



DEVELOPMENT CONTROL COMMITTEE

Thursday, 23rd April, 2015

7.30 pm

Town Hall

Publication date: 15 April 2015

CONTACT

If you require further information or you would like a copy of this agenda in another format, e.g. large print, please contact Rob Cowan 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.

ACCESS

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An audio recording may be taken at this meeting for administrative purposes only.

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 31 March 2015 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. **1A ST JOHNS ROAD** (Pages 1 - 24)

An application for the change of use on upper floor from A3 (cafe/restaurant) to C3 (self contained flat).

5. **18 COLONIAL WAY** (Pages 25 - 42)

Application for a variation of planning permission 14/00705/FULM for the Watford University Technical College to reduce the size of the western extension from 4 storeys to 2 storeys, amend the elevational treatment to the infilling of the undercroft car park, and re-siting of the main entrance.

PART A	
Report of: DEVELOPMENT MANAGEMENT SECTION HEAD	
Date of Committee	23rd April 2015
Site address:	1A St Johns Road
Reference Number :	15/00170/FUL
Description of Development:	Change of use on upper floor from A3 (cafe/restaurant) to C3 (self contained flat)
Applicant:	Mr K Latif
Date received:	5th February 2015
8 week date(minor):	24th April 2015
Ward:	Central

SUMMARY

No external alterations are proposed, and therefore there would be no impact on the character and appearance of the building. The ground floor of the property would remain in commercial use; therefore the proposed development would have no adverse effect on the mixed use character of the Conservation Area.

The gross internal area and room sizes of the proposed flat exceed the Internal Space Standards in paragraphs 7.3.6 – 7.3.8 of the Residential Design Guide. Furthermore, each habitable room would have good levels of natural lighting and outlook. As such, the proposed accommodation would provide an acceptable standard of amenity for future occupiers.

In order to protect the occupiers of the first floor flat from noise from the ground floor commercial use, a condition should be attached to any grant of planning

permission to require details of a sound proofing scheme to be submitted to the Local Planning Authority for approval.

The impact on the proposed flat from road and railway noise would not be any greater than noise levels experienced by other nearby residential properties in the area.

A Unilateral Undertaking is being prepared to secure a financial contribution towards the amendment of the Traffic Regulations Order to remove parking permit entitlement for future occupants of the proposed flat in order to prevent additional on-street parking demand.

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 incorporates a two storey detached Victorian building and yard area with outbuildings. The site lies approximately 500m north of the town centre and approximately 300m southeast of Watford Junction Station. It occupies a corner position adjacent to the junction where St Johns Road meets Sotheron Road.

The site is within the designated Estcourt Conservation Area at the core of which is one of Watford's oldest residential areas. The area is distinctive from other later Victorian areas of the town because of its mixed-use character with terraced housing interspersed with small workshops and yards, as well as a wide variety of public houses, independent shops and public buildings. The strong small scale streetscapes and roofscapes are an important feature emphasised by the

topography, as are the spaces created at the junctions of the roads where a variety of land uses prevail.

The key historic spaces are found at road junctions, where feature buildings punctuate the townscape and the most interesting street relationships are found. The character of the road junctions is defined by the commercial buildings, of varying styles and scales, that enclose the space and generate activity. The commercial building at 1A St Johns Road is located on the prominent road junction of St. Johns Road, Sotheron Road, Queens Road, Woodford Road and Orphanage Road, and contributes to the mixed-use character of the Conservation Area. This road junction has a significant level of activity generated by the two public houses and the various other businesses located there.



Aerial view of the site. All the corner buildings at the road junctions are in commercial use, which is a distinctive feature of the conservation area.

1A St Johns Road is a designated Locally Listed Building, which was constructed between 1865-1870. The earliest records show that the property was first used as a shop with living accommodation. The building currently consists of a bar at ground floor and a restaurant at first floor – granted conditional planning permission in December 2011 under reference 11/01035/COU. Condition 2 states that no members of the public or customers are permitted within the premises before 1000 hours or after 2300 hours on any day of the week.

The property retains a shopfront of notable quality and historic integrity. Having retained original features, the building provides an excellent example of a mixed use building from the middle of the nineteenth century.

Proposed development

The application proposes change of use of the first floor from a restaurant (Use Class A3) to a 1-bed flat (Use Class C3). The entrance to the flat would be from the existing ground floor door in the eastern elevation of the building. The internal staircase would be enclosed.

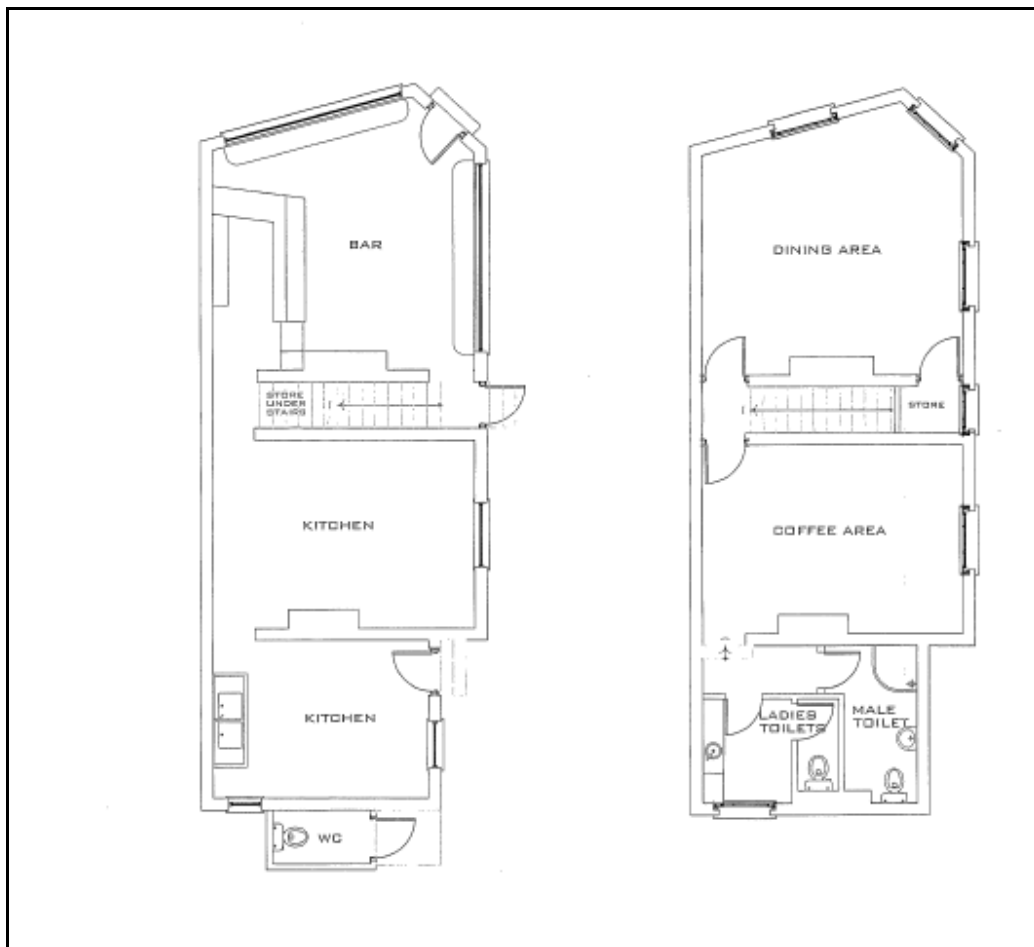
Apart from the alteration to the internal staircase no changes are proposed to the ground floor bar. No external alterations are proposed.

