the scale of the houses and would dominate the rear roofslopes. The proposed middle dormer on the rear roofslope of Plot 1 would not be centrally aligned with the first floor window beneath it and this would further contribute towards the poor relationship that these features would have with the buildings. For these reasons, the proposal contravenes the provisions of the Residential Design Guide, Volume 1 (RDG), Policies H7, U1, U2, U3, U15, U18 and U19 of the Watford District Plan 2000 and the advice contained within Sections 7 and 12 of the National Planning Policy Framework (NPPF).

- 4. The application fails to demonstrate that an adequate car parking arrangement and suitable vehicular manoeuvring space, to serve the proposed development, can be provided on site. It has not been demonstrated that a safe and convenient means of parking can be achieved without resulting in danger and obstruction to its users or users of the adjoining highway, contrary to Policies H9, T4 and T21 of the Watford District Plan 2000. With inadequate parking and manoeuvring space, the development would fail to provide a suitable living environment for future occupiers of the development.*
- 5. The proposed building would be considerably larger than the existing property in terms of its scale, height, massing and footprint. As a result, the scheme would have an overbearing impact on neighbouring properties and would lead to a heightened sense of enclosure within neighbouring gardens. The proposal would detrimentally affect the living conditions of the neighbours contrary to the provisions of the Residential Design Guide, Volume 1 (RDG) and Policies H7, H8 and U2 of the Watford District Plan 2000.*

6. *The proposal would result in a loss of privacy to the occupiers of the neighbouring property at 30 Sherwoods Road given the potential to be overlooked from the proposed first floor window (serving the room labelled as "Bedroom 4" on Drawing No. 01) on the southeast-facing elevation of Plot 2. Similarly, the house at Plot 2 would suffer from poor levels of privacy by potentially being overlooked by No. 30. This would detrimentally affect the living conditions of the occupiers of Plot 2 and the neighbours contrary to the provisions of the Residential Design Guide, Volume 1 (RDG) and Policies H7, H8 and U2 of the Watford District Plan 2000.*

The Council's reasons to refuse the above application and the Conservation Area Consent (Ref. 12/00810/CON) were appealed against (Appeal Refs. APP/Y1945/A/12/2189908 and APP/Y1945/E/12/2189899). Both appeals were dismissed in May 2013.

Ref. 13/01110/PREAPP – Pre-application enquiry for demolition of house and garage and construction of two houses – The Council responded to this pre-application enquiry in November 2013. In its original response, the Council advised that the redevelopment of the site to demolish the house and provide 2 new houses is acceptable in principle. However, there were some fundamental issues with the proposed scheme relating to its layout, its impact on the amenities of neighbours, the sub-standard parking arrangement and its poor design and layout. The applicant subsequently employed a new architect who has re-designed the scheme. Extensive discussions have taken place and amendments have been made leading up to the submission of this application.

Relevant planning history for plot adjoining 184 Pinner Road:

Ref. 28245 – Erection of detached dwelling house – Conditional Planning Permission granted in December 1964.

Relevant Policies

The National Planning Policy Framework (NPPF)

Section 4 Promoting sustainable transport

Section 6 Delivering a wide choice of high quality homes

- Section 7 Requiring good design
- Section 10 Meeting the challenge of climate change, flooding and coastal change
- Section 11 Conserving and enhancing the natural environment
- Section 12 Conserving and enhancing the historic environment

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

No relevant policies.

Hertfordshire Minerals Local Plan (saved policies)

No relevant policies.

Watford District Plan 2000 (saved policies)

- SE7 Waste Storage, Recovery and Recycling in New Development
- SE22 Noise
- SE23 Light Pollution
- SE24 Unstable and Contaminated Land
- SE28 Groundwater Quality
- SE37 Protection of Trees, Woodlands and Hedgerows
- SE39 Tree and Hedgerow Protection in New Development
- T10 Cycle Parking Standards
- T21 Access and Servicing
- T22 Car Parking Standards
- T24 Residential Development
- H9 Back Garden Development
- H10 Planning Agreements for Educational and Community Facilities
- L8 Open Space Provision in Housing Development
- L9 Children's Play Space
- U15 Buildings of Local Interest
- U18 Design in Conservation Areas
- U19 Small Scale Developments in Conservation Areas
- U20 Demolition in Conservation Areas

Watford Local Plan Core Strategy 2006-31

WBC1	Presumption in favour of Sustainable Development
SS1	Spatial Strategy
SD1	Sustainable Design
SD2	Water and Wastewater
SD3	Climate Change
SD4	Waste
HS1	Housing Supply and Residential Site Selection
HS2	Housing Mix
T2	Location of New Development
T3	Improving Accessibility
T4	Transport Assessments
T5	Providing New Infrastructure
INF1	Infrastructure Delivery and Planning Obligations
UD1	Delivering High Quality Design
UD2	Built Heritage Conservation
GI3	Biodiversity

Supplementary Planning Documents

SPG10 Open Space Provision (SPG10)

Residential Design Guide (RDG)

Watford Character of Area Study

Watford Heath Conservation Area Character Appraisal

CONSULTATIONS

Neighbour consultations

Letters were sent to a total of 15 addresses that adjoin and surround the site. Eight representations have been received citing the following objections:

- Overdevelopment.
- Detrimental to look of the area.
- More like vandalising conservation area than conserving it.
- Not in keeping with area.
- Loss of light to neighbours.
- Impact on outlook.
- Noise disturbance.
- Inadequate parking leading to further parking problems in Sherwoods Road.
- Ugly buildings which are out of simpatico with each other and the wants of the Council.
- Overlooking.
- Impact on views from neighbouring property.
- The properties would dominate what has hitherto been a quiet and leafy corner in one of the last picturesque areas in Watford.
- Houses would destroy visual balance sought in the Watford Heath Character Assessment.
- Intrude on privacy of neighbours.
- Deny neighbours the pleasant skyline of trees, bushes, sky and sunsets that they enjoy.
- Noise disturbance caused by cars driving in and out of the properties.
- Will lead to more parking on road.
- Prospect of several more cars either parked or pulling out from Sherwoods Road so close to the corner can only add to the danger of collisions.

- Character of area would be dramatically altered.
- Buildings will be dominant and out of keeping with other buildings in the conservation area especially those opposite, namely the Load of Hay pub and three adjoining cottages.
- Overbearing impact on neighbouring property.
- The bricks to be used are completely out of character with any other houses in the immediate surroundings. Likewise the Romanesque pillars.
- Air pollution caused by cars using driveway.
- No mention of boundary hedge being retained and a fence or wall would be inappropriate and spoil the “green” look of the area.
- The proposed development has cosmetic rather than substantial changes from the previously declined application which failed on appeal.
- Will add more traffic to a road which is already too busy, especially on such a dangerous corner.
- Semi-rural ambiance of the area would be lost.
- Proposed development is too large for the plot.

Site Notices

Site notices were placed. The period for comment expired on 26th September 2014.

Press Advertisement

An advertisement was published in the Watford Observer. The period for comment expired on 3rd October 2014.

Statutory consultations

Hertfordshire County Council (Highway Authority)

The Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

1. All materials and equipment to be used during the construction shall be stored within the curtilage of the site unless otherwise agreed in writing by the Highway Authority prior to commencement of the development.

Reason: In the interest of highway safety and the free and safe flow of traffic.

2. Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

Reason. To minimise the impact of construction vehicles and to protect the amenity of the local area.

The application seeks full permission for the demolition of an existing two-storey dwelling and the erection of 2 two-storey houses on a site at 184 Pinner Road to the southeast of Watford and 30m from the boundary with Three Rivers district.

Written information to describe the proposal in addition to the application form takes the form of a Planning, Transport, Design & Access Statement. There is also a form generated by the Planning Portal website described as 'Community Infrastructure Levy – Determining whether a Development may be CIL Liable'. The Transport Statement element of the combined report does not comply with the nationally accepted standards for such an analysis were it to be provided in a freestanding document. However the information provided is sufficient for the scale and location of proposal described.

The site is at the junction of Pinner Road with Sherwoods Road. Pinner Road is the A4008 and is on the principal road network. It has the status of main distributor in the HCC hierarchy and has a 30mph speed limit. Sherwoods Road is a single carriageway unclassified local access road with a 30mph speed limit. There is a flat-topped entry feature across its entrance to reduce traffic speed and improve the pedestrian route across it.

Access

Vehicular access is currently achieved via a footway crossover off Sherwoods Road. This is shared with number 30 next door. The responses to question 6 in the application form indicate no change to vehicular access but alteration to pedestrian access to the site. This would take the form of closing the existing pedestrian entrance from the Pinner Road frontage and creating a new one to each of the 2 new dwellings.

Accessibility

Being located on the southern edge of the borough the site has quite low accessibility. I note that good access to Clapham Junction and Richmond are highlighted on page 3 of the Planning, Transport, Design & Access Statement. To those I would add major destinations along the west coast main line e.g. London Euston and Birmingham and Manchester.

Parking

The responses to question 11 in the application form indicate that there would be one change in car spaces on site should this proposal be granted permission but that there would be 4 additional cycle parking spaces created on the site. The version of drawing 1406-TP.03 06/14 TA described as 'Car Maneuvring (sic) As Proposed' illustrates by using computer-generated swept paths how private cars could successfully get into and out of the proposed parking bays while leaving and entering the public highway in forward gear.

Planning obligations

It is the policy of the County and Borough Councils to seek planning obligations to mitigate the effects of development. HCC's requirements in respect of highways and transport are set out in section 11 of the document 'Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements)'. This can be read/downloaded at <http://www.hertsdirect.org/yourcouncil/hcc/resandperf/hertsprop/planningobs/>.

The site is in accessibility zone 4 according to the LPA's Car And Cycle Parking Zones map. Accordingly and based on the Toolkit I calculate the second strand contribution as consisting of £1,000 based on the net increase in residential accommodation described in response to question 18 in the application form. In accordance with the Toolkit this sustainable transport contribution would be index linked (by SPONS) from July 2006 to the date of payment. The date of payment would be prior to first occupation of the development. If the highway authority fails to programme to spend the money within 10 years of receipt, the contribution would be payable back to the developer with any interest.

Conclusion

The Highway Authority does not consider the proposed site will materially increase traffic movements from the site therefore the development is unlikely to result in a significant impact on the safety and operation of the adjacent highway. The Highway Authority has no objection to the grant of permission.

Contaminated Land Officer

The site is located within the vicinity of potentially contaminative land uses. Consequently there may be land contamination issues associated with this site. I recommend that the standard contamination condition be applied to this development should permission be granted.

Thames Water

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. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public

sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk

Water comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Arboricultural Officer

The proposals indicate the loss of one tree (T6 on plan) and an area of shrub/hedge to accommodate the parking spaces for house one. I did have some concerns regarding the latter but the formal clipped hedge on the site boundary is rooted in the first 500mm inside the boundary and should not be affected by the proposals.

To ensure all the trees and hedges shown for retention are not damaged during construction the tree protection methods as shown on ACS drawing TPP1_PR Rev A: and within the tree report should be made a condition of any consent granted.

The plans also show indicative below ground service routes: these are considered acceptable and a condition requiring details of any alteration to these should be submitted and approved.

I would also wish to see details of the proposed type and installation method for the low-invasive and permeable hard surface within the root protection area of T1 and the parking areas for house 1.

Planning Policy – Conservation & Design

The site lies in the Watford Heath Conservation Area as extended in 2006 and has been the subject of an ongoing pre-application dialogue for most of this year. The applicant has made several changes during the course of the pre-application discussions including altering the roof form which involved a loss of internal floor space. Much of the discussion since then has involved reviewing and refining the details of the proposed buildings.

There are a couple of small changes which would result in a better scheme:

- a redesign of the Dutch gable feature on House 2;
- an amended design for the front elevation window above the front door for House 1 – this should use the centre line of the door as the centre line for the window and it could be either a single or double bay.

If these changes are made and conditions applied regarding details and materials then the application is acceptable and overcomes the objections raised by the Inspector as well.

[Note: As referred to above, the application has subsequently been amended to address both these points.]

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 (adopted January 2013)*;
- (b) the continuing “saved” policies of the *Watford District Plan 2000*;
- (c) the *Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026*; and
- (d) the Hertfordshire Minerals Local Plan Review 2002-2016.

