



**WATFORD
BOROUGH
COUNCIL**

DEVELOPMENT MANAGEMENT COMMITTEE

16 December 2019

7.00 pm

Town Hall

Contact

Ishbel Morren

democraticservices@watford.gov.uk

01923 278375

For further information about attending meetings please visit the council's [website](#).

Publication date: 6 December 2019

Committee Membership

Councillor P Jeffree (Chair)

Councillor S Johnson (Vice-Chair)

Councillors N Bell, K Collett, F Ezeifedi, K Hastrick, M Mills, I Sharpe and M Watkin

Agenda

Part A – Open to the Public

1. **Apologies for absence**
2. **Disclosure of interests**
3. **Minutes**

The [minutes](#) of the meeting held on 2 October 2019 to be submitted and signed.

CONDUCT OF THE MEETING

The committee will take items in the following order:

1. All items where people wish to speak and have registered with Democratic Services.
2. Any remaining items the committee agrees can be determined without further debate.
3. Those applications which the committee wishes to discuss in detail.
4. **19/00496/FULM - 934-974 Marchwood House, St Albans Road (Pages 6 - 47)**

Redevelopment of the site to provide 165 residential units in 2 buildings both part 4/5 storeys in height

5. **19/00507/FULM - 94-98 St Albans Road and 114 St Albans Road (Pages 48 - 115)**

Hybrid planning application: comprising detailed planning application for the demolition of existing buildings and erection of 1,214 residential units, flexible commercial floorspace and a new energy centre (sui generis). Outline planning application (all matters reserved except access) for the erection of a 2 form entry primary school and nursery

6. 19/00366/FULM - W H Sports Club Limited, 8 Park Avenue (Pages 116 - 151)

Improvements to existing sports club, new outdoor floodlit multi use games area, reconfiguration of existing sports club carpark and the erection of a 4-storey residential development to provide 23 dwellings

7. 19/00638/FULM - Garston Park, Codicote Drive (Pages 152 - 161)

Enhancement to park entrances at St Albans Road and Codicote Drive, resurfacing of existing footpaths and creation of new footpaths around the Local Nature Reserve. Refurbishment of existing play area and erection of a new timber sculpture

8. 19/00599/OUTM - 1-5 Faraday Close And 1-6 Greenhill Crescent (Pages 162 - 175)

Outline planning permission for up to 8240m² of commercial/industrial floorspace with ancillary first floor office

Introduction

Please note that the officer report is a summary of the issues including representations made and consultation responses. Full details of the applications, plans submitted, supporting information and documents, representations made, consultation responses and correspondence can be found on the council's web based [Public Access system](#) using the application reference or address.

Specific policy considerations for each application are detailed within the individual reports. The background papers and policy framework listed below have been relied upon in the preparation of the reports in this agenda.

Background papers

- The current planning applications under consideration and correspondence related to that application.
- All relevant third party representations and consultation replies received.

Policy Framework

- The Statutory Plans and Supplementary Planning Guidance, together with relevant Government legislation, Circulars, Advice, Orders, Directions and Guidance listed below:

Local Planning Documents

Local Development Documents provide the framework for making planning decisions. These can be found on the Council's [website](#) and include:

- the existing Local Plan which consists of the Core Strategy, saved policies in the Watford District Plan 2000 and Proposals Map); and
- Supplementary Planning Documents.

County Planning Documents

The Hertfordshire Waste Local Plan and Minerals Local Plan prepared by Hertfordshire County Council are material considerations alongside the Watford Local Plan. These documents can be found on the county council's [website](#).

National Planning Documents

Key legislation can be found using this [weblink](#), including:

- Growth and Infrastructure Act (2013)
- Housing and Planning Act (2016)

- Localism Act (2011) and subsequent amendments
- Planning Act (2008) and subsequent amendments
- Planning and Compulsory Planning Act (2004) and subsequent amendments
- Town and Country Planning Act (1990) and subsequent amendments
- Town and Country Planning (Local Planning) (England) Regulations 2012 and subsequent amendments.

National guidance can be found on the government service and information [website](#), including:

- National Planning Policy Framework (revised February 2019) and supporting Technical Guidance
- Planning Practice Guidance (PPG) (web based)
- Planning policy for traveller sites
- Relevant government circulars
- Relevant Ministerial Statements (which will be referred to in the individual reports as necessary)

Section 106 Planning obligations and Community Infrastructure Levy (CIL)

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. The CIL charge covers a wide range of infrastructure as set out in the Council's Regulation 123 list, including highways and transport improvements, education provision, youth facilities, childcare facilities, children's play space, adult care services, open space and sports facilities. CIL is chargeable on the relevant net additional floorspace created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted where relevant. Section 106 planning obligations can only be used to secure affordable housing provision and other site specific requirements, such as the removal of entitlement to parking permits in Controlled Parking Zones and the provision of fire hydrants.

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.

Agenda Item 4

Committee date	Monday 16 December 2019
Application reference Site address	19/00496/FULM - 934-974 Marchwood House, St Albans Road, Watford, WD25 9NN
Proposal	Redevelopment of the site to provide 165 residential units in 2 buildings both part 4 / 5 storeys in height, with 150 car parking spaces, communal landscaped amenity areas, secure cycle parking and other associated development.
Applicant	Fairview New Homes (London) Limited
Agent	Fairview New Homes (London) Limited
Type of Application	Full Planning Permission
Reason for committee Item	Major Application
Target decision date	17 December 2019
Statutory publicity	Watford Observer, Neighbour Letters and Site Notice
Case officer	Andrew Clarke, andrew.clarke@watford.gov.uk
Ward	Meriden

1. Recommendation

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

2. Site and surroundings

- 2.1 The site comprises an irregular shaped parcel of land with an area of 2.9 acres (1.19 hectares) comprising a former operational bus depot (Sui Generis Use). There is a two storey office at the front of the site which is a non-designated heritage asset (locally listed building). This building has several telecom masts on the roof. At the rear is a double height depot building. The remainder of the site comprises hard standing with two vehicular access points onto St. Albans Road, one at the northern end and another at the southern end. While the existing two-storey office building is locally listed the site is not in a Conservation Area.
- 2.2 There is a parade of local shops with flats above, located south of the site. To the rear of the shops is Garston Park Parade where there are two storey semi-detached dwellings and to the east of these dwellings fronting the Felden Close are more two storey semi-detached dwellings. Garston Park is to the north along with a three storey flatted building with a pitched roof. To the east adjoining the existing double height depot building are two storey dwellings fronting Codicote Drive. These dwellings are semi-detached and terraces with rear gardens adjoining the development site. To the west of the

site on the opposite side of St Albans Road is a funeral directors, three storey residential flatted buildings, a two storey dwelling and a TGI Friday, Premier Inn and McDonald's. Notwithstanding the above, the surrounding area is largely residential housing with a mix of two dwellings and three storey flatted buildings.