Relevant Planning history

11/01035/COU - Change of use of shop/cafe (Class A1/Class A3) to bar (Class A4) at ground floor level and use of first floor level as restaurant/cafe (Class A3). Conditional Planning Permission. December 2011. The planning permission has been implemented. The following conditions apply:

2. No members of the public or customers are to be permitted within the premises before 1000 hours or after 2300 hours on any day of the week.

3. All deliveries to and collections from the premises shall be restricted to between the hours of 0800 and 1800 Monday to Saturday and between the hours of 0900 and 1300 on Sundays and Public Holidays.
4. No part of the site shall be used as an area for outdoor eating or drinking without the prior written permission of the Local Planning Authority.



Approved proposed ground floor and first floor plan for planning application 11/01035/COU.

05/00006/COU - Change of use from Class A1 (shop) to a mixed use for Class A1 (shop) and Class A3 (food and drink). Conditional Planning Permission. March 2005.

Relevant policies

National Planning Policy Framework

- Section 1 Building a strong, competitive economy
- 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

- 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
- 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

Watford District Plan 2000

SE7	Waste Storage, Recovery and Recycling in New Development
SE20	Air Quality
SE22	Noise
U15	Buildings of Local Interest
U17	Setting of Conservation Areas
U18	Design in Conservation Areas
T10	Cycle Parking Standards
T21	Access and Servicing
T22	Car Parking Standards
T24	Residential Development
T26	Car Free Residential Development

Supplementary Planning Documents

Watford Character of Area Study Adopted December 2011

Residential Design Guide Adopted July 2014

Estcourt Conservation Area Character Appraisal Adopted June 2010

CONSULTATIONS

Neighbour consultations

A notice was published in the Watford Observer on 6th March 2015.

A notice was posted outside the site on 25th February 2015.

Letters were sent to a total of 9 properties in the surrounding area. 7 letters of objection have been received, and a consideration of these objections is outlined at the end of the report.

Other consultations

Design and Conservation team

The property is a Locally Listed Building and is located in the Estcourt Conservation Area. The proposed change of use of the first floor element of the building will not involve any external alterations and will not physically compromise the commercial use of the ground floor element of the building. We have no objections.

Environmental Health

I have reviewed the documentation and visited the property and in summary, the proposal is not acceptable.

The sound insulation between the ground floor and first floor is non-existent and as such, there will be a loss of amenity due to noise. The applicant has not factored this into their application, and so there has been no assessment of the existing sound insulation and no mention of how this would be brought up to a standard that would be acceptable.

The property is located next to a busy road and within a stones throw from the railway line and there has been no consideration of these noise sources.

In addition, the water closets for customer use are located on the first floor and should the application receive approval these would no longer be available. The existing seating arrangements allow for approximately twelve seats inside and

approximately ten outside - fixed seating. There is also space to accommodate further tables and chairs in the bar area if necessary. As such, there is a need to provide two water closets for customer use and these have not been shown on the proposed plans. There is an existing water closet to the rear of the property but at present this is only accessible by going through the kitchen area, or through the outside of the premise and this is not acceptable.

Therefore, it will be necessary for the applicant to appoint a suitably qualified and competent person to carry out a study into the existing sound insulation and put forward a suitable and achievable scheme to ensure the sound insulation is acceptable. Furthermore, it will be necessary to conduct a noise survey to establish the impact of railway noise and road traffic noise and put forward suitable schemes to mitigate the potential impact.

It will also be necessary to incorporate the provisions of water closets for customer use.

APPRAISAL

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

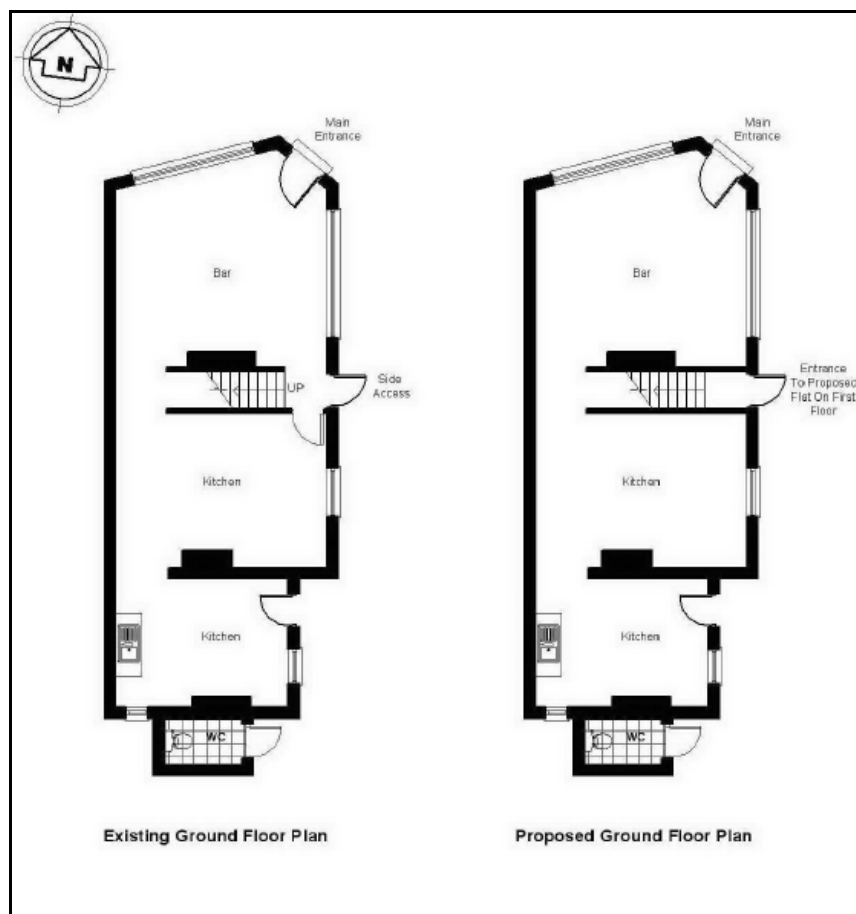
- (a) *Watford Local Plan: Core Strategy 2013;*
- (b) the continuing “saved” policies of the *Watford District Plan 2000;*
- (c) the “saved” policies of the *Hertfordshire Waste Local Plan 1995-2005;* and
- (d) the *Hertfordshire Minerals Local Plan Review 2002-2016.*