Background information

This application follows a previous scheme which was submitted to the Council in August 2012 and which proposed the demolition of the existing house and the erection of 2 houses. This was submitted as two applications – one seeking conservation area consent for the demolition of the dwelling (Ref. 12/00810/CON) and the other seeking full planning permission for the erection of the 2 new dwellings (Ref. 12/00811/FUL). These applications were refused and subsequent appeals were dismissed (see “Relevant planning history” section of the report above). In his appeal decision relating to the erection of the new dwellings, the Inspector concluded that the appeal proposal would have unacceptable adverse effects on the character and appearance of the locality and on the living conditions of neighbours. He also found, however, that material highway safety issues would not arise.

The current application differs significantly from the previous one in terms of its layout, the design of the buildings and their appearance. It is considered that the amendments made to the scheme have addressed suitably the concerns expressed about the earlier proposal.

As of 1st October 2013, conservation area consent is no longer required for the demolition of buildings within a conservation area; planning permission is now required for such demolition, and this aspect falls to be considered as part of the redevelopment proposals for the site.

Principle of development

Policy HS1 of the Watford Local Plan Core Strategy 2006-31 advises that factors that will support residential allocation in the site allocations document, and which will also be considered in determining applications on windfall sites, will include, inter alia: consistency with the spatial strategy; previously developed land; close to good public transport, walking and cycle network routes; location within the town centre or at other strategically located sites. The Policy further advises that factors that will go against residential allocation will include: not previously developed land; land at risk of flooding; existing employment land, open space or other community facilities for which there is still an identified need; land with high biodiversity, landscape or cultural heritage significance; no access to reliable integrated public transport links.

The proposal complies with the provisions of Policy HS1 in that the site occupies land which is close to good public transport routes, is not in an area at risk of flooding, is not existing employment land and does not have high biodiversity, landscape or cultural heritage significance.

Policy HS2 of the Watford Local Plan Core Strategy 2006-31 states that the Council will seek the provision of a mix of housing types, sizes and tenures at local level to meet the requirements of all sectors of the community. This includes the provision of:

- family sized units (especially houses) and;
- smaller housing units;
- provision for those unable to compete financially in the housing market;
- those with special needs as informed by local evidence.

Policy HS2 advises that “Low density family houses with gardens will be sought in more suburban areas”.

Paragraph 8.2.7 of the Watford Local Plan Core Strategy 2006-31 also identifies that there is significant need for dwellings with 3 or more bedrooms.

The proposed development meets the objectives of Policy HS2 in that it will provide family-sized houses, each comprising more than 3 bedrooms and benefiting from substantially-sized gardens. It is considered that such properties are suited to the suburban location of the site.

Affordable housing is not sought in this case because the application is for less than 10 residential units and the site is less than 0.5ha in area.

Policy SS1 of the Watford Local Plan Core Strategy 2006-31 states that “Outside of the areas covered by specific policies, the emphasis will be on making sure that new development protects residential amenity, protects and enhances the character of the area, maintains and enhances the quality of our open spaces and green infrastructure and protects our built heritage”. Outside of the town centre and Special Policy Areas, the focus for residential development will be on low to medium density development with a preference for family housing with gardens. It is considered that the proposal complies with the objectives of Policy SS1 as set out in the sections that follow. The development will meet the aims of providing family housing with gardens as set out above.

Saved Policy H9 (Back Garden Development) of the Watford District Plan 2000 advises that planning permission for back garden development will only be granted where a proper means of access which is convenient and safe for pedestrians, non-motorised and motorised highway users is provided, which keeps to a minimum any visual impact within the street scene and where the proposal complies with the criteria listed in Policies H8, U1, U2, U3 and U4 of the Watford District Plan 2000.

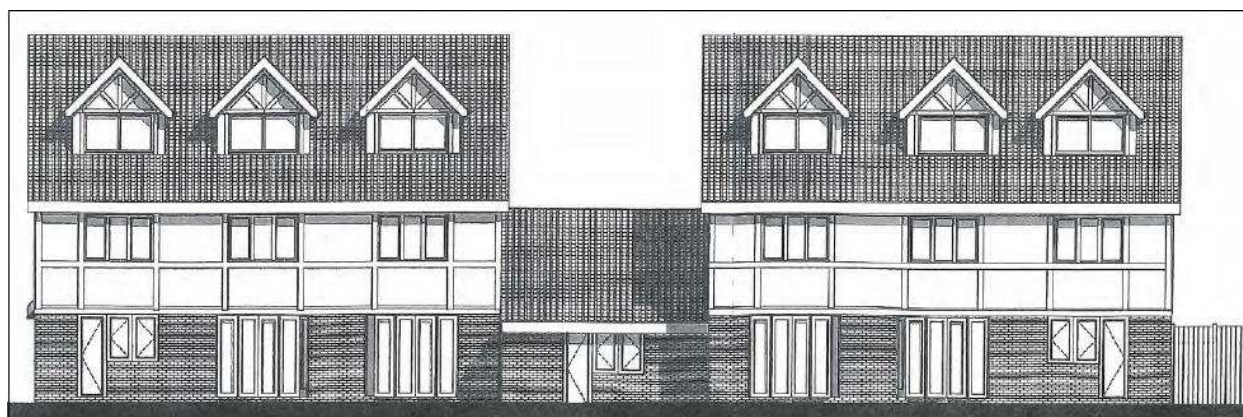
It is considered that the access arrangement proposed will be convenient and safe for its users. The Highway Authority has confirmed that it has no objection to the proposal (see “Transportation, access and parking” section of the report below).

Policies H8, U1, U2, U3 and U4, which are referred to in Policy H9, have not been “saved” and have been replaced by Policies UD1 and SD1 of the Watford Local Plan Core Strategy 2006-31.

Design and impact on street scene

Policies SD1 and UD1 of the Watford Local Plan Core Strategy 2006-31 seek to ensure that all new development is based on an understanding of the local characteristics of the surrounding area. Particular regard should be paid to the height, size, roof pitch, use of materials, textures, finishes, size and scale of window and door openings and the impact on the streetscene. This is supported further by paragraph 7.3.4 of the RDG which states that “In existing areas, particularly in the case of infill or backland development, it is important that proposals respect – but not necessarily in all instances replicate – the height and scale of adjoining or nearby buildings”.

At a national level, the Government’s planning guidance places a strong emphasis on the creation of high quality environments through good design. Section 7 of the National Planning Policy Framework (NPPF) states that planning decisions should aim to ensure that developments “will function well and add to the overall quality of the area” and “are visually attractive as a result of good architecture and appropriate landscaping”.



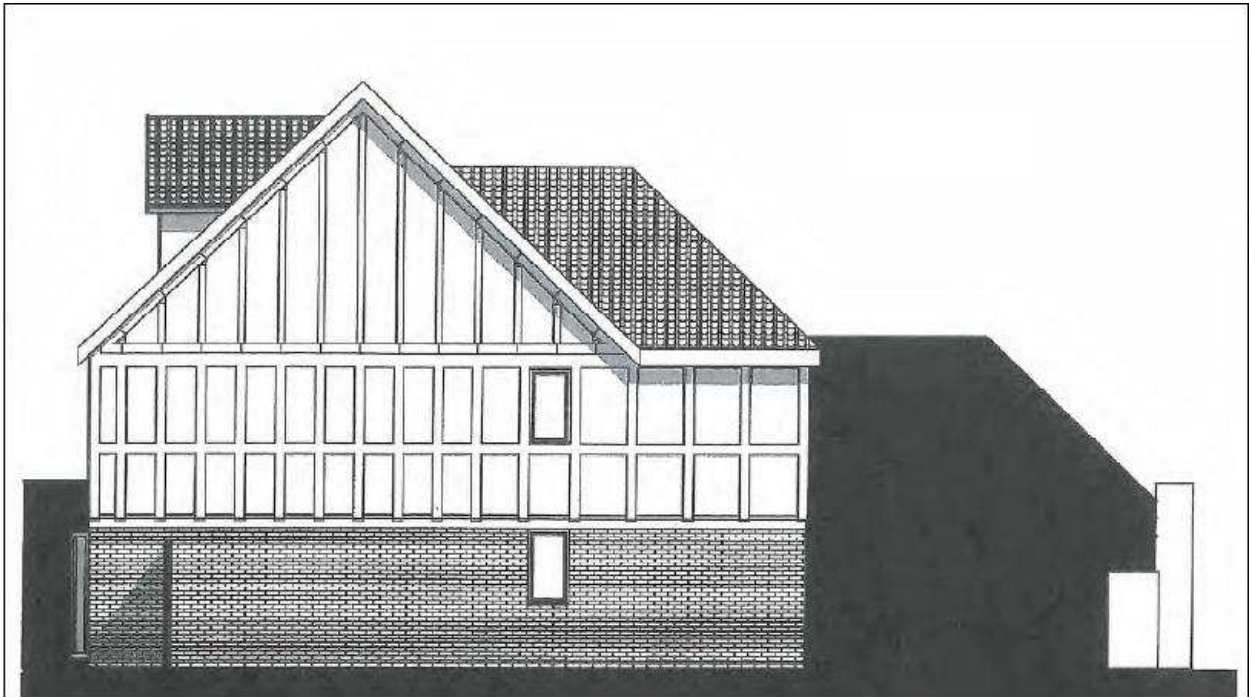
Refused Pinner Road elevation for planning application 12/00811/FUL.

With the earlier scheme (Ref. 12/00811/FUL), two 'mock-Tudor' style houses of a similar design were proposed. These two houses were to be linked by a single storey element. The Council was not satisfied that the houses previously applied for would suitably integrate with the context of the site. This view was endorsed by the Inspector appointed to determine the appeal who, in his decision, commented "The use of virtual total symmetry on the Pinner Road elevations would create unfortunate repetition when one of the attributes of the area is the variety and yet cohesion of most of the houses".

In terms of siting, the Inspector found that some set back off Pinner Road would be appropriate but this need not be a rigid straight line. He commented that a flexible approach on siting may be acceptable and further advised that "an attempt at elevational liveliness would be a normal approach for an important road side position such as this". The current design has followed this approach by virtue of the front of House 1 being setback from the front of House 2 when viewed from Pinner Road and with "elevational liveliness" being created through the various articulated elements and building features.

In contrast to the earlier proposal, the current scheme now seeks to provide two individually-designed properties that vary in appearance but with a consistency of approach. This will help ensure that the scheme reflects the character of the area which consists of a mix of building forms. Many of the buildings within the vicinity of the site were built following the approach of the 'Arts and Crafts' movement and this is reflected in their architecture, particularly with regard to their asymmetric form, their various projecting elements, their roof design including multiple chimneys and the use of high-quality elevational treatments. The architect has adopted a similar approach in designing the two new houses in that they will be bespoke, asymmetric and will rely on the use of high quality materials and traditional detailing that will add visual interest to their elevations. The two houses will differ from each other in terms of their layout, shape, roof design and elevational treatment. Notwithstanding this, however, the two houses have been carefully designed so that they will complement each other when viewed side-by-side.

The scheme considered under application 12/00811/FUL failed to provide a development that would suitably address the street. This formed a reason for refusal of the application and these concerns were upheld by the Inspector who commented in his appeal decision that the scheme “would make no reference to the position of this site, the relevant elevations make little attempt to ‘turn the corner’; a virtually blank gable would face, and be close to, Sherwoods Road.



Refused Sherwoods Road elevation for planning application 12/00811/FUL.

The houses proposed under the previous application were designed to face away from the street, effectively turning their backs towards both Pinner Road and Sherwoods Road. The southeast-facing elevation of the house previously proposed nearest to Sherwoods Road was shown to feature a large, relatively uninterrupted, expanse of wall which would have presented an unattractive appearance to the development when viewed from the street. The current scheme seeks to address this issue by incorporating those features usually found on the principal elevation of a house such as front doors and porches on the elevations facing Pinner Road. In addition, the southeast elevation of the house proposed nearest to Sherwoods Road (labeled as “House 1” on the submitted drawings) will provide

an attractive frontage to Sherwoods Road as a result of its articulation, fenestration and the incorporation of an entrance door and porch on this side. These features will help 'break up' the elevation and create an active frontage that will ensure that the development has a suitable relationship with the street.