- 2.3 The site itself is 3 miles north of Watford Town Centre. Garston mainline station is 0.4 miles to the south east. Buses along St Albans Road run south towards Watford Town Centre, past The Dome roundabout services and facilities. To the north is the junction of St Albans Road and North Orbital Road.
- 2.4 The bus depot was used by Arriva buses until they moved their operation in mid-2018.

3. Summary of the proposal

3.1 Proposal

- 3.1.1 Redevelopment of the site to provide 165 residential units in 2 buildings both part 4 / 5 storeys in height, with 150 car parking spaces, communal landscaped amenity areas, secure cycle parking, a new connection to Garston Park and other associated development. The residential units comprise 1 x studio (0.6%), 58 x 1 beds (35.2%), 81 x 2 beds (49%) and 25 x 3 beds (15.2%). Whilst the application form does not specifically state that the proposal includes the demolition of the buildings on site, there is no prior approval for the demolition and therefore this application has included the demolition of the buildings.

3.2 Conclusion

- 3.2.1 The loss of the locally listed building to facilitate the residential redevelopment of the site is accepted in principle.
- 3.2.2 The scale and design of the proposal are considered suitable within the context of St Albans Road where flatted schemes are not uncommon. The height of the development is one or two storeys higher than the other flatted schemes, but due to the size of the site and the siting of the two buildings, the development successfully accommodates this additional height. The new buildings are also replacing generally large industrial-type buildings which did not complement the surrounding residential character.

- 3.2.3 Generally the proposed dwellings are of a suitable size and quality. The number of single aspect north-facing units has been kept to a minimum but couldn't be avoided. These units will have a reduced level of light. The development has been designed in two blocks to maximise light and space for the units. Most units have private balconies.
- 3.2.4 The proposal does provide some affordable housing which includes larger units but the quantity is not at 35% due to the viability assessment that was submitted with the application and the vacant building credit.
- 3.2.5 The proposal would cause no undue loss of daylight, outlook or privacy to any adjoining occupiers with respect to the residential design guidelines.
- 3.2.6 The car and cycle provision within the site are considered acceptable at this site in accordance with policy.

4. Relevant policies

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

5. Relevant site history/background information

- 5.1 18/00976/PREAPP - Pre application by Fairview New Homes - advice for proposed redevelopment of existing Arriva bus depot circa 172, 1, 2 and 3 bedroom apartments. The proposal developed throughout the pre application process to the current application.

6. Main considerations

- 6.1 The main issues to be considered in the determination of this application are:
- (a) Principle of the use
 - (b) Scale and design
 - (c) Loss of the locally listed building and employment
 - (d) Quality of residential accommodation
 - (e) Affordable housing provision
 - (f) Impact on amenity of adjoining residential properties
 - (g) Transport, parking and servicing
- 6.2 (a) Principle of the use

- 6.2.1 The site has no specific planning designations, except for the locally listed designation of the existing office block facing St Albans Road. The loss of the existing bus depot use is not contested.
- 6.2.2 Policy HS1 of the Core Strategy lists the criteria that will be taken into account in assessing the suitability of sites for residential use. In this case, the site is previously developed land, is not at risk of flooding, has no biodiversity or landscape value has good access to public transport and a wide range of services. The principle of a residential development would be in keeping with the residential nature of the area.
- 6.2.3 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. Of particular relevance is paragraph 11.
- 6.2.4 Currently Watford Borough Council cannot demonstrate a five year supply of deliverable housing sites. Therefore the local plan policies which are most important for determining the application for housing are considered out-of-date. Given this scenario, paragraph 11 states that 'Plan and decisions should apply a presumption in favour of sustainable development' by granting planning permission unless:
1. The application of policies in this Framework [the NPPF] that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 2. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 6.3 (b) Scale, design and layout
- 6.3.1 St Albans Road would be modified to facilitate this proposal. The existing northern entrance would be retained, albeit with some realignment including a new ghost island to the middle of the highway to allow northbound vehicles to turn into the site without blocking the northbound carriageway. The southern entrance would be closed to vehicular traffic with a pedestrian entrance retained to this side.
- 6.3.2 The proposed layout comprises two buildings containing five cores: A & B fronting St Albans Road and C, D & E to the rear of the site. A new tree lined avenue which would penetrate the site with parking areas to either side some of which would be covered by timber pergolas. Each of the buildings would

surround a green amenity area with a connection to Garston Park introduced to the northern boundary of the site. A substation is proposed in the north-eastern area of the site.

- 6.3.3 In massing terms the two buildings would be four to five storeys high with the uppermost floor set back on many of the elevations. The front building follows the street edge of St Albans Road and reinforces the streetscene of dwellings fronting the street, with 7 pathways to the dwellings. The building at the rear is made up of three wings/buildings and starts at the axis of the entrance road and fronts the new internal road around the site. The proposed buildings are considered to have a good setback which allows for the additional height on the site.
- 6.3.4 The primary material proposed throughout the development is two tones of red brick: light and medium to differentiate in a subtle way particular parts of the buildings. The entrances will be identified with a vertical band of windows grouped together with blue brick surrounded by a metal frame. Textured brick is proposed around the base of the entrances for easier wayfinding. The balconies will be part-recessed and part-projecting, allowing for good levels of privacy, whilst adding some depth to the elevations. All balconies are vertically stacked and grouped over the entire height of the building, providing a vertical rhythm to the otherwise predominantly horizontal frontage of the buildings. The rear elevations will host a cluster of projecting open balconies on posts to add more articulation to this quite simple side.
- 6.3.5 The blocks have been designed with elevations which are suitably distanced from those opposite. Each block will enclose and overlook a soft landscaped communal amenity area with trees placed either side of the avenue through the site.
- 6.3.6 The contemporary flatted design of the development will be in contrast to the semi-detached houses of Codicote Drive and Felden Close, however flatted developments do exist along St Albans Road, though these feature traditional features such as bay windows and pitched roofs. It should be noted that the existing office building fronting St Albans Road, contrasts with its surroundings and whilst the proposed building is different, it is considered to complement the residential character of the area with the amount of landscaping on site.
- 6.3.7 The height of the buildings, at five storeys is higher than those along this section of St Albans Road. The top floor of the building facing St Albans Road is set back from the front elevation, which reduces its visual dominance of the building from the street, as does the articulation of the elevations. The flatted developments opposite (Evolution) and adjacent (Park Lodge) are three

storeys with pitched roofs. The roofline of these adjacent developments would be consistent with the four storeys which would front St Albans Road. It is considered that the proposed building height would sit comfortably within the street scene not causing significant harm to demonstrably outweigh the benefits of the proposal taken as a whole.