The Residential Design Guide was approved by the Council’s Cabinet as a Supplementary Planning Document on 23rd July 2014. Among other things, it provides advice on acceptable, and unacceptable, forms of extensions and alterations to residential properties in the Borough. The guide is a material

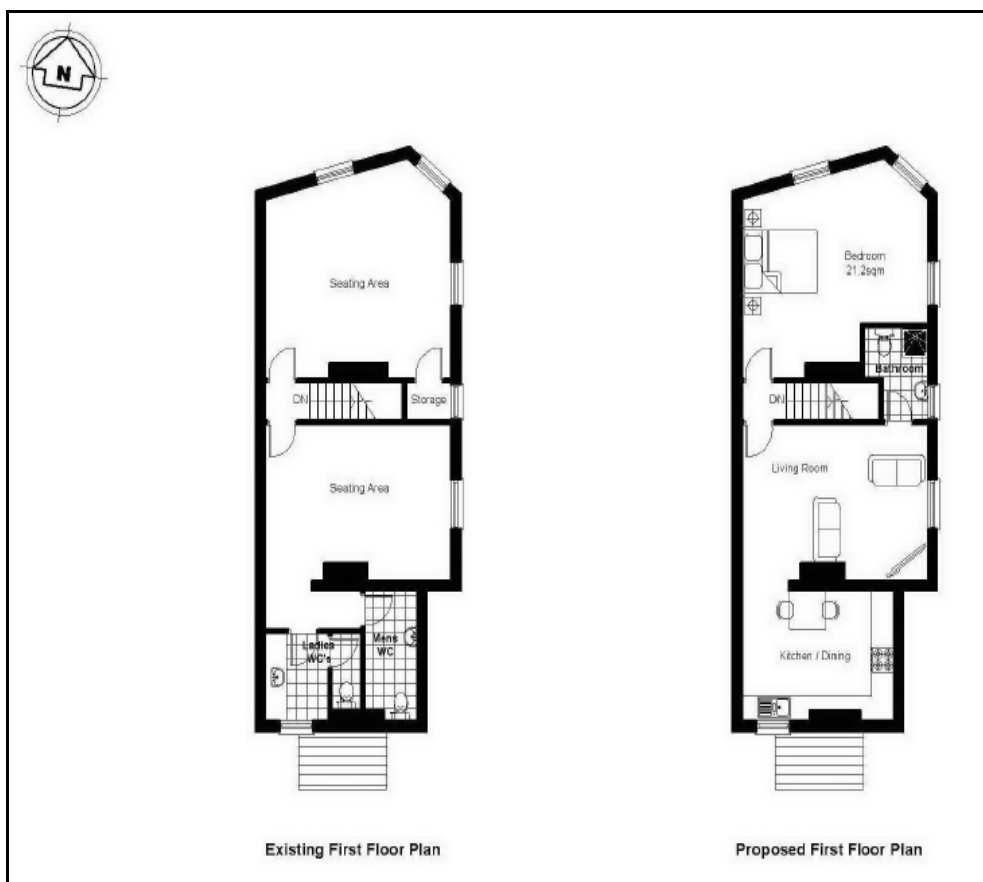
consideration in the determination of planning applications. The Supplementary Planning Document is a condensed single guidance document that replaces previous versions of the Residential Design Guide (RDG Volume 1 – Building New Homes and RDG Volume 2 – Extending Your Home – Adopted 2008) as well as Supplementary Planning Guidance 6 – Internal Space Standards.

Design and layout

No external alterations are proposed, therefore there would be no impact on the character and appearance of the building. As discussed in the ‘Site and Surroundings’ section of the report, the Conservation Area has a distinctive mixed-use character and the character of the road junctions is defined by the commercial buildings, of varying styles and scales, that enclose the space and generate activity.



The proposed change of use of the first floor element of the building would not physically compromise the ground floor commercial use, as noted by the Design and Conservation team. Moreover, it should be noted that historically the building has been used as a ground floor shop with living accommodation. As such, the proposed development would have no adverse effect on the mixed use character of the area.



The gross internal area and room sizes of the proposed flat exceed the Internal Space Standards in paragraphs 7.3.6 – 7.3.8 of the Residential Design Guide, as shown in the table below. Furthermore, each habitable room would have good levels of natural lighting and outlook.

	RDG Standard	Proposed flat
Bedroom	12 sqm.	20.5 sqm.
Combined floor area of living, dining and kitchen spaces.	23 sqm.	31.09 sqm.
Gross Internal Area	37 sqm.	54.83 sqm.

The Environmental Health officer has commented that there is no sound insulation between the ground floor and first floor therefore there would be a loss of amenity due to noise. In order to protect the occupiers of the first floor flat from noise from the ground floor commercial use a condition could be attached to any grant of planning permission to require details of a sound proofing scheme to be submitted to the Local Planning Authority for approval. Condition 2 of planning permission 11/01035/COU requires the ground floor bar to close at 11pm every day, which is not particularly late, and Condition 4 prevents outdoor eating and drinking.

The Environmental Health officer has commented that a noise survey should be submitted because the property is next to a busy road and close to a railway line. However, established residential properties in Woodford Road and Queens Road are significantly closer to the railway than the application site, therefore it is not considered that it is reasonable to require a noise survey to be submitted to assess the noise impact from the railway. Moreover, the application site is in a primarily residential area, as shown on the Proposals Map of the Watford District Plan 2000, and the impact on the proposed flat from road noise would not be any greater than for other residential properties in the area.