Overall, it is considered that the proposed buildings will offer an attractive appearance that is compatible with the surrounding built form. The chalet bungalow that exists at present is somewhat at odds with the surrounding pattern of development due to its scale, orientation and the substantial plot size within which it sits. This observation was supported by the Inspector appointed to determine the previous appeal who advised that "One would expect bulk and mass of any new development on this site to be greater than the existing structure as this is something of an anomaly in terms of its scale relative to its plot size". The existing dwelling and garage to be demolished have no historical or architectural significance and they are neither statutory nor locally listed. It is considered that their removal will not result in harm to the visual amenity of the area subject to the site being redeveloped as proposed.

It is acknowledged that the new houses will rise higher than that of the neighbouring property at 184A Pinner Road, as detailed on the proposed street elevation drawing. However, the building at 184A Pinner Road has a relatively low ridge height when compared to the majority of other two storey detached houses within the area. The proposed house which is to be sited nearest to 184A Pinner Road (House 2) will feature a low eaves height of 4.3m and a half-hipped roof. It will be separated from the boundary shared with 184A Pinner Road by a distance of 1.8m. These measures will help ensure that a suitable relationship between the property at 184A Pinner Road and the proposed houses is achieved. House 1 will not rise significantly higher than the neighbouring property to the northeast (30 Sherwoods Road) and will sit comfortably within the Sherwoods Road street scene.

The proposed houses will be configured over three floors with accommodation being provided within the roofspace. To help facilitate the use of the roofspace, dormer windows are to be installed to the front and rear roof slopes of both houses. It is apparent that

dormers are a feature of some of the houses within the area and indeed the existing chalet bungalow incorporates a dormer on its northwest-facing roofslope and a much larger dormer on its northeast-facing roofslope. The proposed dormers will have modest proportions and will not appear dominant. They will remain proportionate with the scale of the roof and will have a suitable relationship with the other fenestration.

A schedule of the materials to be used for the external finishes of the building has been included within the Planning, Transport, Design and Access Statement which has been submitted with the application. Samples of windows, roof tiles and bricks have also been submitted with the application. These include samples of red multi bricks for the walls of the houses and clay tiles for the roof. The windows are to feature timber framing and for House 1 it is proposed that sliding sash windows are used. Casement windows with lead glazing bars are proposed for House 2. It is felt that the use of multi bricks, timber windows and clay roof tiles is acceptable in principle. However, details of the exact type of materials to be used will need to be secured by condition so as to ensure that a high quality appearance is achieved that remains compatible with the context of the site.

Layout

The RDG outlines the minimum space standards for residential units. The proposed development will comply with the minimum space standards set out in this guidance. Additionally, all habitable rooms provided within the development will benefit from suitable levels of natural lighting and outlook, in accordance with the provisions of the RDG.

The properties have been carefully designed to provide the habitable rooms on the upper floors with a front aspect thereby reducing the potential for overlooking into the neighbouring properties.

Section 7.3.22 of the RDG advises that the minimum area for private amenity space for a 5 bedroom dwelling is 95 square metres. The submitted plans indicate that the gardens provided for each property will significantly exceed 95 square metres in area, in accordance with the RDG. It is considered that the main parts of these gardens will

receive sufficient levels of natural light and will provide an attractive amenity space for residents to enjoy.

Refuse and recycling storage will be created within purpose-built enclosures. The proposed enclosures will allow adequate refuse and recycling storage to meet the demands of the development to be provided without compromising the visual amenity of the site or its surroundings, in accordance with Policy SE7 of the Watford District Plan 2000 and Policy SD4 of the Watford Local Plan Core Strategy 2006-31.

Impact on heritage assets

Policy UD2 of the Core Strategy states “The council will ensure that the borough’s historic environment is identified, conserved, and, where appropriate, enhanced. This will include conservation areas, listed buildings, locally listed buildings, scheduled ancient monuments, archaeological remains and registered parks and gardens, and their settings”.

Paragraph 131 in Section 12 (Conserving and enhancing the historic environment) of the NPPF advises that “In determining planning applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness”.

Annex 2 (Glossary) of the NPPF defines a “Heritage asset” as “A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)”. In this case, the relevant heritage assets include the nearby locally listed buildings and the conservation area.

Paragraph 132 of the NPPF states “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation”. It further states that “As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.

The proposed development will take place within close proximity of the locally listed buildings which are located to the south, southeast and east of the site and which include 31-33 Sherwoods Road, 186 Pinner Road (also known as Pinehurst), 201-205 Pinner Road, 207 Pinner Road (Load of Hay Public House) and Nos 32, 33, 34, 35, 36, 37 Watford Heath.

However, no harm to the setting of the locally listed buildings will be caused given that the development will provide well-designed houses that will incorporate traditional materials and detailing. The new houses will be positioned within the site so that they are setback from both Pinner Road and Sherwoods Road and they will be separated from the nearby locally listed buildings a sufficient distance so as not to dominate them.

The Watford Heath Conservation Area Character Appraisal advises that “The most significant building period, which makes the area special, is the Arts and Crafts Domestic Revival period (1900-1930)”. The Appraisal also states that “The other key feature of the area is the presence of mature trees and hedges. The trees are primarily positioned around the edge of the heath, and act as a foil to the buildings. Many of the properties have well established hedges along boundaries, which add to the semi-rural character of this area”.

The scheme has been designed to reflect the Arts and Crafts style of buildings that are present within the area. This is demonstrated by the fact that each house has been individually-designed. The use of stone string courses, herringbone brick panels and brick dental courses on House 1 and the inclusion of a Dutch gable feature on House 2, along with other detailing, will help add an element of liveliness to the elevations and create a high quality appearance.

The retention of the belt of mature trees and the well-established hedging which runs along the southwest and southeast boundaries of the site will also help ensure that the character of this part of the conservation area is not harmed.

Thus, the proposed redevelopment of the site responds positively to the two key characteristics of the Conservation Area as referred to in the Character Appraisal.

The planning merits surrounding the loss of the existing buildings on the site have already been discussed in the “Design and impact on street scene” section of the report above.

Impact on neighbouring properties

The proposed development will not give rise to any significant harm to the amenities of neighbours; thus, it accords with the provisions of the RDG and Policy SS1 of the Watford Local Plan Core Strategy 2006-31.

Section 7.3.16 of the RDG advises that a minimum separation distance of 27.5m should be achieved between rear elevations of new houses and existing houses, when clear glass and directly facing habitable windows are at first floor level. It further states that “Exceptions will be made where it can be demonstrated that adequate privacy standards can be achieved”. The RDG also advises that a minimum direct distance of 11m should be achieved between upper level habitable rooms on a side or rear elevation and property boundaries to minimise overlooking of private gardens.

In terms of the 27.5m separation distance rule, the guidance relates to “back to back” distances between properties. In this case, the rear elevations of the proposed houses will not directly face the rear elevations of any nearby neighbouring houses. Because of the internal configuration of the proposed buildings, the upper level windows on the rear elevations do not provide the main source of outlook to any habitable rooms. Many of those rear-facing windows will serve non-habitable rooms or will act as secondary windows. As such, these windows can be fitted with obscure glazing and be fixed shut up

to a height of 1.7m above the internal floor level where necessary, in order to prevent any overlooking towards the neighbouring property at 30 Sherwoods Road and beyond.

The neighbouring property at 184A Pinner Road has no windows in its southeast elevation which faces the site. The proposed house nearest to No. 184A will not have any windows in its northwest-facing elevation and, consequently, there will be no direct overlooking towards this neighbouring property.

Balconies are proposed on the front elevations of the houses and it is considered that these will not provide any significant vantage points for views to be afforded into surrounding properties. Whilst the balconies may allow views to be afforded into the gardens of each of the proposed properties themselves, future occupiers will be aware of this situation before occupying the buildings. Also, by virtue of the size of the gardens proposed there would be private space available to future occupants elsewhere within their curtilages.

The proposed development will not result in any significant loss of natural light or outlook to surrounding residential properties given the position of the proposed buildings in relation to neighbouring properties. The new houses will have a larger scale than the existing chalet bungalow which they seek to replace and they will also rise higher and cover a larger footprint than the existing property. However, the scheme will not have an overbearing impact on neighbouring properties at 184A Pinner Road and 30 Sherwoods Road nor will it lead to a heightened sense of enclosure within neighbouring gardens given the separation that will be provided between the new houses and neighbouring properties. House 2 will be sited so that its rear elevation does not extend beyond the rear elevation of that of 184A Pinner Road and the front of House 2 will not project beyond the front of the nearest part of 184A. 45° lines taken from the nearest ground floor habitable room windows on both the front and rear elevations of No. 184A will not be infringed by the development.

In the appeal decision for application 12/00811/FUL, the Inspector found that the appeal scheme would have had an overbearing impact on the neighbouring property to the northeast (30 Sherwoods Road) with open outlook unduly and unacceptably reduced. The scale and massing of the development now proposed differs from that which formed the subject of the appeal and the current application suitably addresses this concern. The buildings currently proposed are to be detached with spacing provided between them whereas the houses previously proposed were to be linked, effectively creating a single building mass. Additionally, the house previously proposed within the northwestern side of the site was to incorporate an L-shaped footprint and would have come within 1m of the boundary shared with 30 Sherwoods Road. The scheme proposed under this current application, however, will allow a greater degree of separation between House 2 and the boundary shared with 30 Sherwoods Road. A minimum distance of 9.5m will now be provided between the rear elevation of House 2 and the boundary shared with 30 Sherwoods Road.

Transportation, access and parking

The site lies within Zone 4 of the “Car and Cycle Parking Zones”, detailed in Appendix 2 of the Watford District Plan 2000. Within this zone, a four or more bedroom house should be served by a maximum of 3 spaces. A total of 2 five bedroom houses are proposed and therefore no more than 6 parking spaces should be provided in order to meet the maximum parking provisions of Policy T22 of the Watford District Plan 2000. The submitted plans indicate that a total of 4 spaces will be provided (2 per property) which will not exceed the maximum standards.

The proposed layout indicates that manoeuvring space will be provided to allow the parking spaces to be accessed and egressed with relative ease and convenience.

A minimum of 1 cycle parking space is required per dwelling, in accordance with Policy T10 of the Watford District Plan 2000. The submitted drawings indicate that cycle storage will be provided within enclosures which are to be sited at the rear of each property. Such provision will create secure and weatherproof storage in locations that will not cause harm

to the visual amenity of the site. Further details of the exact siting, design and size of the storage enclosures can be secured by condition.

The proposal does not seek to create any new vehicular access. The existing crossover access from Sherwoods Road will be utilised. The Highway Authority has been consulted and has confirmed that there are no objections to the proposal on highways grounds.

A Unilateral Undertaking has been completed by the owners of the site to secure a financial contribution towards the implementation of the South West Hertfordshire Transport Strategy and sustainable transport measures in the Borough of Watford, in accordance with Policies T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31 and Policy T24 of the Watford District Plan 2000.

Trees and landscaping

The trees and hedging contained within the site make a positive contribution to the visual amenity of the area. The majority of the mature trees on the site, including all of those which are subject to a Tree Preservation Order, and the evergreen hedge that runs around a section of the site's perimeter will be retained. Measures will be put in place to ensure that the trees and hedging are protected whilst construction works take place. These will be secured by condition should permission be granted.

Education, childcare, library facilities, youth facilities

The owners of the site have entered into a planning obligation to secure financial contributions towards local services, in accordance with the requirements of Policy H10 of the Watford District Plan 2000. This has been secured by a Unilateral Undertaking.

Public open space and children's playspace

The site is too small to warrant the provision of children's playspace and public open space within its confines. The owners of the site have entered into a planning obligation to secure financial contributions towards the provision of children's playspace and public open space which can be provided off-site, in accordance with the provisions of SPG10 and Policies L8 and L9 of the Watford Local Plan Core Strategy 2006-31.