- 6.3.8 The density of the development would be 139 dwellings per hectare. Such a density would be substantially higher than the prevailing surrounding densities which is comprised of semi-detached properties with large gardens. However it should be noted that this proposed density is not entirely out of character when considered against other flatted developments adjoining and nearby on St Albans Road. In addition, the development will significantly reduce the amount of hardstanding on the site that currently exists.
- 6.3.9 Evolution, the flatted residential development opposite is comprised of 22 flats at a density of 99 dwellings per hectare. Park Lodge, the flatted development adjacent is comprised of 22 flats at 117 dwellings per hectare. Park View, nearby at 865 St Albans Road is comprised of 9 flats at 139 dwellings per hectare which is identical to the proposed scheme. The difference with the subject development is that it is at a larger scale.
- 6.3.10 It is acknowledged that the proposed density would not conform to Policy HS2 of Watford's Core Strategy. This policy does seek low density family houses with gardens in more suburban areas. This policy would be considered out-of-date by paragraph 11 of the NPPF given the lack of a five year housing supply. Conversely the NPPF at paragraph 123 which seeks to optimise development and seek a significant uplift in the density of residential development.
- 6.3.11 Average densities are higher along St Albans Road, which is a key thoroughfare in Watford. Main roads such as this are less suited to family housing. During pre-application discussions planning officers did suggest lower density family housing with gardens to the rear of the site to transition better with the adjoining residential development, though this approach was not pursued by the applicant. Given this context and policy position the density of the proposed development is considered acceptable.
- 6.3.12 In order to ensure that the appearance of the building in the street scene is not diminished, a condition is proposed removing permitted development rights for communications equipment is proposed.
- 6.4 (c) Loss of the locally listed building and employment

- 6.4.1 The office block facing St Albans Road is locally listed. The block was the administrative building for the bus garage. It was constructed in the early 1950's by the chief architect to the London Transport Executive, Thomas Bilbow, who also designed the Grade II Listed bus garage at Stockwell in London. It is a tall two storey building finished in multi-coloured bricks with bay windows and clean lines. It is mid twentieth century modern in style. The architectural significance of the building has declined over the years with the replacement of the original windows, additional signage and much telecommunications equipment added to the flat roof.
- 6.4.2 The applicant has submitted a heritage report. This report is very dismissive of the importance of the building and its locally listed status. Saved policy U15 of Watford's District Plan does seek the reuse of locally listed buildings where possible. The significance of the locally listed building is considered low. The potential of reusing the building is limited given that it was not designed for residential use. Retaining the building would limit the wider development of the site.
- 6.4.3 It is accepted that the demolition of the locally listed building will cause some degree of harm, though it is considered that this can be appropriately mitigated by a condition requiring a historic building record be made prior to demolition requiring external and internal photographs.
- 6.4.4 The development site is not identified as an employment site or within an employment area in planning policy. The property was put on the market for sale approximately 18 months ago and any employment use had the opportunity of occupying the site. It is considered that due to the site constraints and the location adjacent to a park, the most appropriate use of the site is residential.
- 6.5 (d) Quality of residential accommodation.
- 6.5.1 The proposal will create 165 residential units. The building facing St Albans Road would contain two cores (A and B) both of which can be accessed from the front and rear sides of the building. This building would contain 74 dwellings (37 from each core). Four of the units in this building are duplexes, facing St Albans Road with their own entrances from St Albans Road as well as an internal entrance. Six further ground floor units have secondary external access.
- 6.5.2 The rear building would contain three cores. Core C accesses 35 dwellings, 10 of which have balconies which directly face Garston Park. Core D accesses 25 dwellings and Core E accesses 31. All cores have access to the front and rear

sides of the building. Core E has external communal terraces at each level used to access the flats. 19 units are accessed by these terraces.

6.5.3 The development would contain 165 dwellings. This is comprised of:

- 1 Studio Flat
- 58 one bedroom two person units
- 14 two bedroom three person units
- 67 two bedroom four person units
- 25 three bedroom five person units

6.5.4 Per unit this percentage is:

- 0.6% Studio Flats
- 35.2% one bedroom two person units
- 8.4% two bedroom three person units
- 40.6 two bedroom four person units
- 15.2% three bedroom five person units

6.5.5 In total the development would create 460 habitable rooms.

6.5.6 The council would have preferred a greater percentage of three bedroom units as per policy HS2 of Watford's Core Strategy. It is noted that all 25 of the three bed units are suitable for five person occupancy and none have been designed as three bedroom four person units, for which 12 fewer square meters are required. Additionally the proportion of two bed four person occupancy is significantly higher than two bed three person units. A two bedroom four person unit only requires four fewer square metres than a three bedroom four person unit.

6.5.7 The scheme would still provide a significant number of three bedroom units. All 25 three bedroom units have balconies / terraces, all have at least dual aspect with 14 being triple aspect and all have adequate light levels to their kitchen / living / dining rooms.

6.5.8 161 of the units have one single room for kitchen / dining and living. This is fairly typical of new homes. 4 units (numbers 137, 144, 151 and 158) have separate kitchens. The separate kitchens are not counted as 'habitable rooms' in this report.

6.5.9 14 units (numbers 118, 124, 130, 137, 140, 142, 144, 147, 149, 151, 154, 156, 158 and 162) have no private balconies or terraces. All of these units are two bedroom 4 persons units. This size unit requires a gross internal area of 70 square metres. Of these 14 units 4 are 70 square metres, 4 are 70.4 square meters, 3 are 72.6 square metres and 3 are 74.4 square meters.

- 6.5.10 26 units are single aspect. Of these 3 are north facing (numbers 45, 51 and 62), 11 are east facing (numbers 8, 15, 24, 51, 60, 69, 110, 113, 119, 125 and 131), 11 are south facing (numbers 14, 23, 32, 81, 88, 95, 102, 109, 140, 147 and 154) and one is west facing (number 103).
- 6.5.11 3 single aspect south facing units have no private amenity space (numbers 140, 147 and 154).
- 6.5.12 The applicant has submitted a daylight and sunlight assessment. The report uses the BRE standards which are accepted by the Watford's Residential Design Guide. This report only makes an assessment of the ground and first floor of the development. This report therefore only calculates daylight to 63 of the 165 dwellings. It is accepted that dwellings on the second to fourth floors are likely to have better light levels, though they may not all comply with the BRE guidance.
- 6.5.13 The report outlines minimum required light per room and the proposed light. Bedrooms require less light than the kitchen/ living / dining rooms. It is noted in the report that three of the living rooms have been measured against the light requirements of bedrooms. This error does slightly distort light making light levels appear better.
- 6.5.14 Of the 63 ground floor and first floor flats (and duplexes) assessed the report shows that 11 would receive insufficient daylight into their living / kitchen / dining rooms (numbers 1, 8, 9, 44, 45, 50, 51, 81, 88, 111 and 114). All of these flats face into the enclosed courtyards to the rear of the buildings. The bedrooms in all these units receive sufficient light. Unit number 81 has the lowest light levels of all the units with the living room achieving 53% of light required by BRE guidelines.
- 6.5.15 There is some concern with daylight levels within some of the dwellings. The vast majority would receive good light levels. Paragraph 123 of the NPPF states *"when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)."*
- 6.5.16 Taking this flexible approach encouraged by the NPPF the quality of accommodation is considered acceptable. In schemes of this density, it is not uncommon for some units to suffer from lower levels of light.
- 6.6 (e) Affordable housing provision