Furthermore, significant weight should be given to the fallback position that if the existing Class A3/A4 use was changed to Class A1 or A2 use (which is permitted development under Schedule 2, Part 3, Class A of the Town and Country

Planning (General Permitted Development) (England) Order 2015) the first floor could subsequently be converted to a self-contained flat without the need for planning permission (see Schedule 2, Part 3, Class G of the Town and Country Planning (General Permitted Development) (England) Order 2015).

The existing ground floor bar is small in size and it is unlikely that this use would continue in the long-term without the first floor restaurant. Given the layout of the ground floor and the lack of a customer W.C. it appears that the most likely long-term use would be an A1 use (the historic use of the ground floor) or an A2 use. The comments from the Environmental Health officer in relation to the lack of ground floor W.C.s are noted; however, this is a matter for other legislation and is not a material planning consideration.

The yard is used in connection with the ground floor commercial use and the submitted plans show no private garden area for the proposed flat. However, given the location of the flat above a ground floor commercial use in a high density area, it is not considered that a private garden area could reasonably be expected. Furthermore, it should be borne in mind that the proposed development would not provide family-sized accommodation where it would be more important to provide an outdoor amenity area.

Bin and cycle storage could be provided in the rear yard and a condition should be attached to any grant of planning permission to require details of the siting, size and design of the storage facilities to be submitted to and approved in writing by the Local Planning Authority.

Impact on neighbouring properties

No external alterations are proposed and the use of the first floor as a self-contained flat would not cause noise and disturbance to neighbouring properties. Consequently, the proposed development would have no adverse effect on the residential amenities of neighbouring properties.

Traffic generation and parking

The proposed development does not include the provision of on-site parking spaces. However, the property is close to the town centre and Watford Junction Station, therefore on-site parking is not considered essential in this sustainable location. The site is located in a Controlled Parking Zone and, in accordance with “saved” Policy T24 of the Watford District Plan 2000, a Unilateral Undertaking for the removal of permit entitlement is required to ensure that the proposed flat would not exacerbate parking demand in the area.

A Unilateral Undertaking is being prepared to secure a financial contribution towards the amendment of the Traffic Regulations Order to remove parking permit entitlement for future occupants of the proposed flat.

Community Infrastructure Levy (CIL)

The Council has adopted its CIL Charging Schedule with effect from 1 April 2015. The proposed development is not liable for CIL because there is no net increase in the gross internal area (GIA). The existing floor space has been in continuous use for at least 6 months in the previous 3 years and therefore it is deductible from the floor space of the proposed flat. Because there is no increase in GIA there is no CIL charge.

Consideration of representations

Neighbour’s objection	Officer’s response
The plans submitted do not address the issue of parking. It is likely any future tenants of the flat would request residents parking permits, currently none are in existence for 1A St Johns Road and additional permits would add to the already congested local parking	This is addressed in the report.

situation.	
<p>The property is within the designated Estcourt conservation area and is a locally listed building, the property retains a shop front of notable quality and historic integrity. There is a similar property on the corner of St Johns Road and Estcourt Road (owned by the same person) that is not currently operating a business. This building has been defaced by the removal of the original cornice and mouldings significantly detracting from the buildings original charm and the character of the area generally.</p>	<p>No alterations to the shopfront are proposed.</p>
<p>This property with all its physical aspects has for the last several years formed a key venue in this conservation area situated as it is between St Johns Road and Sotheron Road. It represents, successfully, an integral part of the Estcourt Conservation Community adding charm and dignity to the local landscape. Whether in its presents state as a wine bar or a shop together with the two pubs on that junction there is a valuable and well used amenity for residents and visitors alike.</p> <p>I would not like this special Watford</p>	<p>As discussed in the report, the Conservation Area has a distinctive mixed-use character and the character of the road junctions is defined by the commercial buildings, of varying styles and scales, that enclose the space and generate activity.</p> <p>Commercial use would be retained at ground floor. The GIA of the ground floor is large enough to provide a viable commercial use. Moreover, it should be noted that historically the building has been used as a ground floor shop with living accommodation. As such, the proposed development would have no</p>

<p>grouping to be altered by turning this unique historic junction into something less valuable to the community by allowing what would become an out of place residential development.</p> <p>Currently Rodells contributes to the local business and residential communities. We allow the venue to be used free of charge by the local residents committee as we believe it is important to ensure good relations with local residents. We have also developed strong links with the local business community and host functions.</p>	<p>adverse effect on the mixed use character of the area.</p> <p>It is commendable that the existing restaurant contributes to the local business and residential communities; however, there is no planning policy that seeks the protection of restaurants because of their community value.</p>
<p>Should the change of use be accepted the business 'Rodells' at 1A St Johns Road will become unviable.</p>	<p>The change of use of the first floor to a self-contained flat would have an impact on the existing Class A3/A4 business. However, this is a private matter between the owner of Rodells and the owner of the building. The submitted Register of Title for 1A St Johns Road shows that a lease expired in May 2012 and the applicant is the sole owner of the building.</p> <p>A viable commercial use could be retained on the ground floor; therefore, there are no planning grounds to refuse the application.</p>

<p>The drawings indicate that access to the upstairs would be from the existing side door with the doors to the kitchen and bar area blocked. Surely this contravenes fire regulations for any future residents of an upper floor flat.</p>	<p>This is a matter for Building Control and is not a material planning consideration.</p>
<p>I am concerned that this application forms part of a longer term development plan that will in time look to development of the whole site into flats and houses.</p>	<p>The current application has to be determined on its own merits.</p>

Conclusion

No external alterations are proposed, and therefore there would be no impact on the character and appearance of the building. The ground floor of the building would remain in commercial use; therefore the proposed development would have no adverse effect on the mixed use character of the Conservation Area.

The gross internal area and room sizes of the proposed flat exceed the Internal Space Standards in paragraphs 7.3.6 – 7.3.8 of the Residential Design Guide. Furthermore, each habitable room would have good levels of natural lighting and outlook. As such, the proposed accommodation would provide an acceptable standard of amenity for future occupiers.

In order to protect the occupiers of the first floor flat from noise from the ground floor commercial use, a condition should be attached to any grant of planning permission to require details of a sound proofing scheme to be submitted to the Local Planning Authority for approval.

The impact on the proposed flat from road and railway noise would not be any greater than noise levels experienced by other nearby residential properties in the area.

A Unilateral Undertaking is being prepared to secure a financial contribution towards the amendment of the Traffic Regulations Order to remove parking permit entitlement for future occupants of the proposed flat in order to prevent additional on-street parking demand.

HUMAN RIGHTS IMPLICATIONS

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

RECOMMENDATIONS

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

Section 106 Heads of Terms

- i) To secure a financial payment to the Council of:

£2,000 towards the variation of the relevant Traffic Regulation Order to exclude the site from the controlled parking zone, thereby preventing residents' parking permits being allocated to this site.