S.106 contributions

The development which forms the subject of this application is one where, in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31, 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 L8, L9 and H10 of the Watford District Plan 2000 and Policies T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31, 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 and the County Council 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 to which this application relates are set out below. As these contributions have been calculated in accordance with the Hertfordshire County Council's Planning Obligations Toolkit (adopted January 2008) and the relevant policies of the Watford District Plan 2000 and Watford Local Plan Core Strategy 2006-31, they are directly related to the development, are fairly and reasonably related in scale and kind to the 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.

The following contributions (subject to indexation) have been secured through the completion of a Unilateral Undertaking given by the owners of the site.

Education

Primary	Secondary	Nursery	TOTAL
4,692	5,662	545	£10,899

Childcare	£244
Youth facilities	£105
Library facilities	£265
Sustainable transport	£1,500
Total payable to Hertfordshire County Council	£13,013

Public open space	£1,236
Children's play space	£985
Monitoring	£350
Total payable to Watford Borough Council	£2,571

Consideration of objections received

Eight representations were received and these are summarised in the "Consultations" section of the report above. Many of the issues raised have been discussed in the "Appraisal" section of the report. However, those issues that have not already been referred to, or which require further discussion, are outlined in the table below.

Objections	Officer's response
Noise disturbance and pollution.	The driveway providing access to House 2 will run adjacent to the boundary shared with 30 Sherwoods Road. Cars entering and leaving the site and using the access drive will undoubtedly cause some noise and emit exhaust fumes. However, this will not be to an extent that would cause undue harm to the living conditions of neighbours and therefore warrant a reason for refusal of the application. The driveway extending along the boundary will allow access to House 2 and will not be subject to a significantly high frequency of vehicular movements.
Overdevelopment.	The proposed houses will meet the minimum internal space standards set out by the RDG. In addition, the amount of amenity space proposed substantially exceeds the minimum requirement which is set out by the RDG. Furthermore, the new houses will be set within fairly spacious plots and therefore the scheme does not represent an overdevelopment of the site.

<p>Impact on views from neighbouring property.</p>	<p>The impact on views obtained from neighbouring properties cannot be considered as part of the determination of the application as this is not a material planning consideration. Neighbouring properties will continue to benefit from an acceptable outlook.</p>
<p>Impacts on highway safety.</p>	<p>The existing access will be utilised and no new vehicular access will be formed. The net increase of one additional dwelling is unlikely to result in any significant increase in traffic. The Highway Authority has been consulted and has raised no objection on highway safety grounds.</p>
<p>Buildings will be out of keeping with other buildings in Conservation Area especially those opposite, namely the Load of Hay pub and three adjoining cottages.</p>	<p>It is acknowledged that the new houses will be of a different scale and type to the Load of Hay public house building and the adjacent terraced properties which lie on the opposite side of Pinner Road to the application site. However, the site is surrounded by buildings of various types and it would be impossible for the new buildings to reflect all of the various forms of architecture that are present within the area. The design approach which has been adopted by the architect will achieve a high quality development that takes design cues from attractive buildings nearby. The development will sit comfortably with the nearest other detached buildings located on the northeastern side of Pinner Road and the southern end of Sherwoods Road which are larger in scale than the terraced properties referred to by the objector. There is no need to replicate the public house or terraced properties within a site like this.</p>

<p>Romanesque pillars are out of character with any other houses in the immediate surroundings</p>	<p>Pillars are shown on an image submitted by the architect with the application which shows an example of the type of stone string course detail proposed. However, this is a photograph of an existing property and has been used as a reference for the string course only. No Romanesque pillars have been incorporated into the designs for the proposed houses. Instead, the submitted plans include fairly “lightweight”, elegant porch structures to be added to the front elevations of each property.</p>
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Conclusion

The proposed houses will provide suitable living environments for their future occupiers without compromising the amenities of neighbours. The designs are sympathetic to the surrounding built form and respect the character of the Watford Heath Conservation Area and the settings of the nearby locally listed buildings.

A Unilateral Undertaking has been completed by the owners of the site which secures financial contributions to offset the impact of the development on local services and infrastructure.

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.

RECOMMENDATION

That, in consequence of a unilateral undertaking under s.106 of the Town and Country Planning Act 1990 (as amended) having been entered into to secure the contributions and other provisions set out in this report, 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. Demolition of the existing buildings and 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 Policy SE22 of the Watford District Plan 2000.

3. Notwithstanding the information already submitted, no works of construction shall commence until details of the materials to be used for all the external finishes of the buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.

Reason: To ensure that the development is constructed using high quality materials and finishing that respond to the site's context and make a positive contribution to

the character and appearance of the Watford Heath Conservation Area, in accordance with Policies UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31.

4. No development shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of contractors' parking, the delivery and storage of materials, wheel washing facilities, measures to mitigate noise and dust 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 to minimise any obstruction of the adjoining highway during the time that the development is being constructed, pursuant to Policies T24 and SE22 of the Watford District Plan 2000.

5. Notwithstanding the information already submitted, no works of construction shall commence until full details of both hard and soft landscaping works, including details of all existing trees and hedging to be retained, any arboricultural works to be carried out, any new planting, any changes to ground levels, all pathways, all hard surfacing, amenity areas/paving, lighting and, where required, a phasing programme have been submitted to and approved in writing by the Local Planning Authority.

The approved landscaping scheme, with the exception of the planting, shall be completed prior to any occupation of the development or in accordance with an approved scheme of phasing. Any proposed planting shall be completed not later than the first available planting and seeding season after first occupation of any part of the development. For the purposes of this condition a planting season is the period from 1 October in any one year to 31 March in the next following year. 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 in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance of the site in accordance with Policy SE36 of the Watford District Plan 2000 and Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

6. Notwithstanding the information already submitted, details of the size, type, siting and finish of refuse, recycling and cycle storage enclosures for the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby approved. The stores approved under this condition shall be installed and made available for use prior to the first occupation of any part of the development and shall be retained at all times for refuse/recycling/cycles only and shall not be used for any other purposes.

Reason: To ensure that suitable cycle, refuse and recycling storage facilities are provided for the occupiers of the development and in the interests of visual amenity, in accordance with Policy T10 and SE7 of the Watford District Plan 2000 and Policies UD1, UD2 and SD4 of the Watford Local Plan Core Strategy 2006-31.

7. No work shall commence until details of the siting, height and type of fencing, gates or other 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. The fencing, gates or other means of enclosure shall be provided as approved prior to the first occupation of any part of the development and shall be maintained as such at all times thereafter.

Reason: In the interests of the visual appearance of the site and to ensure that suitable levels of privacy are achieved for residents, in accordance with Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

8. No dwelling shall be occupied until the parking, driveway and manoeuvring areas have been laid out as shown on Drawing No. 1406 – TP.13 (or any subsequent amendment agreed in writing by the Local Planning Authority). The provision made for parking and manoeuvring shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway, in accordance with Policies T21 and T24 of the Watford District Plan 2000.

9. The development shall be carried out only in accordance with the tree protection measures detailed on Drawing No. TPP1_PR Rev A (Tree Protection Plan) and as set out in the Arboricultural Assessment and Protection Method Statement (Ref. ha/aiams2/184pinnerd) prepared by ACS Consulting.

Reason: To ensure that no harm is caused to those trees and hedges which are to be retained during any works on site, in accordance with Policies SE37 and SE39 of the Watford District Plan 2000.

10. The below ground services shall be installed only in accordance with the routes detailed on Drawing No. TPP1_PR Rev A (Tree Protection Plan). Any alterations to the approved layout shall be notified to and approved in writing by the Local Planning Authority before any excavation is made.

Reason: To safeguard the existing trees and shrubs including hedges which represent an important visual amenity, in accordance with Policies SE37 and SE39 of the Watford District Plan 2000.

11. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any modifications or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, F and G of the Order shall be carried out to the dwellings hereby approved without the prior written permission of the Local Planning Authority.

Reason: To enable the Local Planning Authority to ensure that any such developments are carried out in a manner which will not be harmful to the character and appearance of the site and its surroundings, including the Watford Heath Conservation Area, and will not prove detrimental to the amenities of adjoining occupiers in accordance with Policies SS1, UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31.

12. Notwithstanding the information already submitted, no development shall commence until detailed plans showing the existing and new or altered ground levels within the site and the floor levels of each of the proposed dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.

Reason: To ensure that the proposed buildings and any other changes in level on the site maintain a satisfactory relationship between the development and existing properties to safeguard the character and appearance of the area and the privacy and amenities of neighbouring properties in accordance with the objectives of Policies UD1, UD2 and SS1 of the Watford Local Plan Core Strategy 2006-31.

13. All proposed first floor and second floor windows on the northeast-facing elevations of the proposed dwellings including those windows serving the stairwells/landings and all proposed roof light windows shall be permanently fixed closed below 1.7m

above 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 consequent loss of privacy to the future occupiers of the development and neighbouring properties pursuant to the provisions of the Residential Design Guide (RDG) and Policy SS1 of the Watford Local Plan Core Strategy 2006-31.

14. The development shall be carried out only in accordance with the construction methods of the low invasive and permeable surfacing as detailed on Drawing No. TPP1_PR Rev A (Tree Protection Plan) and as set out in the Arboricultural Assessment and Protection Method Statement (Ref. ha/aiams2/184pinnerd) prepared by ACS Consulting.

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

15. Unless otherwise agreed in writing by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Conditions (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Condition (d) has been complied with in relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The scheme shall be submitted to and approved in writing by

the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be produced. The written report shall be submitted to and approved in writing by the Local Planning Authority. The report of the findings shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments.
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This exercise shall be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared, and submitted for the approval in writing of the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that, after remediation, the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given not less than two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification/validation report that demonstrates the effectiveness of the remediation carried out shall be produced, and submitted for the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of (a) above, and where remediation is necessary a remediation scheme shall be prepared in accordance with the requirements of (b) above, which shall be submitted to and approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification/validation report shall be prepared, which shall be submitted to and approved in writing by the Local Planning Authority in accordance with (c) above.

Reason: To ensure suitable measures are put in place to mitigate any potential contamination, in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

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.

2. This planning permission is accompanied by a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure financial payments towards the provision or improvement of public open space, children's play space, childcare, education, youth facilities, library facilities and sustainable transport measures within the Borough of Watford and the provision of any fire hydrants that are necessary to serve the development, in accordance with the provisions of Supplementary Planning Guidance 10 (SPG10), Policies L8, L9 and H10 of the Watford District Plan 2000 and Policies T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31.

3. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the Hertfordshire County Council website at <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

4. Before commencing the development the applicant shall contact Hertfordshire County Council Highways (0300 123 4047) to obtain i) their permission/ requirements regarding access for vehicles involved in the demolition of the

existing buildings; ii) a condition survey of any adjacent highways which may be affected by construction vehicles together with an agreement with the highway authority that the developer will bear all costs in reinstating any damage to the highway.

5. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit Thames Water's website at www.thameswater.co.uk

6. 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. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

7. With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Veolia Water Company, The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Drawing Numbers

1406/L.01; 1406 – L.02; 1406 – TP.01; 1406 – TP.02; 1406 – TP.03; 1406 – TP.04; 1406 – TP.05 Rev B – amended plan received 03.10.14; 1406 – TP.06; 1406 – TP.07; 1406 – TP.08 Rev C – amended plan received 03.10.14; 1406 – TP.09; 1406 – TP.10 Rev B – amended plan received 03.10.14; 1406 – TP.11 Rev A – amended plan received 02.09.14; 1406 – TP.12 Rev B – amended plan received 03.10.14; 1406 – TP.13; 1450LS; TPP1_PR Rev A

Other documents

Planning, Transport, Design and Access Statement

Flood Risk Assessment

Arboricultural Assessment and Protection Method Statement – Ref. ha/aiams2/184pinnerd

Case Officer: **Simon Hoskin**

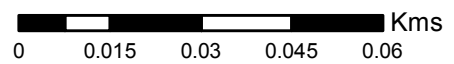
Email: **simon.hoskin@watford.gov.uk**

Tel: **01923 278598**



184 Pinner Road

Date: 06/10/2014



Scale 1:1,250



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DEVELOPMENT CONTROL COMMITTEE

16th OCTOBER 2014

UPDATE SHEET

Item 5

14/01145/FUL – 184 Pinner Road

AMENDED DRAWINGS RECEIVED

Amended drawings were received on 06.10.14 (numbered 1406 – TP.03 Rev A and 1406 – TP. 12 Rev C) which clarify that the existing hedging which runs around part of the perimeter of the site will be retained. The position of the gate serving House 1 has been revised to show that the existing gate opening will be utilised. This will remove the need for the creation of a new opening in the hedge.