- 6.6.1 Policy HS3 of the Watford Local Plan Core Strategy requires 35% provision of affordable housing in schemes of 10 or more units with a tenure mix of 20% Social rent, 65% Affordable rent and 15% shared ownership. The application was submitted with a Viability Assessment in accordance with paragraph 57 of the NPPF.
- 6.6.2 The original offer made by Fairview New Homes was for 17 shared ownership units. This figure is 10.3% by unit and 13.5 % by habitable room. This figure would accord with policy 64 of the NPPF which expects “*at least 10% of the homes to be available for affordable home ownership.*” However this is not where affordable homes are needed in the borough.
- 6.6.3 Fairview New homes also sought to invoke policy 63 of the NPPF which relates to Vacant Building Credit. This credit states “*where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount*”. This would reduce the affordable housing contribution by 57%. The 35% requirement of policy HS3 would therefore be reduced to 15.35%. The application of Vacant Building Credit was accepted based on planning appeals identified by the applicant.
- 6.6.4 The viability assessment was reviewed by the independent viability consultants, BNP Paribas. Following meetings and discussions on details of viability BNP Paribas accepted the applicant’s viability assessment. A copy of the documents is available to view online.
- 6.6.5 Fairview New Homes acknowledged the concern about the lack of affordable housing and the mix proposed and made a new affordable housing offer which was greater than that originally proposed and included social rented and affordable rented housing.
- 6.6.6 The case officer then proposed an alternative affordable housing offer which provided a greater number of three bedroom social rented units – the type of accommodation most needed. This request was accepted by Fairview New Homes.
- 6.6.7 The affordable housing contribution proposed is:
- 4 x three bedroom five person social rented units
 - 3 x three bedroom five person affordable rented units
 - 5 x two bedroom four person affordable rented units.
- 6.6.8 These figures equate to 7.3% by unit and 9.3% by habitable room. Although lower in percentage terms the type of affordable housing is preferred to

increasing the percentage with smaller shared ownership units, which do not meet the housing need.

6.6.9 The affordable units would be unit numbers 135 to 146, comprising all of the units at ground floor level and first floor level accessed off core E. Providing the accommodation in one block simplifies their management. Most of the affordable housing units are dual aspect.

6.7 (f) Impact on amenity of adjoining residential properties

6.7.1 The applicant has submitted a Daylight and Sunlight report which assesses light levels to all adjoining properties in accordance with the Building Research Establishment's publication "Site Layout Planning for Daylight and Sunlight. A Guide to Good Practice." (2011).

6.7.2 The assessment has been undertaken using measurable factors of the Vertical Sky Component (VSC), No-Sky Line Contour (NSC), Average Daylight Factor (ADF) and Annual Probable Sunlight Hours (APSH) tests set out within the aforementioned guidance.

6.7.3 The properties considered by the assessment are:

- 1 to 22 Evolution, 839 to 847 St. Albans Road
- 849 St. Albans Road
- 1-20 Park Lodge, St. Albans Road
- 831 St. Albans Road
- 833 St. Albans Road
- 835 St. Albans Road
- 837 St. Albans Road
- 25, 27, 29, 32 and 34 Felden Close
- 59 to 83 Codicote Drive

6.7.4 Park Lodge adjoins the northern boundary of the site. Park Lodge contains 20 flats with communal gardens to the rear. The southern flank wall of this development is approximately 0.5 metres distant from the northern boundary of the site. The two side facing windows at the ground floor are the only neighbouring windows which would not achieve the recommended VCS, though it is considered they would not meet this as existing, due to the proximity of the boundary wall. The flank wall of this building, at the closet point would be 19 metres from Block A.

- 6.7.5 The eastern side of the northern boundary adjoins Garston Park, for which a new pathway will be introduced. The new access to the park would benefit both residents and the wider public.
- 6.7.6 Numbers 63 to 83 (odds) Codicote Drive adjoin the eastern boundary of the site. These properties have gardens which extend approximately 20 metres beyond the original rear wall of the dwellings. The existing bus garage shed structure to the rear of the site is approximately 2.5 metres from the boundary of the site. This shed structure is tall, capable of storing double deck buses. The proposed development at the closest point (Block E) would be 20 metres from the boundary with the properties on Codicote Drive. The proposed development would be 40 metres distant from the original rear walls of the properties on Codicote Drive. It is accepted that many properties on Codicote Drive have extensions which would reduce this 40 metre figure by a few metres. This separation distance is considered acceptable and exceeds the provisions of Watford's Residential Design Guide which seek a separation on 27.5 metres. It is recognised that the residents of Codicote Drive are likely to feel overlooked due to the height of the proposed building and the change of use to residential. However, there would be benefits such as the demolition of the existing shed structure allowing more light into these gardens, particularly in the afternoon given the orientation. The layout of the car park and internal access road is considered likely to create additional noise on site that the adjoining residents would not be used to and the demolition of the existing structure may allow vehicular noise from St Albans Road to reach these dwellings. However, these impacts are not considered significant to outweigh the benefits of this housing scheme.
- 6.7.7 Similarly numbers 25 to 29 (odds) and 32 to 34 (evens) Felden Close have rear boundaries which adjoin the southern boundary of the site. Numbers 29 and 34 are the only ones which have rear elevations which do not face the development at an obtuse angle. These two properties have gardens which are 16.5 metres in depth, and the new development would be 36.5 metres distant from the closest point of the development (Block E).
- 6.7.8 To the western side of the southern boundary are the properties which form part of Garston Park Parade. These properties are orientated perpendicular to the boundary. The main terrace has no side facing windows. Therefore the proposed development is likely to have a minimal impact on these properties.
- 6.7.9 Number 19 Garston Park Parade sits behind the parade adjacent to the boundary with the bus garage. This property is comprised of small flats at ground floor (granted lawfulness by 16/01198/LDC) with office use at first floor level. The ground floor residential windows look onto the fence and the

upper windows overlook the site. The proposed positioning of the buildings means that the upper floor office windows would overlook the landscaped area. This building would suffer no loss of amenity. The former use of the site is considered to have a greater impact on this property than the proposed residential use as there will no longer be any buses on the site.