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. No development shall commence until details of the siting, size and design of refuse, recycling and cycle storage have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the storage facilities have been installed in accordance with the approved details. 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.

4. No development shall commence until details of a sound proofing scheme for protecting the future occupiers of the first floor flat hereby approved from noise from the ground floor bar have been submitted to and approved in writing by the Local Planning Authority. The first floor flat shall not be occupied until all works which form part of the scheme have been completed.

Reason: To ensure that the proposed development is adequately insulated from potential noise nuisance arising from the existing ground floor bar.

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 unilateral undertaking under s.106 of the Town and Country Planning Act 1990 to secure financial contributions towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude future residents of the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the land in accordance with Policy T24 of the Watford District Plan 2000.

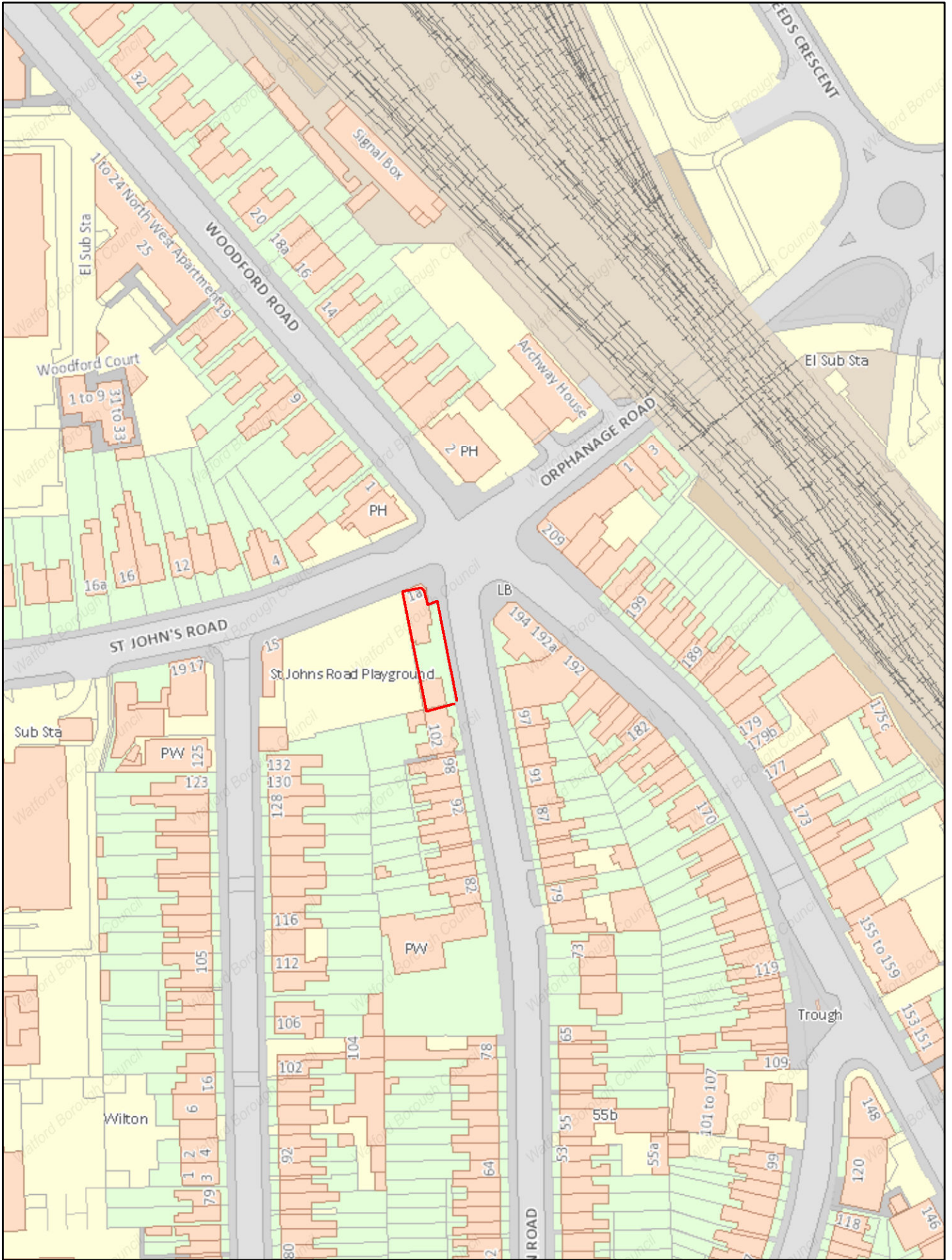
Drawing numbers

Location plan; DP/2486/PP/01; DP/2486/PP/REV A/02

(B) In the event that no Section 106 planning obligation is completed by 23rd April 2015 in respect of the Heads of Terms set out above, the planning application be refused for the following reason:

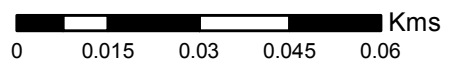
1. The proposal fails to make appropriate provision to restrict on-street parking in the surrounding Controlled Parking Zone and as such is contrary to saved Policy T24 of the Watford District Plan 2000.

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



1A St John's Road

Date: 14/04/2015



Scale 1:1,250



PART A	
Report of: Development Management Section Head	
Date of Committee:	23rd April 2015
Site address:	18, Colonial Way
Reference Number :	15/00371/VAR
Description of Development:	Variation of planning permission 14/00705/FULM for the Watford University Technical College to reduce the size of the western extension from 4 storeys to 2 storeys, amend the elevational treatment to the infilling of the undercroft car park, and re-siting of the main entrance.
Applicant:	Meller Educational Trust
Date Received:	6th March 2015
13 week date (major):	5th June 2015
Ward:	Tudor

SUMMARY

The application is for a material amendment to the previous planning permission ref. 14/00705/FULM for the extension of the existing office building and its use, in conjunction with the adjoining Axis 1 building, by the new Watford University Technical College (UTC) to provide secondary level education for 14-19 year old students. The amendment involves the reduction in height of the approved 4 storey extension at the western end of the building to 2 storeys, a change to the elevational treatment of the infilling of the undercroft car park (to form new floorspace) and the relocation of the main entrance to the building.

The principle of the use and all other aspects of the development have been

approved under ref. 14/00705/FULM and the only matters for consideration are the proposed amendments. These are all considered acceptable and will have no adverse impacts on the appearance of the building or the wider locality.