AMENDED CONDITIONS

Condition 3 has been amended so that details of the window reveal treatment, the external finish of the dormers and the eaves and soffit treatment can be secured. This revision to the condition is made in order to ensure that a high quality finish is applied. The wording of the reason for this condition remains unchanged.

Condition 3 amended to read as follows:

Notwithstanding the information already submitted, no works of construction shall commence until details of (a) the materials to be used for all the external finishes of the building (b) the reveal treatment to be applied around all windows and doors and (c) the external finish of the dormers and the eaves/soffit treatment, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.

The first paragraph of Condition 5 has been amended to remove the requirement for the submission of “details of hedging to be retained” as the amended drawings referred to above now show the extent of the hedging to be retained.

Condition 5 amended to read as follows:

Notwithstanding the information already submitted, no works of construction shall commence until full details of both hard and soft landscaping works, including details of all existing trees to be retained, any arboricultural works to be carried out, any new planting, any changes to ground levels, all pathways, all hard surfacing, amenity areas/paving, lighting and, where required, a

phasing programme have been submitted to and approved in writing by the Local Planning Authority.

ADDITIONAL CONDITION

It is recommended that a further condition be added to protect the existing hedging as set out below:

The existing hedging shall be retained in accordance with the details shown on Drawing 1406 – TP.03 Rev A unless otherwise agreed in writing by the Local Planning Authority. Any hedging shown to be retained which within a period of five years dies or becomes diseased shall be replaced in the next planting season with hedging of a similar size and species, or in accordance with details approved in writing by the Local Planning Authority. For the purposes of this condition a planting season is the period from 1 October in any one year to 31 March in the next following year.

Reason: In the interests of the visual appearance of the site in accordance with Policy SE37 of the Watford District Plan 2000 and Policies SS1, UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31.

ADDITIONAL REPRESENTATIONS RECEIVED

Additional representations have been received from an objector who had previously made comments earlier on in the application process. In addition, a further objection has been received. These representations raise concerns that there is inadequate on-site parking provision and this will compound parking problems on Sherwoods Road. These issues are discussed in the report.

One of the objectors considers that the parking standards of hotels and guest houses should be applied and therefore 1 space per bedroom would be required. The scheme does not propose a hotel or guesthouse and the appropriate maximum parking standards for dwellinghouses have been considered.

PART A

Report of: **Development Management Section Head**

Date of Committee: **16 October 2014**

Site address: **Cassiobury Park**

Reference Number : **14/00327/FULM**

Description of Development: **The restoration, refurbishment and enhancement of the park including; the reinstatement of the entrances, the re-location of bandstand to its original site within the park, the erection of extensions to existing tea house, the restoration of the original landscape settings, the demolition of the existing kiosks type structures and their replacement with the erection of a new hub building to consolidate the existing facilities in one location, the renovation of the existing water play facilities and the restoration and enhancement of historic designed views and conservation of associated estate watermill ruins. Re-surfacing of historic carriage drives.**

Applicant **Watford Borough Council**

Date Received: **28th February 2014**

8 week date (minor): **30th May 2014**

Ward: **PARK**

SUMMARY

The proposal relates to Cassiobury Park, which forms the principle park in Watford. As well as providing a significant level of open green space, the park plays host to a diverse range of highly popular community events on varying scales. The park is within the

designated Green Belt, and is of national significance by virtue of being included in the register of nationally important historic parks and gardens. The historical evolution of the park reveals that, over the centuries, prominent and significant landscape designers have left their mark in the evolution of the park.

The proposals seek to restore the historic value of the park, and will include:

- restoration of and improvements to the entrances to the park;
- demolition of the existing structures around the paddling pools and the erection of a park hub building with café, community and exhibition room, education facilities, toilets and changing facilities;
- improvements to the paddling pools;
- extension and improvement of the Cha Cha Cha café;
- relocation of the historic bandstand from its current position in front of the Town Hall to its original position in the park.

The aim of the project is primarily to conserve and enhance the park's heritage value. However, the proposal will also improve the circulation within the park and provide an increased range of attractions.

Overall, the proposed scheme respects the historical evolution of the park and its significance for local residents whilst offering an imaginative design for the hub building with its energy efficiency credentials together with restoration of the heritage value of the park.

The Development Management Section Head recommends the application be approved as set out in the report.

BACKGROUND

Site and surroundings

The proposal relates to Cassiobury Park, which forms the principle park in Watford. As well as providing a significant level of open green space, the park plays host to a diverse range of highly popular community events on varying scales. Given its long history and its long evolution over the centuries, the park has considerable significance for local residents.

Cassiobury Park falls within the designated Green Belt; it is also a nationally significant park as it is included as Grade II on the English Heritage *Register of Parks and Gardens of special historic interest in England*. The listing recognizes the rich landscape design heritage of the park and its historic place at the forefront of almost every phase of design evolution since late 16th Century.

The landscape of the park has evolved since the early 17th century, but the park was principally formed early in the 20th Century, from the Capel family's ancient country seat at Cassiobury which was broken up around 1908-27. The park, together with Whippendell Wood, measures some 300 hectares in area (twice the size of Hyde Park).

As well as providing for high quality recreation, the park also supports a rich network of habitats, as part of the site is also designated as an Ancient Woodland Site of Special Scientific Interest (SSSI) at Whippendell Woods. In the Watford District Plan 2000, the park also falls within areas shown as a Local Nature Reserve, the Grand Union Canal Corridor, a Wildlife Site and a Landscape Development Area.

The strategic green space importance and value of Cassiobury Park is recognized both in the park's Green Flag Status and in its identification as a priority in the Green Space Strategy and the Green Infrastructure Plan, where its restoration is regarded as a priority.

The park currently comprises a large green open space, with the two main structures being a cafe near its entrance with Shepherds Road and the hub buildings and the paddling pools towards the centre of the park adjacent to the crescent formed by the river Gade. There are also other smaller buildings dotted around the park.

Proposed development

Full planning permission is sought for:

- 1 A new feature for the Rickmansworth Road entrance. This will replace the unsightly late 20th century bollards with five bar steel estate rail fencing, meadow planting, new resin bonded gravel paving with granite sett paving pattern and a new masonry pier feature to advertise the site from both directions.
- 2 Refurbishment of the Langley Way, Shepherds Road, Stratford Way and The Gardens entrances, using same palette of materials as above, and rationalising signage and street furniture.
- 3 Refurbishment of the historic carriage drive of 1802 and the long straight east-west drive by repairing the surfaces and providing new tar spray and chip top dressing, rationalising cycle markings and restoration and provision of new street furniture.
- 4 Repair and restoration of existing footpaths in High Park and Whippendell Wood, including new timber steps.
- 5 Restoration of the historic Bridgeman Lime Avenue which formerly provided the approach to the lost Cassiobury House from the north west, including the restoration of features such as the 'rond-point' at the entrance to Whippendell Wood.
- 6 Restoration of designed views and conservation of the set piece ruins at the River Gade watermill site by vegetation management to reopen the historic designed vista from the Rustic Bridge to the watermill site, restoration of eroded river banks and the restoration of the watermill ruins and the Rustic Bridge including its balustrade.
- 7 Restoration of historic designed views across Pheasants Island and restoration of design views including the lost section of the c.1730s Bridgeman Lime Avenue.

- 8 Restoration and extension to the Cha Cha Cha tea house and garden. This is a 1925 locally listed house. The erection of the extension will include small new rear wing reflecting the appearance of the principle wing. Internal refurbishment will be carried out to improve DDA access. Outside the café, the proposal includes the reinstatement of the original path layout, including the introduction of new planting, the redesign of the existing northern play area, and the restoration of the lost drinking fountain.
- 9 Erection of a new croquet club pavilion in a Metroland style to reflect the design of the adjacent Cha Cha Cha building.
- 10 Restoration and the relocation of the park's original Grade II listed Hill and Smith bandstand to its former site in the park. There is also a concurrent listed building application for this relocation and restoration work.
- 11 Erection of a new energy efficient hub building linked to the enhanced and refurbished water play and paddling pools. This building will consolidate all existing buildings and storage in the lower part of the site into one footprint, providing improved changing facilities for the pools, sports changing rooms, new kiosk, together with an upper floor café and flexible teaching and exhibition space, park staff accommodation and undercroft storage to contain visual clutter. The building takes advantage of the topography of the location by being partly buried in the valley side so as to reduce its visual impact in the wider landscape. The building will replace all the existing five pool huts, old toilet and changing rooms blocks, which are to be demolished.
- 12 Improvement to the Whippendell Wood car parks at Grove Mill Lane and Rousebarn Lane. This will include replacement entrance signage, improved drainage and patch repairs to the existing surface, plus a small extension to the southern part of the Grove Mill Lane car park.

Planning history

04/00725/FUL CPP 22.11.2004 Proposed fencing at Cassiobury Park Changing Rooms

04/01198/DISCON DCN 07.02.2005 Details submitted regarding Condition 2 (railing colour) pursuant to TP Ref. 04/00725/FUL

07/01116/ADV AC 12.10.2007 Erection of new flagpole and "Green Flag Award" flag on hard landscaping at entrance to park from Rickmansworth Road

07/01357/PREAPP PREAPP 10.10.2007 Pre-application enquiry for proposed new pond

67/04077/FUL PP 28.02.1967 The erection of a Rockwall Banbury Building, adjacent to the watercress beds, Cassiobury Park, for the packing and storage of watercress

61/24315/FUL PP 03.11.1961 Erection of wooden storage hut

14/00778/LBC Listed building consent 17.09.2014 Dismantling of the existing bandstand and plinth, and the repair and re-erection of the bandstand on its original site in Cassiobury Park.

Relevant Policies

National Planning Policy Framework

- | | |
|------------|---|
| Section 8 | Promoting healthy communities |
| Section 9 | Protecting Green Belt land |
| Section 6 | Delivering a wide choice of high quality homes |
| Section 11 | Conserving and enhancing the natural environment |
| Section 12 | Conserving and enhancing the historic 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

Policy SS1	Spatial Strategy
Policy SD1	Sustainable Design
Policy SD2	Water
Policy SD3	Climate Change
Policy T2	Location of New Development
Policy T3	Improving Accessibility
Policy T4	Transport Assessments
Policy UD1	Delivering High Quality Design
Policy GI1	Green Infrastructure
Policy GI2	Green Belt
Policy GI3	Biodiversity

Watford District Plan 2000

Policy SE7	Waste Storage, Recovery and Recycling
Policy SE22	Noise
Policy SE23	Light Pollution
Policy SE27	Flood Prevention
Policy SE36	Replacement Trees and Hedgerows
Policy SE37	Protection of Trees, Woodlands and Hedgerows
Policy SE39	Tree and Hedgerow Provision in New Development
Policy T10	Cycle Parking Standards
Policy T21	Access and Servicing
Policy T22	Car Parking Standards

CONSULTATIONS

Neighbour consultations

48 letters were sent to local residents adjoining the park. Site notices were also displayed within and adjacent to the park.

One letter of objection has been received, expressing concern about the likelihood of anti-social behaviour resulting from the relocation of the bandstand to the park.

Prior the submission of the application, the proposals had been presented in discussions with various stakeholders, including the Friends of Cassiobury Park, Watford Museum, the Herts and Middlesex Wildlife Trust, the Hertfordshire Gardens Trust, the Environment Agency, the Canal and River Trust, the wider community and users of the park.

Statutory consultations

English Heritage

Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion. The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Environment Agency

The Environment Agency has reviewed the revised Water Framework Directive (WFD) Assessment provided by the applicant's agents. We are now satisfied with the WFD Assessment and request that the condition and informative below are added to any planning permission granted.