6.7.10 The buildings on the opposite (west) side of St Albans Road would not suffer any loss of amenity given their separation across St Albans Road.

6.7.11 Except for the two ground floor side facing windows in Park Lodge on the northern boundary, the proposal would comply with BRE guidelines and Watford's Residential Design Guide which outlines suitable privacy distances.

6.8 (g) Transport, parking and servicing

6.8.1 The existing site has two vehicular access points, both onto St Albans Road along the western boundary of the site. Hertfordshire County Council Highways have agreed to the realignment of St Albans Road, subject to a 184 / 278 Highways Act agreement. The northern vehicular entrance would be retained, albeit with some realignment. This would be the only vehicular entrance /exit. The southern access would be closed with only pedestrian access retained. The closing of the southern entrance is the logical solution as this has a higher potential for conflict given the proximity of other junctions. A new ghost box would be created to the middle of the roadway, which ensures northbound vehicles entering the site do not block the traffic flow.

6.8.2 The realigned highway would create three recessed parking bays in front of the site on St Albans Road. Subject to a Traffic Regulation Order from Hertfordshire County Council, two of these bays would share one electric charging point with one of these bays allocated to a car club with a second space for general electric vehicle charging. This forms part of the section 106 agreement. If, for any reason Hertfordshire County Council do not allow a Traffic Regulation Order, a fall-back position is to provide one electric car club space within the site.

6.8.3 The applicant has prepared a transport assessment. Hertfordshire County Council have assessed the proposal and have concluded that the impact on the junctions at St Albans Road / Garston Lane and St Albans Road / Horseshoe Lane / A405 is negligible. The site is not within an Air Quality Management Area and the negligible increase in traffic resulting from this development is not considered to cause any significant detriment to air quality.

- 6.8.4 150 car parking spaces are proposed to serve the new homes, at a ratio of 0.91 spaces per dwelling. The proposed level of car parking has been supported by analysis of on street parking survey data and local car ownership data. Data from the office of national statistics indicates that car ownership is 1.2 cars per household. For flatted developments car ownership per household is 0.79 cars per household.
- 6.8.5 The parking standards of the Watford District Plan 2000 set maximum parking requirements for new developments. For the residential development proposed in allocated zone 4, the maximum car parking provision would be 177.5 spaces. The provision of 150 spaces is below that maximum and is compliant with policy.
- 6.8.6 Conditions proposed covers alterations to the highway, the layout of parking areas and a car parking management plan outlining car parking allocations. These would be required to be completed prior to the occupation of the dwellings.
- 6.8.7 The site is not within a controlled parking zone. The transport assessment includes surveys of parking pressure within the vicinity of the site. These surveys were conducted on weekdays between the hours of 00:30 and 5:30 when parking levels would be highest. It concludes that there is additional parking capacity is available within the surrounding roads, though it is considered that parking provision within the site is sufficient. It should be considered that the former bus garage use would have generated parking pressure on surrounding residential streets, which no longer exists.
- 6.8.8 The site is served by frequent buses along St Albans Road, which connect the site to Watford Town Centre which is three miles to the south. Garston Railway station is 0.4 miles from the site. This station is served by a train every 45 minutes to Watford Junction and a train every 45 minutes to St Albans. The frequency of this service is reduced to hourly late evenings and a weekends.
- 6.8.9 The proposal includes 165 cycle parking spaces within designed cycle stores which are located at ground floor level near the entrances to the flats.
- 6.8.10 Watford's Waste and Recycling consultee is satisfied with the proposed refuse collection arrangements.

7 Consultation responses received

7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment
Hertfordshire County Council (Highways Authority)	Do not wish to raise an objection, subject to: <ul style="list-style-type: none"> - A Section 106 Agreement will be required for obtaining a £6000 fee toward the monitoring and evaluation of the Travel Plan - A Section 278, or Section 184 Highways Act 1980, Agreement (whichever is most appropriate) to agree the detailed design of any changes to the highway, - Condition 1: Demolition and Construction - Condition 2: Traffic Management Plan Provision of Parking and Servicing Areas - Condition 3: Car Parking Management Plan - Condition 4: Servicing and Delivery Plan - Condition 5: Travel Plan - Informative 1: Storage of materials - Informative 2: Obstruction of the highway - Informative 3: Mud on highway - Informative 4: General works within the highway
Hertfordshire County Council Growth & Infrastructure	No objection.
Hertfordshire County Council Fire and Rescue Service	Seeks the provision of fire hydrants via Section 106 Agreement.
Hertfordshire County Council Minerals and Waste	No objection.
Hertfordshire County Council Ecology	No objection subject to: <ul style="list-style-type: none"> - A condition for a Biodiversity and Landscape Plan - An informative for any protected species if found on site.
Hertfordshire County Council (Lead Local Flood Authority)	No objection subject to: <ul style="list-style-type: none"> - Condition 1 Development is carried out in accordance with Flood Risk

	<p>Assessment and Surface Water Strategy.</p> <ul style="list-style-type: none"> - Condition 2: Submission of Surface Water Drainage Scheme
Hertfordshire Constabulary Crime Prevention Design Service	Requested measures to ensure that the development is built to Secured by Design standards.
Thames Water	No objection.

7.2 Internal Consultees

Name of Internal Consultee	Comment
Environmental Health	<p>Recommended conditions for:</p> <ul style="list-style-type: none"> - Condition 1: Remediation Scheme - Condition 2: Verification Report - Condition 3: Unexpected Contamination
Planning Policy	<p>Not supportive of the proposal. Concerns with:</p> <ul style="list-style-type: none"> - Density - Housing Mix - Design of Buildings - Landscaping <p>Proposed a historic building record to be made of the office building prior to demolition.</p>
Housing	<p>Welcomes the provision of 3 bed Social Rented Housing, though would have preferred more Affordable Housing overall, but not the affordable housing provision is subject to Viability Assessment.</p>
Waste and Recycling	Satisfied with the proposals.
Arboricultural Officer	No objections to the proposals providing all recommendations made within the AIA and TPP are followed and implemented.