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

BACKGROUND

Site and surroundings

The site is located on the southern side of Colonial Way between the junctions with Rhodes Way to the west and Radlett Road to the east. To the south are the two storey commercial buildings of the Axis development. To the west and north are three storey commercial buildings in office, warehousing and industrial uses. To the east, on the opposite side of Radlett Road, are playing fields and allotments.

The site comprises a three storey office building of 2,702m² floorspace, formerly occupied by Sanyo, above an undercroft car park. Pedestrian access is currently from Colonial Way at the north-eastern corner of the site with vehicular access from Rhodes Way. The undercroft and surface level car parking, occupying the western part of the site, provides 58 spaces. The building was constructed in 2005 and is not listed or of local interest and is not within a conservation area.

Proposed development

The application seeks to amend planning permission ref.14/00705/FULM for the change of use of the building from office use (Class B1) to a university technical college (UTC) (Class D1) and an increase in floorspace to 4,256m² by infilling the undercroft parking area and the erection of a four storey extension to the western end of the building. This site, together with the adjoining Axis 1 site immediately to the south, will form the new Watford UTC which opened in September 2014 in the Axis 1 building. The Watford UTC will provide secondary level education for 14-19 year old students.

The proposed amendments can be summarised as follows:

- i) A reduction in the height of the approved extension at the western end of the building from 4 storeys to 2 storeys with minor elevational changes. The approved scheme proposed a 2 storey sports hall with a 2 storey lecture theatre above. Due to the need to reduce costs, the 2 storey sports hall will have a dual use as a lecture theatre with raked, demountable seating.
- ii) A change to the infilling of the undercroft car park and the introduction of coloured spandrel panels in the colours of the UTC. This reflects a change to the internal layout of the ground floor.
- iii) The relocation of the main entrance to the eastern end of the building. This will utilise the existing main entrance of the building. The approved main entrance was to be formed towards the western end of the building, which would have been less prominent.

Relevant planning history

03/00841/FUL – Planning permission granted in March 2004 for the erection of a four storey office building incorporating undercroft car parking.

The history of the adjoining Axis 1 unit to the south is also relevant as the two buildings will form the new Watford UTC. The Axis development, comprising seven units, was granted planning permission in 1985 (ref. 9/90/85).

14/00476/KPD – Prior approval not required for the change of use of the building to a state-funded school (Class D1).

14/00563/FUL – Planning permission granted in May 2014 for amendments to the existing Axis 1 building to allow use as a University Technical College, to include new entrances, covered canopy, fencing, rearrangement of parking area, new bin store

and new external fire escape.

14/00705/FULM – Planning permission granted for the change of use and extension of the existing office building to provide accommodation for the new Watford University Technical College (UTC).

Relevant policies

National Planning Policy Framework

- Section 1 Building a strong, competitive economy
- Section 4 Promoting sustainable transport
- Section 7 Requiring good design
- Section 8 Promoting healthy communities
- Section 10 Meeting the challenge of climate change, flooding and coastal change

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 Review 2002-2016

No relevant policies.

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

EMP1	Economic Development
EMP2	Employment Land
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

Watford District Plan 2000

SE7	Waste, Storage, Recovery and Recycling in new Development
SE24	Unstable and Contaminated Land
T10	Cycle Parking Standards
T21	Access and Servicing
T22	Car Parking Standards

CONSULTATIONS

Neighbour notifications

Letters were sent to the 4 properties in Eastfield Avenue who made comments on the original application. No replies have been received.

Advertisement in local paper/site notices

A public notice was published in the Watford Observer on 20th March 2015. Two site notices were also posted outside the site on 13th March 2015.

APPRAISAL

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

- (a) the *Watford Local Plan Part 1 - 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*.

Land allocation

The use of the site for a university technical college has already been approved.

Transport assessment

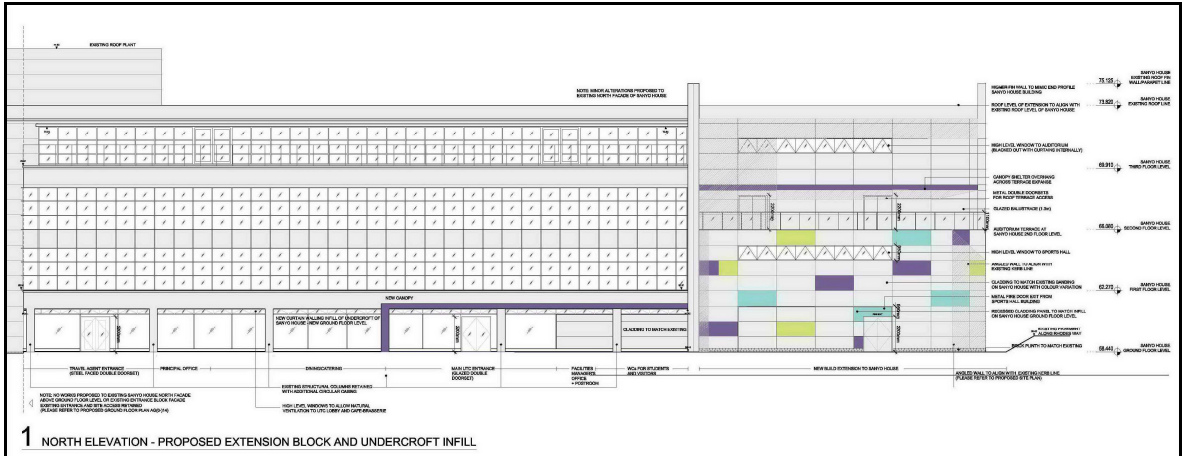
The original planning permission was subject to four conditions relating to off-site highway improvement works on Colonial Way, Rhodes Way and Radlett Road, the closing up of the existing vehicular junction on Colonial Way, the submission of a full travel plan for the UTC, and the provision of facilities for the dropping off and collection of pupils. Similar conditions should be imposed on any new permission granted. A Section 106 unilateral undertaking was also submitted to secure a financial payment to the Council of £15,000 towards a feasibility study, public consultation exercise and the design of a parking scheme for Radlett Road (north of the Colonial Way junction) and the residential roads to the north of the site (Carisbrooke Avenue, Eastfield Avenue, Devon Road, Byron Avenue and Tavistock Road) to prevent unrestricted on-street parking on these roads. This money has already been paid to the Council and no further Section 106 undertaking or deed of variation is therefore required.

Servicing, car parking and cycle parking

Servicing and car parking provision within the Axis 1 site from Rhodes Way remains unchanged. The previous permission was subject to a condition requiring the provision of cycle shelters and this can be imposed on any new permission.