Condition

No development shall commence until detailed bed surveys and a weir removal method statement have been submitted to and approved in writing by the local planning authority. The weir removal shall then be carried out as approved and any subsequent variations

shall be agreed in writing by the local planning authority. The scheme shall include the following elements:

- Detailed and accurate bed survey including complete long profile of affected channel.
- Detailed plans and methodology for weir removals, bed stabilisation and weir pool retention based on the detailed bed survey. Plans shall include plan views of proposed outcome. Plans will include a central notch in the remaining weir base to aid fish passage if feasible.
- Details and justification of how size of flint nodules and reprofiled slopes behind remnant weirs will retain weir pools and stabilise sediment.
- Details of how excavated material will be used for re-grading and channel improvements, with removal from the river entirely being a last resort.
- Details of channel narrowing, re-grading and enhancements.
- Monitoring plan to assess whether the sediment stability works and pool retention are effective and whether additional work is required to maintain valuable features.
- Details of impact to side channel (adjacent to watercress beds) and how this will be mitigated e.g. improving fish backwater habitat at downstream extent.

Reason: In order to ensure that fish passage through removal of impassable weirs is improved and that the existing quality of habitat is retained and to protect the wildlife and supporting habitat and to secure opportunities for the enhancement of the nature conservation value of the site in line with the advice given in the National Planning Policy Framework 2012.

The National Planning Policy Framework (NPPF) paragraph 109 recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 118 of the NPPF states that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning

permission should be refused and that opportunities to incorporate biodiversity in and around developments should be encouraged.

Article 10 of the Habitats Directive stresses the importance of natural networks of linked habitat corridors to allow the movement of species between suitable habitats, and promote the expansion of biodiversity. River corridors are particularly effective in this way. Such networks and corridors may also help wildlife adapt to climate change.

The Thames river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the ecological impact of the scheme could lead to deterioration of a quality element to a lower status class, e.g. fish in the river Gade because it could decrease the available pool habitat within this reach.

Informative

Under the terms of the Water Resources Act 1991, and the Thames Region Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Gade, designated a 'main river'. This is separate, and in addition to, any planning permission granted. The applicant should contact Trevor Brawn (01707 632399; trevor.brawn@environment-agency.gov.uk) to discuss the requirements further.

Thames Water

Waste comments

There are no objections.

Water comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Veolia Water Company, The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Environmental Health

1. *Food Hygiene Registration*

Any premises intending to store, sell distribute or prepare food (including alcoholic drinks) must register with Watford Council as a food business under Article 6 (2) of Regulation (EC) No 852/2004. Forms are available from the Environmental Services at Watford Borough Council.

2. *Structure*

The design, construction, layout and size of the kitchen must meet the requirements of EC Regulation 852/2004 In particular:

- a) Means of preventing or treating grease entering the drainage system are recommended for catering establishments in order to prevent drainage problems from arising e.g. blockages due to grease/oil accumulations.

- b) Wall and floor surfaces in the cooking area and food preparation areas must be of a design and construction to enable adequate cleaning and disinfection, and prevent the accumulation of dirt or other potentially harmful substances. As such, all surfaces in these areas should be constructed with impervious, non-absorbent, washable and non-toxic materials. Floor surfaces should also be so constructed to allow for adequate surface drainage where appropriate and they must also be non-slip in order to reduce the risk of slip, trips & falls accidents that can be caused due to slippery surfaces.

- c) Work surfaces that are likely to come into contact with food or that are located close to food contact surfaces should be constructed using smooth, washable and non-toxic materials, such as stainless steel, ceramic or food-grade plastic.

3. *Wash Hand Basins*

There must be an adequate number of wash-hand basins. These must be provided with an adequate supply of hot and cold (or appropriately mixed) running water, together with a suitable means for the hygienic drying of hands.

4. *Equipment Sinks*

There must be adequate facilities for cleaning and disinfecting work tools and equipment. A sink must be installed which is big enough to accommodate larger pieces of equipment. The sink must be provided with an adequate supply of hot and cold water and be properly connected to the drainage system.

5. *Extraction System*

The applicant shall submit full details of the ventilation system and up to date plans for approval by the local planning authority department prior to installation.

6. *Waste*

Food waste and other refuse must be stored in closable containers or suitable equivalent, that are in sound condition and easy to clean and disinfect.

Adequate space must be provided for refuse containers to be stored safely and away from rooms where food is present.

Refuse stores are to be designed and managed in such a way as to enable them to be kept clean and free from animals and pests.

Hertfordshire County Council (Rights of Way)

If and when this development is to proceed the nearby public right of way should be protected to a minimum width of two metres or as indicated in the extract of the Definitive Map and Statement and its current surface condition maintained.

I would also make the following comments on the potential impacts the development works might entail and the required minimum standards regarding the maintenance of the public's rights and safety during and after construction.

- The Public Right of Way must remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works.
- The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times.
- The condition of the route must not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) to be made good by the applicant to the satisfaction of this Authority.
- All materials to be removed at the end of the construction and not left on the Highway or Highway verges.

If the above conditions cannot reasonably be achieved then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order.

Also if it is necessary to install any scaffolding on the route or pipes/cables, etc., under the path permission must first be obtained from this office.

Hertfordshire Constabulary Crime Prevention Design Advisor

Bandstand

- I and colleagues from the Watford Safer Neighbourhood Team have previously expressed concerns over the possible Anti-Social Behaviour around the relocated

bandstand, but unfortunately our views have not been reflected in the documentation.

- I note the roofing will be in zinc which will be far better than lead or copper as was first indicated.

Bowls Club

- I note there will be a new clubhouse and I strongly recommend any doors [including fire escapes which mustn't have any external door furniture] be to the LPS1175-SR3 standards. Any glazing in the doors to include one pane of laminated glass to a minimum of 6.4mm as well as toughened glass.
- Any windows to be tested to PAS24-2012 and any glazing to include one pane of laminated glass to a minimum of 6.4mm as well as toughened glass.
- I would recommend both the doors and windows be protected by shutters which again should be tested to LPS1175 SR3.

Cha Cha Café

- I could not find a DAS relating to the amendments to the café, I do however recall a number of external changes one of which related to the small children's play area and the external seating which we recommended was either overlooking or actually within the fenced area. We are concerned with the safety of the youngsters as in our view parents should be able to keep an eye on their children whilst enjoying refreshments.
- If there are any changes to the fabric of the building then again any doors must be tested to LPS1175 SR3 standards and any glazing to include one pane of laminated glass to a minimum of 6.4mm as well as toughened glass. Any fire escape doors must not have any external door furniture which could be utilised to break in to the café.
- Again any replacement windows to be to PAS24-2012 with both toughened and laminated glazing.
- The children's play area to be fenced off to prevent children wandering off and also to prevent dogs etc. coming in to the area to defecate. Our concern over the dog

mess aspect is the danger of children touching the “poo” and putting in their mouths which can lead to Toxocariasis which is a worm that can cause blindness in children.

Visitor Hub and Water Play Area

- I will be looking for all doors to be tested to LPS1175 SR3 with any glazing to include one pane of laminated glass to a minimum of 6.4mm as well as toughened glass.
- Any fire escape doors must not have any external door furniture which could be utilised to break in to the Visitor Hub.
- The glazing must be both toughened and laminated.
- The access from area F to D must be restricted particularly when these areas are in use. The changing rooms need to be able to be locked to prevent unauthorised access and possible theft of personal belongings. It is not clear whether there will be the facility for the secure storage of personal valuable whilst people are playing sport.
- The security of monies from both the café and pool has not been indicated and I would assume it will be banked once a day. There need to be security measures around the transit of daily takings.
- I note that there will be Cor-Ten metal shutters to protect the various parts of the Visitor Centre and Hub but have the shutters been tested to prevent entry. I would be looking for shutters that have been tested to LPS1175 SR3 to provide an overall security protection for the whole site.
- There is no indication of pool safety and security when the development is up and running, particularly where Health and Safety is involved.
- I note there will be vehicles parked with the Centre and it must be made very clear to all visitors that there is no vehicle entry to the Park except for Park Rangers and Emergency vehicles, otherwise I can see the area could be overrun with people wanting to use the surrounding area as a car park.
- Any access roads must be gated with keys/codes for park Rangers and the Emergency Services only.

- There is no indication of fencing around the pool in particular and it must be fenced off to prevent children wandering off and also to prevent dog's etc. coming in to the area to defecate. Our concern over the dog mess aspect is the danger of children touching the "poo" and putting in their mouths which can lead to Toxocariasis which is a worm that can cause blindness in children.

Hertfordshire County Council (Highway Authority)

Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Hertfordshire County Council has no objection to the principle of the development, subject to the informative details below:

- 1) The development shall not begin until details of the disposal of surface water from the footway area have been submitted to and approved in writing by the Local Planning Authority in conjunction with the Highway Authority. The dwelling shall not be occupied until the works for the disposal of surface water have been constructed in accordance with the approved details.

Reason: To minimise danger, obstruction and inconvenience to highway users.

- 2) Prior to the commencement of the site works details of on-site parking for all contractors, sub-contractors, visitors and delivery vehicles shall be approved in writing by the Local Planning Authority in conjunction with the Highway Authority and that area shall be maintained available for use at all times during the period of site works.

Reason: To minimise danger, obstruction and inconvenience to users of the highway.

- 3) All materials and equipment to be used during the construction shall be stored within the curtilage of the site unless otherwise agreed in writing by the Highway Authority prior to commencement of the development.

Reason: In the interest of highway safety and the free and safe flow of traffic.

The proposals are not considered to greatly impact upon highway safety or capacity. It is considered acceptable to the Highway Authority

Planning Policy (Design and Conservation)

Cha Cha Cha building

It is proposed to extend the Cha Cha Cha to provide better event, kitchen and toilet facilities. The alterations will allow the current use to continue and thus provide an important element of the improved park. The principle of extending the building in the manner proposed is acceptable – the additional block has been designed to respond to the scale and massing of the existing building and will sit well alongside the existing building.

However, there are some points of detail where further information and clarification is required prior to approval:

- Windows on the toilet block – 4 are shown on the plan and only 3 on the elevation – 4 is preferable aesthetically.
- The roof lights should be conservation grade and will need to be conditioned for approval prior to development starting – the principle is acceptable.
- The materials for the extension should match the original building – wall should be in a matching brick – this should be specified on the drawings at this stage.
- We need to have more details re the entrance doors – examples of what they mean – photographs and proposed colour.
- The proposal to clad the exterior of the two wings to the building needs additional justification and supporting material – I am not convinced from what we have so far that this is the right approach here. This is a case where there is clearly a change to the character of the building from the proposal to clad sections of it in timber but there is no discussion of other possible solutions to the insulation issue and why this one is considered to be the right one in terms of the impact on the character of the locally listed building – the test is that the benefit to the public from the change should outweigh the harm caused. The renewable energy strategy submitted along

with the application provides some additional information regarding the role of the proposed cladding in terms of improved energy efficiency but there is no real explanation of why external is preferred in some places and internal in others.

- The DAS refers to render and the plans to timber: some photographic images to support the change would help (photomontage).

The Hub Building

In general this is acceptable as a new facility for the park; the building has been designed to make use of the slope in this part of the park and will not dominate the landscape of this Registered Park. A single storey plus the angled roof containing the PVs will be visible from long views across the park – the PVs will be tinted to reduce the glare and reflection which can be experienced on sunny days.

The internal arrangements make good use of limited space and levels to accommodate a wide range of uses proposed within the buildings. The materials chosen will sit well in the landscaped setting creating a contemporary and innovative facility for the park.

Planning Policy (Energy conservation)

The Renewable Energy Strategy meets the requirement to submit a Sustainability Statement and all relevant policies have been considered. The first draft of the Local Plan Development Management policies document went out for consultation at the end of 2013 and sets out the direction for detailed policies following on from the Core Strategy.

We are pleased to see the identified priorities for the renewable energy strategy and the appropriate measures suggested to ensure compliance. Opportunities have been taken to reduce energy throughout the existing building and reasonable provisions to reduce energy consumption will be made in the pavilion and depot buildings. We note the consideration of rainwater harvesting for non-potable water and would strongly encourage this to be taken forward.

Arboricultural officer

Whilst the proposal indicate the loss of 50 individual trees and several groups of scrub and young trees (three areas to open up historic views, one area to extend car park), these are considered acceptable as there are up to 63 replacement trees being planted. The Arboricultural Method Statement and tree protection measures for the various sites within the park are also considered acceptable.