7.3 Interested Parties

Letters were sent to 206 properties in the surrounding area. 41 responses were received. 40 objected to the proposal. 1 response was neutral. Of these objections, 5 are from addresses which responded more than once. The objections are from a wide area, with many coming from beyond the 206 consulted by letter. The main comments are summarised below, the full

letters are available to view online:

Comments	Officer response
Insufficient Parking	The parking provision is considered acceptable as explained in section (g) above.
Public Transport is not adequate	The site is well served by buses and Garston Railway Station is nearby. As noted in section (g) public transport is considered sufficient.
Additional congestion and pollution on St Albans Road.	As noted in (g) above Hertfordshire County Council Highways considered the additional trip generation negligible. The site is not within an Air Quality Management area.
Overdevelopment	The density of the development is considered acceptable in this context as outlined in section (b) above.
Design of the buildings	The proposed buildings are considered to be of a high quality design which would enhance the street scene. See section (b) above.
Insufficient infrastructure (schools / healthcare etc.) to support this development.	WBC is not responsible for the provision of schools or healthcare which are Herts CC and NHS matters. Through the planning process, contributions towards infrastructure are collected from developers under the Community Infrastructure Levy.
Loss of Outlook / Privacy	The buildings are suitably distanced from those which surround the site in accordance with the separation distances specified by Watford's Residential Design Guide. See section (f) above.
Noise and Disturbance from site	The construction works are subject to a Construction Management plan, which seeks to reduce disturbance. The resultant residential use, in residential surroundings would not generate any undue noise or disturbance.
Anti-Social Behaviour	The development is designed to be Secured by Design Standards, as requested by the Hertfordshire Constabulary. These standards reduce potential for anti-social behaviour. The number of flats on site

	would make for good surveillance over the communal areas.
Telecommunication Equipment on roof of new buildings	The permitted development rights for such equipment is removed by condition.
Watford's Planning Policy	The housing target of 260 homes per year in Watford's Core Strategy no longer applies. The government has increased this to 798. The draft local plan has not yet been adopted. Its policies do not apply. See section (a) above.
Resident's objections are being ignored.	All representations have been considered carefully by planning officers and members of the Development Management Committee will scrutinise this report. It is however neither possible or appropriate to reject development which contributes positively to the needs of the borough and is compliant with local and national policies.

8 Recommendation

Section 106 Heads of Terms

- i) To secure all 12 residential units as Affordable Social Rented accommodation comprising 4 no. Social Rented Housing Units (4 x 3B5P) and 8 no. Affordable Rented Housing Units (3 x 3B5P and 5 x 2B4P);
- ii) To secure a review mechanism of the viability of the development to be undertaken towards the end of the project when actual build costs and sales values of the flats are known. This shall allow financial payment to be made towards affordable housing provision where the viability of the development can be shown to have improved to provide a financial surplus;
- iii) To secure the provision of fire hydrants as required by the County Council to serve the development;
- iv) To secure the provision of Electric Vehicle Charging Points;
- v) To secure Car Club Provision;

- vi) To secure Car Club Membership for residents;
- vii) To secure a financial payment to Hertfordshire County Council of £6,000 for the long term monitoring of the proposed Travel Plan for the site
- viii) To secure a financial payment to Watford Borough Council of £10,966.55 for the Garston Park Connection.

Conditions

1. Three Years

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. Approved Plans

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

6697_D1000
6697_D3100
6697_D3000
6697_D3001
6697_D3002
6697_D3003
6697_D3004
6697_D3005
C0089 L100
6697_D3200-AB
6697_D3201-AB
6697_D3202-AB
6697_D3203-AB
6697_D3204-AB
6697_D3205-AB
6697_D3200-CD
6697_D3201-CD
6697_D3202-CD

6697_D3203-CD
6697_D3204-CD
6697_D3205-CD
6697_D3200-E
6697_D3201-E
6697_D3202-E
6697_D3203-E
6697_D3204-E
6697_D3205-E
6697_D3700-AB
6697_D3701-AB
6697_D3702-AB
6697_D3700-CDE
6697_D3701-CDE
6697_D3702-CDE
6697_D3703-CDE
6697_D3600
6697_D3400
6697_D3401
6697_D1200
6697_D1201
6697_D1500
6697_D1501
6697_D1502
6697_D1503

Planning Statement (prepared by FNH);
Design and Access Statement (prepared by Formation);
Affordable Housing Statement (prepared by FNH);
Landscape Strategy (prepared by Cameo & Partners);
Daylight / Sunlight Statement (prepared by CHP);
Statement of Community Involvement (prepared by Curtain & Co);
Noise Assessment (prepared by Syntegra Consultancy);
Remediation Method Statement (Hydrock)
Transport Assessment (prepared by Mott McDonald);
Travel Plan (prepared by Mott McDonald Transport Planning);
Flood Risk Assessment (prepared by RSK);
Air Quality (prepared by Syntegra Consultancy);
Energy Statement (prepared by Low Energy Consultancy Ltd);
Sustainability Strategy (prepared by Fairview New Homes Ltd);
Archaeology Assessment (prepared by CGMS);
Demolition and Construction Management Plan (prepared by FNH);
Ecology Report (prepared by RPS).
Heritage Statement (prepared by Montagu Evans)

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

3. Materials

No external facing materials shall be installed on any building of the development until full details and samples of all the materials to be used for the external surfaces of the buildings have been submitted to and approved in writing by the Local Planning Authority.

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

4. Hard Landscaping

No part of the development shall be occupied until a detailed hard landscaping scheme for the site, including site boundary treatments and external lighting has been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details. The detailed scheme shall be based upon the Illustrative Landscape Masterplan (drawing reference: C0089 L100).

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

5. Soft Landscaping

No part of the development shall be occupied until a detailed soft landscaping scheme for the site and a landscape management and maintenance plan, has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be based upon the Illustrative Landscape Masterplan (drawing reference: C0089 L100). The approved soft landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

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

6. Highway Works

No part of the development shall be occupied until the modified access and egress arrangements from St Albans Road, as shown in principle on the approved drawings has been completed in full.

Reason: In the interests of the safe operation of the site and the surrounding highway, in accordance with saved Policies T21 and SE7 of the Watford District Plan 2000.

7. Bins and Bikes

No dwelling within each block of the development shall be occupied until the bin and bicycle storage of that block has been provided for the use of residents, in accordance with the approved drawings. These facilities shall be retained at all times for the use of the residential occupiers of the dwellings.

Reason: To ensure that adequate facilities exist for the future occupiers of the dwellings, in accordance with saved Policies T10 and SE7 of the Watford District Plan 2000, Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and the Residential Design Guide 2016.

8. Internal Noise Levels

All residential units shall achieve the recommended maximum internal noise levels under BS 8233.2014 through the following provisions in accordance with section 7.2 of the Noise Impact Assessment dated April 2019 Ref 18-4646 Rev C.

Reason: To ensure residential occupiers do not experience undue noise and disturbance.

9. Aerials and Satellite Dishes

No dwelling shall be occupied until details of a communal terrestrial television aerial(s) and satellite dish(es) have been submitted to and approved in writing by the Local Planning Authority.

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

10. Communications Equipment

For the avoidance of doubt, no communications development permitted by Classes A, B or C of Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) shall be undertaken on any of the buildings hereby approved.