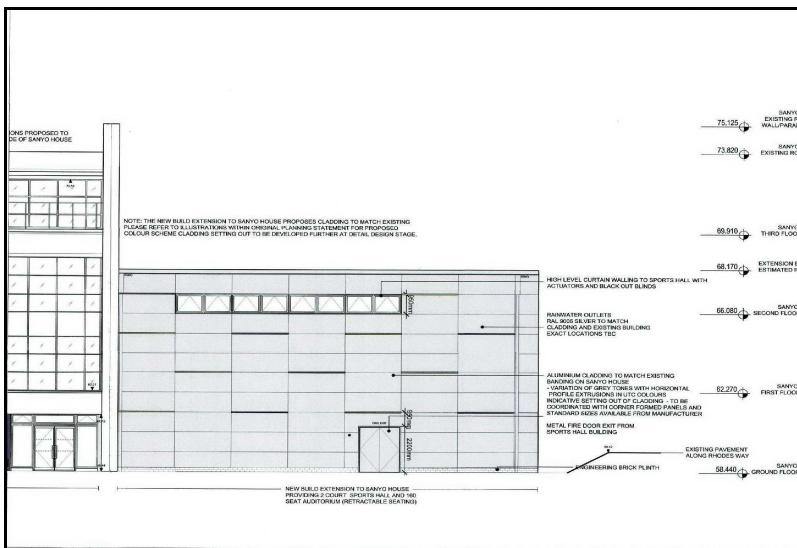
Design

The previous approved scheme incorporated a 4 storey extension at the western end of the building incorporating a flat roof and coloured panels (as shown below).



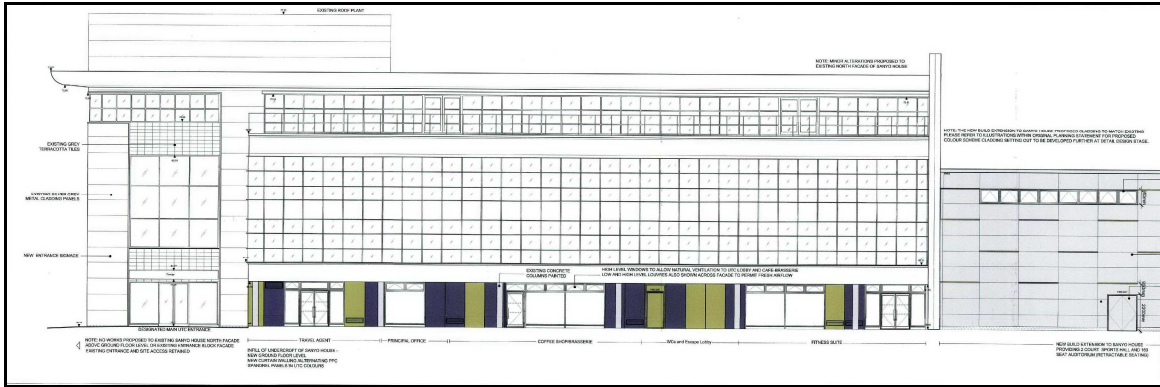
Approved north elevation

The proposed amendment is to reduce the height of this extension to 2 storeys with narrow coloured fins within the elevation.



Proposed amended extension

With regard to the infilling of the undercroft car park, this was originally proposed to comprise clear glazed curtain walling. The proposal now is to introduce coloured spandrel panels in the colours of the UTC in place of the panels that were originally proposed on the 4 storey extension. This will help visually to identify the UTC as the occupier of the building and is considered acceptable.



Amended north elevation

The approved scheme proposed the main entrance towards the western end of the existing building. The proposal now is to utilise and modify the existing main entrance at the north-eastern corner of the building. This is acceptable.

The previous permission was subject to conditions relating to external materials, and hard and soft landscaping and similar conditions can be imposed on any new permission. Overall, the proposed amendments maintain the scale, character and appearance of the existing building and are appropriate and acceptable in this commercial location. The proposed amendments will have no impact on adjoining commercial buildings.

Flood risk and drainage

The site itself is within Flood Zone 1 with a low risk of fluvial flooding. Immediately to the east of the site is the River Colne and its floodplain which falls within Flood Zones 3 (functional floodplain) and 2 (medium risk). However, the site is raised up on higher land above the level of the floodplain and the predicted flood levels. The site also has a low risk from surface water flooding. The Environment Agency previously had no objections to the proposal but recommended the imposition of four conditions relating to contaminated land. These can be imposed on any new permission.

Land contamination

Environmental Health originally requested a standard condition to secure a preliminary risk assessment for the works based upon the former use of the site. A

similar condition can be imposed on any new permission.

Conclusion

The proposed amendments to the western extension to the building, the infilling of the undercroft car park and the location of the main entrance are all considered to be appropriate in their scale, design and materials in relation to the existing building and the surrounding area and are acceptable. All other aspects of the scheme remain unchanged. A financial contribution has already been paid to the Council to undertake a consultation with local residents regarding the introduction of 'commuter' waiting restrictions on Radlett Road and the residential roads to the north of the site.

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 conditions listed below:

1. The development to which this permission relates shall be commenced before 7th August 2017.

Reason: To accord with the time period for commencement of planning permission ref. 14/00705/FULM dated 7th August 2014.

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

AE(0-)00, 01, 04, 05, 06, 08, 09

AG(0-)130, 131, 132, 133, 134, 140, 141

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

3. No demolition or construction works shall commence until a detailed scheme to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - i) a preliminary risk assessment (PRA) which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site;
 - ii) where the PRA in (i) above identifies the need for further investigation, a site investigation scheme to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
 - iii) where a site investigation scheme referred to in (ii) above is required, the results of the site investigation and risk assessment and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
 - iv) where a remediation strategy referred to in (iii) above is required, a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are

complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

No changes to these components shall be undertaken without the written approval of the Local Planning Authority. All works shall be carried out in accordance with the approved details.

Reason: In the interests of the health of the future occupiers of the site and to prevent pollution of controlled waters (the site is within Source Protection Zone 2) in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

4. Where a remediation strategy has been approved pursuant to Condition 3, no construction works shall commence until a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To verify that all contamination has been successfully removed from site following all remediation works in the interests of the health of the future occupiers of the site and to prevent pollution of controlled waters (the site is within Source Protection Zone 2) in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

5. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination is to be dealt with. All works shall be carried out in accordance with the approved details.