Hertfordshire Gardens Trust

Hertfordshire Gardens Trust have studied these proposals and are familiar with the history of the landscape and the landscape itself. We have discussed this proposal with the Garden History Society (statutory consultee) with whom we work closely. These comments will be copied to and logged by them. Following a site visit in the summer of 2013, we submitted suggestions on the new proposals to the Council. The following comment is extracted from that.

Hub and paddling pools. We understand that this is a crucial part of the 21st century contribution but are very concerned that for 'Green Belt' reasons the little dovecote-like pavilions round the pools and the old lavatories with the tiled roof/wood cladding – both very much part of the history of the Metroland Park – are proposed for demolition. We would urge that these be kept as there is little else at this location (apart from a couple of shelters) to signify this important historical stage.

We are therefore disappointed that the proposals not only omit the Metroland pavilions (even if re-located), but also that the construction of the hub building references neither the earlier historic landscape nor the Metroland era. We have no comments on the design of the hub building which we discussed in 2013 on site but we consider that walls made of Cor-Ten are inappropriate for the Grade II Registered landscape and suggest that a material more sympathetic to the sylvan and riparian scenery and to the 'bio-diverse meadow' roof of the building be employed.

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*.

Planning considerations

The main issues to be considered are:

- whether the proposal will have an acceptable impact on the Green Belt and the designated public open space and whether it would harm the openness of the area;
- whether the proposal will detract from the recreational and sporting opportunities currently offered by the park;
- whether the proposal will have a detrimental impact on the designated wildlife corridor, wildlife site, Local Nature Reserve or trees;
- whether the proposal will have an adverse impact on the amenities of local residents, in terms of noise, car parking and other activities associated with a playing field and anti-social behaviour;
- the impact on the heritage value of the site.

Impact on the Green Belt

One of the major issues to be considered here is the impact of the proposed development on the openness of the Green Belt. The significant policy advice in this regard is provided in the National Planning Policy Framework (NPPF), which adopts a similar stance to its predecessor advice (Planning Policy Statement 2) and explains that “the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”. It is

also emphasised that “the Government attaches great importance to Green Belts”. At paragraph 80, the NPPF makes it clear that the Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 81 of the NPPF suggests that local planning authorities should plan positively to enhance the beneficial use of the Green Belt, by providing opportunities for access, outdoor sport and recreation, retaining and enhancing landscapes, visual amenity and biodiversity, and improving damaged land.

The NPPF further advises (paragraph 89) that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan;
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), 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.

The Council's policies in relation to development in the Green Belt state that the Council will:

- maintain the general extent of the metropolitan Green Belt in the borough;
- encourage appropriate positive use of the Green Belt and measures to improve the environmental quality;
- make minor revisions, to correct existing anomalies and create defensible green belt boundaries in the site allocations document and accompanying proposals map.

There will be a general presumption against inappropriate development in the Green Belt. Exceptions to this are as defined in paragraphs 89-91 of the NPPF.

The above policy analysis indicates that there is no conflict between the NPPF and Borough Plan policies and both sets of policies allow only certain types of development to take place in a Green Belt location. In particular both sets of policies encourage development of sport facilities.

The proposed development is primarily for the restoration of the historic park, which brings about significant improvement to the quality of the historic park and the Green Belt. Therefore the bulk of the proposal will result in enhancement of the Green Belt and therefore is to be welcomed. The proposal will also result in additional building works including:

- (a) the erection of an extension to the café;
- (b) the erection of a pavilion;
- (c) the erection of a new hub building;
- (d) the relocation of the bandstand.

Taking each of these development in turn:

(a) The café

This is a locally listed building which dates back to 1925, but it has been subject to significant alteration after a fire in 1999. It has a steeply pitched plain tile roof above brick walls with painted windows, a small clock tower and a decorative porch. It also includes two flat roofed wings.

The appearance of the rear elevation has been somewhat compromised by later alterations, including the formation of a wheelchair accessible ramp. In addition, the two flat roofed wings rather detract from the appearance of the building. Whilst there is a DDA ramp at the rear, the only usable entrance to the building is at the front. This access is very awkward to negotiate by those using either a wheelchair or a pram. Further, internally the building layout is very hostile to wheelchair users.

As well as internal alterations to improve the circulation and to comply with DDA standards the proposal will include the erection of an extension to the rear. This proposed extension will measure 51m² and will largely conceal the present unsightly rear elevation; it will also partly subdue the impact of the flat roofed wings.

The proposed extension is well proportioned in relation to the existing building, thereby complying with the Green Belt tests set out above. The proposed extension is justified as it improves a public building whose sole purpose is to cater for the recreational use of the park within the Green Belt. In policy terms, therefore, the proposed extension is acceptable but, as the conservation comments make clear, there is need for further information about matters of detail, including materials.

(b) The pavilion

This will be a small building measuring 30m² which will provide facilities for the croquet use. Its design will be similar to the existing café building. Given its use for sport related purposes, it meets the necessity test in respect of the Green Belt policies identified above.

(c) The hub building

This will form the major building works in the park, providing 306m² of floor space which will accommodate a range of facilities. It will be located within the redeveloped pools areas and will have two floors.

The lower part of the building will sit into the landscape, taking advantage of the natural slope of the land. This enables the service yard, storage and service accommodation not requiring windows, such as changing room and toilets, to be accommodated effectively below ground. The upper part will incorporate a terrace entirely covering the lower service storey. The western half of the building overlooking the paddling pool has a flat roof with a standard ceiling height and green roof above; it provides toilets, staff accommodation, the café and its kitchen. The eastern half of the building has a single large space with a sloping ceiling up to high level windows facing west. This is a large flexible space capable of being divided into two smaller spaces. It will have a wood burning stove. Photo voltaic (PV) cells will be provided on the south west facing sloping roof.

The proposed building will make use of a variety of materials. The materials for the lower parts include gabion stone, green walls and timber in respect of the changing rooms. The terrace level has large areas of glazing area, with solid walls clad in Cor-Ten, which is a natural weathering and oxidising material reminiscent in colour of garden structures. Sliding security shutters are also made of perforated Cor-Ten so that when the building is closed up it is a neat Cor-Ten box sitting on a landscaped terrace. The flat roof is planted and 'green', and the sloping roof has integrated PV panes as the final covering. This is intended to make a single mirror like surface to reflect the sky. Around the perimeter of the terrace level building there will be protective overhanging eaves. These will be solid to the north and west with slatted 'brise-soleils' on the south and east elevations.

Overall the proposal will provide a building of highly imaginative and elegant design incorporating considerable energy efficiency measures, and significantly contributing to the enhancement of the park.

(d) The bandstand

The restoration and the relocation of the park's original Grade II listed Hill and Smith bandstand to its former site in the park has been welcomed by a number of amenity societies. Following repair and repainting, the reinstatement of the bandstand will considerably enhance the character and appearance of the park. Listed building consent has now been granted for the proposed works of demolition and reconstruction by the National Casework Planning Unit.

Impact on openness

All of the proposed buildings will primarily serve the recreational provision offered by the park and hence will meet the necessity test of Green Belt policy. However, it is also necessary to assess whether the buildings will have an acceptable impact on the openness of the Green Belt.

It should be noted that, whilst the proposal will result in a new hub building, it also involves the demolition of a number of buildings within the park, including the five pool huts, the existing toilet and changing room blocks and two kiosks. The total floor space to be demolished will amount to 385m² and the new building will have a floorspace of 387m². Therefore the impact of the development upon the openness of the Green Belt will be negligible.

Recent case law (*Fordent Holdings Ltd v Secretary of State for Communities and Local Government & Another* [2013] EWHC 2844 (Admin) (26 September 2013)) has established that special policies for the promotion of a particular purpose within a plan could amount to the special circumstances necessary for allowing development in a Green Belt, in accordance with paragraph 81 of the NPPF.

In the present case it is considered that the very special circumstances do exist which would justify this development being permitted in the Green Belt. It is also considered that appropriate measures, in terms of the location and the design of the building, have been incorporated to minimise the impact of the development on the openness of the Green

Belt. The proposed building will be constructed on previously developed land within the Green Belt and will replace the existing structures which have become dilapidated.

The proposal is considered to be in line with the NPPF which considers the provision of appropriate facilities for outdoor sport and recreation to be acceptable forms of development in the Green Belt. The proposal will also comply with the Council's policies which in principle allow development proposals that are essentially required to enable existing facilities for outdoor sport and recreation within the Green Belt to be upgraded to meet modern requirements.

Accordingly, as regards the Green Belt, the proposal will comply with both local planning policies and the national planning advice as set out in the NPPF.

Impact on the designated wildlife corridor, wildlife site, Local Nature Reserve or trees

Parts of the application site lie within a Wildlife Corridor, a Wildlife Site and a Local Nature Reserve. Policy GI1 Green Infrastructure and Policy GI3 (Biodiversity) of the Watford Local Plan Core Strategy are therefore relevant. Given the status of the designation of the application site, it is therefore likely that it will host plant and animal species, including those which are protected by legislation.

Ecological reports have been provided which indicate that there may be protected wildlife, including bats, within the area affected by the proposed development works. The reports therefore recommend that precautionary measures are adopted during the construction phase of the development. Appropriate conditions are recommended to ensure that wildlife is protected.

The Environment Agency has been consulted and is satisfied that, subject to appropriate conditions, the proposals will have an acceptable impact on river quality.

With regard to trees, the Council's Arboricultural Consultant has commented similarly that precautionary measures should be adopted to ensure that neither the trees nor any species are adversely affected by the proposals. Again, appropriate conditions are recommended to address this issue.

Subject to appropriate conditions and the adoption of appropriate mitigating measures, the proposal will have a positive impact on the nature conservation of the area and therefore, the proposal will comply with Policies GI1 and GI3 of the adopted Core Strategy.

Impact on the amenities of local residents

The proposed buildings will be sited well away from the residential areas that border the park and, given their scale, they will not have a significant impact on the amenities of the occupiers of residential properties in those areas. Because of the distances involved, noise associated with the use of the recreational areas is not likely to be a significant issue, and there is no reason to suppose that it would be any different to the existing situation.

Noise from the bandstand may be an issue. However, the bandstand will only be used occasionally, and at times when the general background noise level is relatively high. Concerns have been expressed regarding possible anti-social behaviour; however, the bandstand will be in a visible location, so that opportunities for such behaviour are likely to be limited. Overall, the benefit of relocating the bandstand to its historical position in the park can be considered to outweigh any limited potential disturbance that might arise as a result of anti social behaviour.

As to parking, it is proposed to increase the existing parking provision of 170 spaces by 22 spaces. 17 of these spaces will be provided in an informal extension to the car park at Grove Mill Lane. The other five spaces will be provided in the car park off Gade Avenue, which is being redesigned. The existing overflow car park is to be broken out, the ground made good, reseeded and returned to parkland. The remainder will be reordered, resurfaced and marked out (with small extensions to both sides in "reinforced grass") to provide a total of 148 spaces, including five disabled "blue badge" spaces.

Historically, only a limited amount of parking space has been provided for the existing park. As the proposal does not include any change in the use of the site, there is no requirement to provide a significant number of additional parking spaces. Hertfordshire County Council, as Highway Authority, has no objection to the proposal subject to appropriate conditions.

Impact on the heritage value of the site

The manor of Cassio, which was owned by the Abbey of St Albans, was mentioned in the Domesday Book in 1086. In 1546 Henry VIII granted Cassio to Richard Morrison, who started to build a house, but died before it was finished. His son Charles oversaw the completion, and the house was passed down the male line until 1628, when Elizabeth Morrison married Arthur, Lord Capel of Hadham. The estate remained in the ownership of the Capel family until it was sold in 1922.

Elizabeth and Arthur's son, Arthur, was made Viscount Malden and Earl of Essex in 1661. He employed the gardener Moses Cooke to set out formal gardens, and the house was extensively remodelled in the early 1700s by the architect Hugh May. Gardeners Charles Bridgman and Thomas Wright both worked on the estate in the 18th century, and Humphry Repton was commissioned to landscape the park in the late 18th century. As part of this work, a number of lodges and other buildings were built, designed by Sir Jeffrey Wyattville. One of these, Cassiobury Lodge, still survives.