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

11. Flat Roof not a Terrace or Balcony

No parts of the flat roof of the development, with the exception of those areas marked as terraces on the drawings hereby permitted shall be used as a terrace, balcony or other open amenity space.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring premises pursuant to Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and the Residential Design Guide 2016.

12. Demolition and Construction Traffic Management Plan

Demolition of the existing buildings and the construction of the development hereby approved shall not commence until a Demolition and Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with Hertfordshire County Council. Thereafter, the demolition of the existing development and construction of the approved development shall only be carried out in accordance with the approved plan. The Demolition and Construction Traffic Management Plan shall include details of:

- a. Demolition and construction vehicle numbers, type, routing;
- b. Traffic management requirements;
- c. Construction and storage compounds (including areas designated for car parking);

- d. Siting and details of wheel washing facilities;
- e. Cleaning of site entrances, site tracks and the adjacent public highway;
- f. Provision of sufficient on-site parking prior to commencement of demolition and construction activities;
- g. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way.

13. Provision of Parking and Servicing Areas

Prior to the first occupation of the development hereby permitted, the proposed access /on-site car parking shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety.

14. Car Parking Management Plan

Prior to first occupation of the development, a Car Parking Management Plan shall be submitted to and approved in writing by the LPA. It shall include the following:

- Details of car parking allocation and distribution;
- Details of the car club regarding the operation, management, and implementation scheme;
- Methods to minimise on-street car parking;
- A scheme for the provision and parking of cycles; and,
- Monitoring required of the Car Parking Management Plan to be submitted to and approved in writing in accordance with a timeframe to be agreed by the LPA.

The Car Parking Management Plan shall be fully implemented before the development is first occupied or brought into use, in accordance with a timeframe agreed by the LPA, and thereafter retained for this purpose.

Reason: In the interests of highway safety and to ensure sufficient available on-site car parking and the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport.

15. Servicing and Delivery Plan

Prior to first occupation of the development, a Servicing and Delivery Plan shall be submitted to and approved in writing by the LPA. The Servicing and Delivery Plan shall contain the delivery and servicing requirements (including refuse collection) for the proposed uses, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that would be used for loading and manoeuvring of delivery and servicing vehicles, and access to / from the site for delivery and servicing vehicles. The development shall be carried out in accordance with the details approved.

Reason: In the interests of maintaining highway efficiency and safety.

16. Travel Plan

At least 3 months prior to the first occupation of the approved development a detailed revised Travel Plan for the site, based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance', shall be submitted to and approved in writing by the Local Planning Authority in consultation with Hertfordshire County Council. The approved revised Travel Plan shall be agreed prior to first occupation and shall be implemented at all times.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

17. Remediation Scheme

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

i) A supplementary investigation shall be undertaken in the areas that were previously inaccessible, based on the Phase I Desk Study Review and Phase II Ground Investigation (Document ref. ABD-HYD-XX-XX-RP-GE-0001) and the Remediation Method Statement (Document ref. ABD-HYD-XX-XX-RP-GE-3000) prepared by Hydrock Consultants Limited, to provide information for a detailed assessment of the risk to all receptors that may

be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

ii) The results of the supplementary investigation and the detailed risk assessment (i) shall be used to revise the Remediation Method Statement (Document ref. ABD-HYD-XX-XX-RP-GE-3000) where necessary, to give full details of the remediation measures required and how they are to be undertaken.

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

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

18. Verification Report

Following completion of measures identified in the approved remediation scheme and prior to the first occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

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

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

19. Unexpected Contamination

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 must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 1, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 1.

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

20. Historic Building Record

The existing office block fronting St Albans Road shall not be demolished until an historic building record has been made and submitted to and agreed in writing by the Local Planning Authority. The document shall include a written and photographic record of the building internally and externally.

Reason: To ensure a record is made of this building of local interest, in accordance with policy UD2 of the Watford Local Plan Core Strategy 2006-2031.

21. Accordance with Mitigation Measures

The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by RSK reference 133511-R1(2)-FRA dated April 2019 and Surface Water Strategy carried out by ID Ltd reference IDL/941/DS/01-Issue 1 dated April 2019 and the following mitigation measures;

1. Limiting the surface water run-off rates to greenfield run-off rates for all rainfall events up to and including the 1 in 100 year + climate change event with discharge into the surface water sewer utilising a complex control.
2. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
3. Implement drainage strategy as indicated on the proposed drainage strategy drawing utilising lined permeable paving and an attenuation tank as indicated in the Drainage Strategy drawing FNH434/13.3/100.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

22. Surface Water Drainage Scheme

No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted the Drainage Statement carried out by Simpson Consulting Engineers reference 14661 dated 16 February 2018. The scheme shall also include;

1. Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.
2. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features such as permeable paving, swales etc. for the access road and reducing the requirement for any underground storage.
3. Silt traps for protection for any residual tanked elements.
4. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site

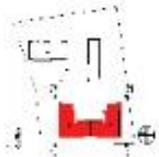
Informatives

1. Positive and proactive statement
2. Street naming and numbering

3. Building Regulations
4. Party Wall Act
5. Hours of Construction
6. Community Infrastructure Levy Liability
7. Section 106 Agreement/Undertaking
8. Highway Works – HCC agreement required
9. Storage of materials
10. Obstruction of the highway
11. Road Deposits
12. Environmental Health
13. Ecology

PROPOSED ELEVATION
 100% SCALE
 1/2" = 1'-0"

NO.	DESCRIPTION
1	FOUNDATION
2	1ST FLOOR
3	2ND FLOOR
4	3RD FLOOR
5	4TH FLOOR
6	5TH FLOOR
7	ROOF



FORMATION
 CONSULTING

1000 W. 10TH STREET
 SUITE 100
 MILWAUKEE, WI 53233
 TEL: 414.224.1111
 WWW.FORMATIONCONSULTING.COM

DATE: 10/15/2024
 DRAWN BY: J. SMITH
 CHECKED BY: M. JONES

PROJECT: 24-0000000-0000
 SHEET: 0000000-0000
 SCALE: 1/2" = 1'-0"



PROPOSED ELEVATION
 100% SCALE
 1/2" = 1'-0"

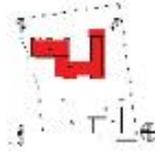


PROPOSED ELEVATION
 100% SCALE
 1/2" = 1'-0"

Proposed Elevations Block A / B

1. 100% COMPLETE
 2. 90% COMPLETE
 3. 75% COMPLETE
 4. 50% COMPLETE
 5. 25% COMPLETE
 6. NOT COMPLETE

NO.	DESCRIPTION	DATE
1	100% COMPLETE	
2	90% COMPLETE	
3	75% COMPLETE	
4	50% COMPLETE	
5	25% COMPLETE	
6	NOT COMPLETE	



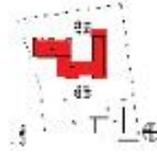
FORMATION CONSULTING
 100% COMPLETE
 90% COMPLETE
 75% COMPLETE
 50% COMPLETE
 25% COMPLETE
 NOT COMPLETE