Reason: In the interests of the health of the future occupiers of the site and to prevent pollution of controlled waters (the site is within Source Protection Zone 2), in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

6. The surface water drainage scheme shall be carried out in accordance with the details shown on drawing no. PS1373/31 (Pure Structures). There shall be no infiltration of surface water drainage into the ground other than with the express written approval of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To protect groundwater in accordance with Policy SD1 of the Watford Local Plan Core Strategy 2006-31.

7. No development shall commence until details of the proposed external materials have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

8. No part of the development shall be occupied until the provision of cycle shelters has been undertaken in accordance with the following details:

Drawing nos. 1886 AG(0-) 01 B and 14 C2 (EWA)

Paving/Planting/Fencing/Site Furniture Specification (EWA)

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

9. No part of the development shall be occupied until the hard landscaping scheme has been undertaken in accordance with the following details:

Drawing nos. 1886 AG(0-) 01 B and 14 C2 (EWA)

Paving/Planting/Fencing/Site Furniture Specification (EWA)

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

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

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

11. No part of the development shall be occupied until the following works within the public highway have been completed in full, as shown in principle on drawing no. 2376-GA-001A (WSP):

- i) the upgrade of the uncontrolled pedestrian crossing point on Radlett Road (90m to north of the junction with Colonial Way);
- ii) the upgrade of the uncontrolled pedestrian crossing point on the southern arm of the roundabout at the junction with Colonial Way;
- iii) a new Zebra crossing on Colonial Way;
- iv) new uncontrolled crossing points on Rhodes Way;

Reason: To ensure safe and adequate vehicular and pedestrian access to the development and in the interests of highway safety, in accordance with Policy T4 of the Watford Local Plan Core Strategy 2006-31.

12. No part of the development shall be occupied until the existing vehicular junction on Colonial Way has been closed off and the adjacent footway and kerb reinstated.

Reason: To ensure safe and adequate vehicular and pedestrian access to the development and in the interests of highway safety, in accordance with Policy T4 of the Watford Local Plan Core Strategy 2006-31.

13. No part of the development shall be occupied until a Full Travel Plan has been submitted to and approved by the Local Planning Authority. The approved Plan shall be implemented at all times during the occupation of the building.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.

Informatives

1. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure financial contributions towards the consultation, design and implementation of a scheme for parking restrictions on part of Radlett Road and on the residential roads to the north of the site.
2. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended.

Drawing numbers

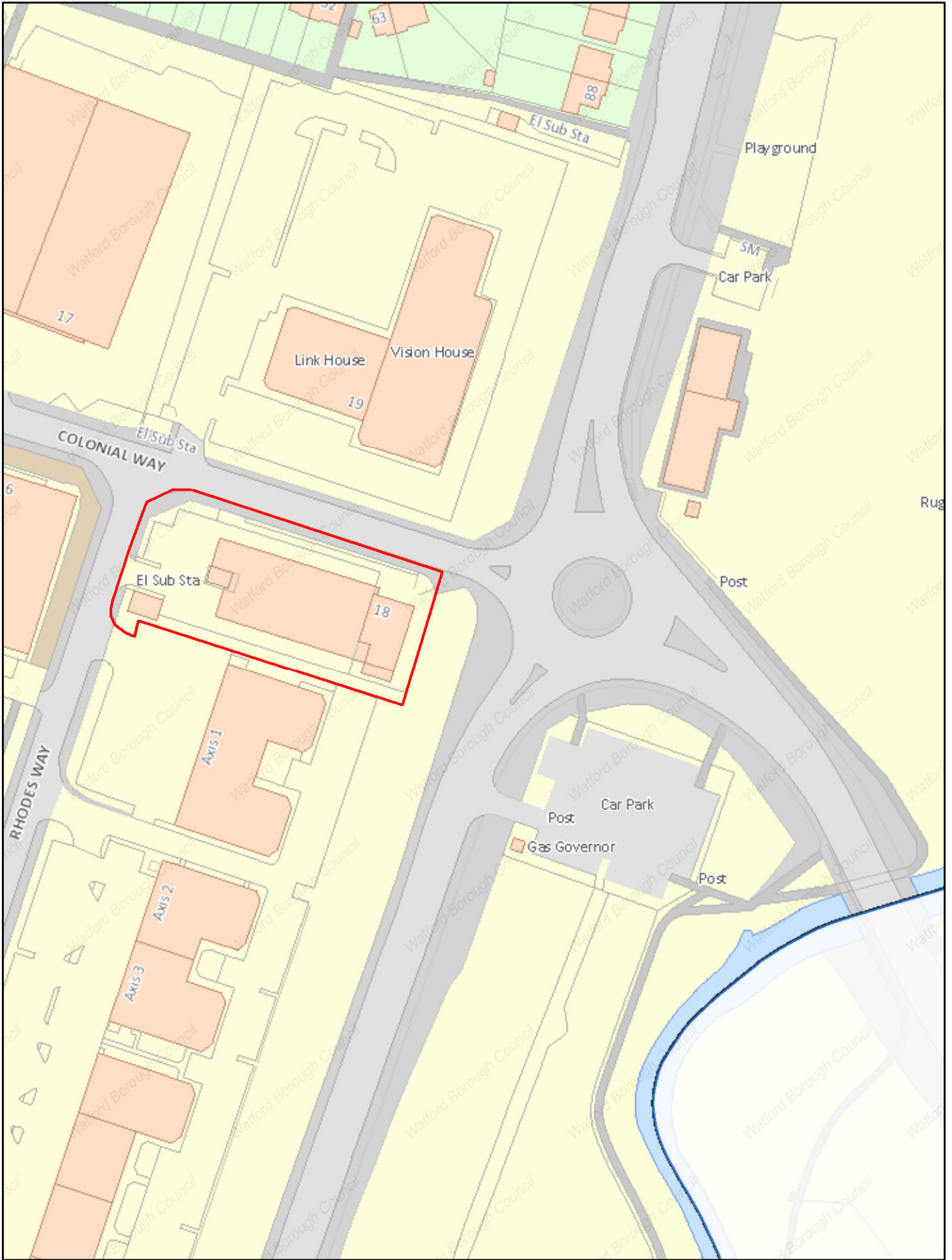
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AG(0-)130, 131, 132, 133, 134, 140, 141

Case Officer: **Paul Baxter**

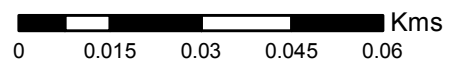
Email: **paul.baxter@watford.gov.uk**

Tel: **01923 278284**



18 Colonial Way

Date: 15/04/2015



Scale 1:1,250