The Earls of Essex occupied Cassiobury for more than 250 years. When the 6th Earl died in 1892, it was clear that little maintenance had been carried out on the house in the previous fifty years, consequently many of the family paintings and other valuables were sold to provide funds. By 1900 the house had ceased to be used as a permanent residence, and in 1908 parts of the estate were sold off.

The Council purchased 65 acres in 1909, to add to some land which had been purchased in 1908, and added a further 25.5 acre in 1912, to create a "people's park and pleasure

ground.” More land was purchased in 1923 and 1930, the West Herts Golf Course in 1932 and Whippendell Wood in 1935.

However, the house was demolished in 1927 and construction of the present day Cassiobury residential estate began soon after; the old stable block was converted into Cassiobury Court in Richmond Drive. The entrance lodge and gates were demolished in 1971 when Rickmansworth Road was widened.

The landscape of the park has evolved through centuries and, importantly, it has been shaped by prominent architects, landscape designers and gardeners. Sadly a number of features, including the gates designed by Humphry Repton and Cassiobury House itself have been lost. However, following careful research into the historical evolution of the park, the present proposals aim to restore the park in accordance with the design principles previously employed. Hence the proposals will not only preserve but also considerably enhance the historical significance of the park, as well as ensuring that appropriate facilities are provided to support the functions it fulfils in the 21st century.

The applicant has commissioned an "Archaeological Assessment and Evaluation" which was carried out by Keevil Heritage in consultation with the Hertfordshire County Council Archaeologist. The County Council also inspected trial excavations on the site in January this year. Given a history dating back over many centuries, the site has the potential to be of significant archaeological interest. Hence, the proposed development represents an important opportunity to ensure that any archaeological finds are properly recorded.

The Keevil Heritage report notes that the masonry remnants of the Rickmansworth Road Lodge to Cassiobury Park have been located. It also tentatively identifies how the buried walls fit in with the map evidence for the formation of the Lodge itself. In doing so the evaluation indicates how account will need to be taken of the below ground archaeology during the detailed design of the “gateway” entrance, in order to mitigate any potentially harmful impacts. The evaluation has also shown that some fabric apparently belonging to the Lodge actually survives above the ground, albeit hidden by vegetation. A clear

opportunity exists, therefore, to incorporate this into the design and reinterpretation of the gateway entrance at this point.

Accordingly, a planning condition is recommended to ensure that the archaeological importance of the site is appropriately safeguarded.

The Hertfordshire Gardens Trust has expressed concern about the loss of the 'Metroland' huts in the pool area, and has argued for their retention or relocation. However, the huts are in poor condition and are outdated in terms of the purpose they were intended to serve. The proposed hub building will rationalise and consolidate the existing floorspace under one roof in a well designed and highly sustainable structure. Overall, the benefits of the redevelopment proposed for this part of the park outweigh any harm to the heritage asset caused by the loss of the huts. The relocation of the huts is not considered to be a viable option. Because the park is in Green Belt where the maintenance of openness is of paramount concern, moving the huts to an alternative location within the park would run counter to Green Belt principles, as there would be insufficient justification to establish an 'exceptional circumstance' case as required by national and local Green Belt policies.

Comments on representation received

Other than consultees, only one representation has been received about this application, expressing concern about the likelihood of anti-social behaviour resulting from the relocation of the bandstand to the park. A similar view has also been expressed by the Hertfordshire Constabulary Crime Prevention Design Advisor. However, as set out above, the bandstand will be sited in a visible location, so that opportunities for such behaviour are likely to be limited. Overall, the benefit of relocating the bandstand to its historical position in the park can be considered to outweigh any limited potential disturbance that might arise as a result of anti social behaviour.

Conclusion

The aim of the proposed development is primarily to conserve and enhance the park's heritage value. However, it will also improve circulation within the park and provide an increased range of attractions. The package of proposals, both for restoration and new development, has been based on a thorough understanding of the historical evolution of the park. In particular, careful consideration has been given to the new build elements. Overall, the proposed scheme respects the historical evolution of the park and its local significance, thus ensuring the restoration of the heritage value of the park whilst offering an imaginative design for the new hub building.

In planning policy terms, the principal consideration is the impact of the proposals on the Green Belt, both in terms of the appropriateness of the development and its impact on openness. The various elements of the proposed development meet the tests of appropriateness for development in the Green Belt set out in national and local planning policies. In addition, considering the trade-off between the volume and floorspace of buildings to be lost against the size of the proposed new build elements, it can be argued that the proposal will preserve the openness of the Green Belt. Consequently, the proposed development is in accordance with the policies of the development plan and National Planning Policy Framework. It will also result in a major improvement to the quality of the natural and built environment of the site without any significant harm to any interests of acknowledged planning importance.

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.

RECOMMENDATION

That 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. 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 Policy SE22 of the Watford District Plan 2000.

3. The construction site shall be registered with the Considerate Constructors Scheme and the development shall be carried out in accordance with the requirements of this Scheme at all times.

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

4. No demolition or construction works shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include the phasing of the development and, for each phase, details of contractors' parking, the delivery and storage of materials,

any temporary access/egress points to adjoining highways, and wheel washing facilities. The Plan as approved shall be implemented throughout the construction period.

Reason: To prevent obstruction of the adjoining highway during the time that the development is being constructed.

5. No demolition or construction works shall commence until fencing of a style, height and in a position to be agreed in writing by the Local Planning Authority shall have been erected to protect all trees and shrubs which are to be retained. No materials, vehicles, fuel or any other items shall be stored or buildings erected or works carried out inside this fencing and no changes in ground level shall be made within the spread of any tree or shrubs (including hedges) without the prior written approval of 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 Policies SE37 and SE39 of the Watford District Plan 2000.

6. No development shall commence within the site until full details of the provision for bicycle storage facilities, refuse and re-cycling storage have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first occupation of any part of the development and shall be retained thereafter.

Reason: In the interests of the visual appearance of the site and its impact on the character of the surrounding area, in accordance with Policy UD1 of the Watford Local Plan: Core Strategy 2006 – 2013 (Adopted January 2013).

7. The water play areas and the children's play area adjacent to the Cha Cha Cha café shall not be brought into use until security fencing around these areas has

been installed in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. Thereafter the fencing shall be retained strictly in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the security of the water play areas and the children's play area.

8. No external lighting shall be installed anywhere within the application site except in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: To meet the needs for safety and security for users of the site and to ensure that there no adverse environmental or other impacts caused by external lighting, in accordance with Policy U4 of the Watford District Plan 2000.

9. No development shall commence within the site until full details and samples of the materials to be used for all the external surfaces and design features of all the buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: In the interests of the visual appearance of the site and its impact on the character of the surrounding area, in accordance with Policies UD1 and UD2 of the Watford Local Plan: Core Strategy 2006 – 2013 (Adopted January 2013).

10. No work shall take place within the site until:
 - (a) a written scheme of investigation setting out a programme of archaeological work (which shall include a programme of archaeological work) has been submitted to and approved in writing by the local planning authority; and

(b) the approved programme of archaeological work has been carried out.

Within six months of the completion of the programme of archaeological work, a written report giving details of the findings of the investigation shall be submitted for the approval in writing of the Local Planning Authority. Copies of the approved report shall be deposited with the Historic Environment Record maintained by Hertfordshire County Council and with the Watford Museum and with such other public depository as shall be agreed in writing with the Local Planning Authority.

Reason: To ensure that any archaeological remains are properly safeguarded and recorded in accordance with National Planning Policy Framework 2012.

11. No trees, shrubs or hedges shall be felled, uprooted or grubbed out between 1 March and 31 August inclusive in any year unless (a) it has been established that no nesting birds or protected species are present and (b) the Local Planning Authority has been provided with evidence that this is the case.

Reason: To ensure no adverse effects to any birdlife that may have a habitat within the area, pursuant to Policies GI1 and GI3 of the Watford Local Plan Core Strategy 2006-2031.

12. No development shall commence until a scheme comprising detailed bed surveys and a weir removal method statement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following elements:

- a detailed and accurate bed survey including complete long profile of the affected channel;
- detailed plans and methodology for weir removals, bed stabilisation and weir pool retention based on the detailed bed survey (including plan views of proposed outcome; a central notch in the remaining weir base to aid fish

passage shall be provided unless it can be demonstrated that this is not feasible;

- details and justification of how the size of flint nodules and reprofiled slopes behind the remnant weirs will retain weir pools and stabilise sediment;
- details of how excavated material will be used for regrading and channel improvements, with removal from the river entirely being a last resort;
- details of channel narrowing, regrading and enhancements;
- a monitoring plan to assess whether the sediment stability works and pool retention are effective and whether additional work is required to maintain valuable features;
- details of any impact on the side channel (adjacent to watercress beds) and how this will be mitigated (e.g. by improving fish backwater habitat at downstream extent).

The weir removal shall be carried out only in accordance with the scheme as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that fish passage through removal of impassable weirs is improved and that the existing quality of habitat is retained and to protect the wildlife and supporting habitat and to secure opportunities for the enhancement of the nature conservation value of the site in line with the advice given in the National Planning Policy Advice 2012.

13. The development shall be carried out only in accordance with the “precautionary measures” as set out in the submitted ecological appraisal and protected species surveys dated February 2014. No part of the development hereby permitted shall be brought into use until a habitat management and improvement plan, based on the findings of those surveys, has been submitted to and approved in writing by the Local Planning Authority. The plan shall thereafter be implemented as approved, in accordance with the timescales provided for within the plan, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that no harm is caused to bats or any other protected species during any works on site, in accordance with Policy GI3 of the Watford Local Plan Core Strategy 2006-31, and to protect the biodiversity of the site and meet the requirements of Policies GI1 and GI3 of the Watford Local Plan Core Strategy 2006-2031.

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

Bandstand & Cha Cha Cha

532_01/02/03/04/05/10/11/12/13/14

Bandstand Design and Access Statement

Bandstand Heritage Statement

Cha Cha Cha Design and Access Statement

Hub building

CASS.P.00-17 (*drawing series*)

CASS Design and Access Statement

Landscape works

5679.110/190

5679.200/210/220/240/250/260/270/280

5679.300/301/310a/310b/320/330/340/350/351/352 (Hardworks and Waterworks Supporting Information)/360/370/380a/380b/390

TPP-1/2/3/4/5/6/7/8/9 (*tree protection plans*)

Ecological Appraisal and Protected Species Surveys

Arboricultural Impact Assessment and Tree protection Plan

Arboricultural Method Statement

Stage D Landscape and Masterplan Proposal Report (Scheme-wide Design and Access Statement)

Archaeology

Archaeological Assessment and Evaluation

Energy

Renewable Energy Strategy

River Gade

Hydrological Design and Flood Risk Assessment Report

Annexe: River Gade Strategy

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

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.
2. 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. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

3. 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. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

4. Hertfordshire County Council should be consulted with regard to public rights of ways. In particular, the following must be borne in mind:
 - If and when this development is to proceed any nearby public right of way should be protected to a minimum width of two metres or as indicated in the extract of the Definitive Map and Statement and its current surface condition maintained.
 - You should be aware of the potential impacts the development works might entail and the required minimum standards regarding the maintenance of the public's rights and safety during and after construction.
 - The public right of way must remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works.
 - The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, and safe passage past the site should be maintained at all times.
 - The condition of the route must not deteriorate as a result of these works. Any adverse affects to the surface from traffic, machinery or materials (especially overflows of cement and concrete) are to be made good by the applicant to the satisfaction of the County Council.

- All materials are to be removed at the end of the construction and must not left on the highway or highway verges.
 - If the above conditions cannot reasonably be achieved then a temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order.
 - If it is necessary to install any scaffolding on the route or pipes/cables etc. under the path permission must first be obtained.
5. Under the terms of the Water Resources Act 1991 and the Thames Land Drainage Byelaws 1981, the prior consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Colne which is a designated a 'main river'.

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DEVELOPMENT CONTROL COMMITTEE

16th OCTOBER 2014

UPDATE SHEET

Item 6

14/00327/FULM Cassiobury Park

Amendment to condition 10

A) No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme and methodology of site investigation and recording as suggested by the archaeological evaluation
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

B) The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A)

C) The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.

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