Proposed Elevations Block C / D / E

PROPOSED ELEVATION
 100% PLAN
 10/15/2024

NO.	REVISION
1	ISSUED FOR PERMIT
2	REVISED PER COMMENTS
3	REVISED PER COMMENTS
4	REVISED PER COMMENTS
5	REVISED PER COMMENTS
6	REVISED PER COMMENTS



EDMUNSON ASSOCIATES
 ARCHITECTS
 1000 15th Street, Suite 200
 Denver, CO 80202
 Phone: (303) 733-1111
 Fax: (303) 733-1112
 www.edmunson.com

EDMUNSON ASSOCIATES
 ARCHITECTS
 1000 15th Street, Suite 200
 Denver, CO 80202
 Phone: (303) 733-1111
 Fax: (303) 733-1112
 www.edmunson.com



PROPOSED ELEVATION - SOUTH SIDE



PROPOSED ELEVATION - NORTH SIDE

Proposed Elevations Block C / D / E



Proposed First Floor Plan Block A /B

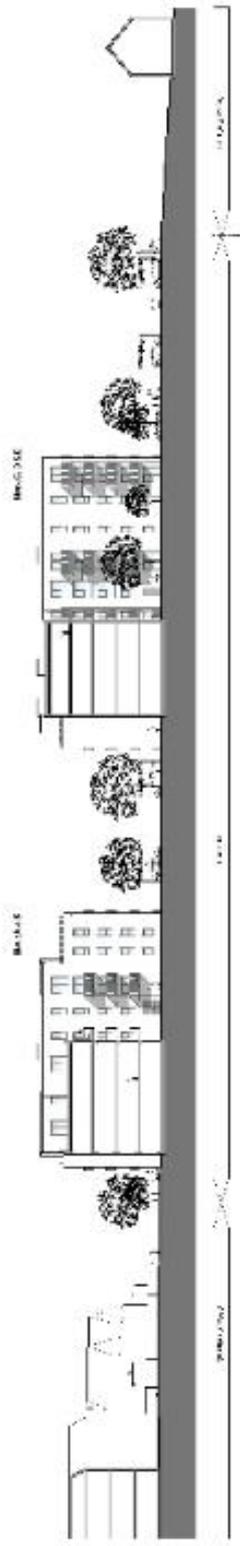


Proposed Ground Floor Plan Block C /D

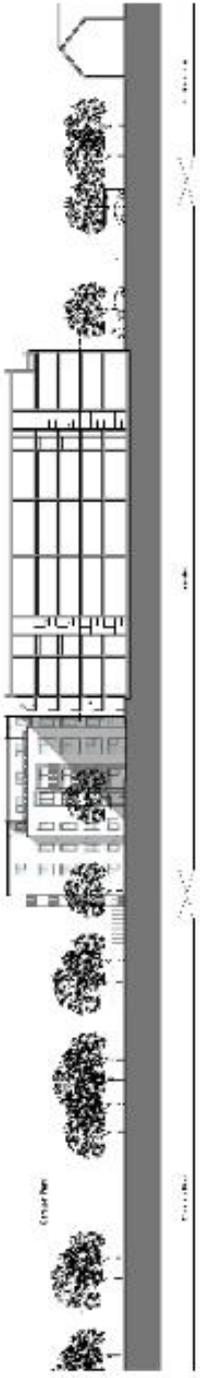
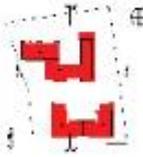


Proposed Ground Floor Plan Block E

SECTION 1
 1/11/2018



SECTION 1
 1/11/2018



SECTION 2
 1/11/2018

EDMONTON
 CONSULTING

2200 100th Street, Suite 100
 Edmonton, Alberta T6E 6E1
 Phone: 780-443-1111
 Fax: 780-443-1112
 Website: www.edmontonconsulting.com

Project: [illegible]
 Date: 1/11/2018
 Scale: 1/8" = 1'-0"

Proposed Sections through site

Agenda Item 5

Committee date	Wednesday, 6 November 2019
Application reference Site address	19/00507/FULM - 94-98 St Albans Road and 114 St Albans Road
Proposal	Hybrid planning application: comprising detailed planning application for the demolition of existing buildings and erection of 1,214 residential units (Use Class C3) and 2,050sqm GEA of flexible commercial floorspace (Class A1, A2, A3, A4, A5, B1, D1, D2), a new energy centre (sui generis) and associated car and cycle parking, landscaping including a new square and highway works including alterations to the existing access road. Outline planning application (all matters reserved except access) for the erection of a 2 form entry primary school and nursery (Use Class D1) of up to 2,910sqm GEA of floorspace, associated car parking and landscaping.
Applicant	Berkeley Homes (North East London) Ltd and HSBC Bank Pension Trust (UK) Limited
Agent	Jones Lang LaSalle
Type of Application	Hybrid planning application
Reason for committee Item	Major development
Target decision date	30 November 2019 (extension of time agreed with the applicant)
Statutory publicity	Public advertisement and site notices
Case officer	Paul Baxter, paul.baxter@watford.gov.uk
Ward	Callowland

1. Recommendation

That planning permission be granted as set out in Section 8 of this report.

2. Site and surroundings

- 2.1 The site is located on the eastern side of St Albans Road immediately to the north of the main railway line and comprises a retail park with 2 retail warehouse buildings, occupied by The Range, TK Maxx and Office World, and a car wash associated with the Esso petrol station on the St Albans Road frontage. The site is accessed solely from Penn Road which bisects the site running from west to east. A large proportion of the site is occupied by surface level car parking serving the retail warehouses.

- 2.2 The site is rectangular in shape and has an area of 2.56 hectares. It is bordered along its western boundary by St Albans Road which rises to the south as it passes over the railway line. St Albans Road (A412) is a major distributor road into Watford from the north and carries high traffic flows throughout the day. On the opposite side of St Albans Road is the Bedford Street 'triangle' site, part of which is currently under development to provide 149 dwellings in 4 buildings up to 11 storeys in height. To the south and east the site is bordered by land owned by Network Rail used as surface level car parking serving Watford Junction Station, situated a short distance to the south-east. Adjoining the site to the north is the Hille Business Centre comprising various commercial and industrial buildings.
- 2.3 The area surrounding the site is very varied. To the south beyond the railway line is the Clarendon Road/Station Road employment area which comprises the borough's main office zone. To the south-west, north-west and north are the residential areas of Nascot and Callowland wards respectively, characterised by 2 storey Victorian and Edwardian housing. St Albans Road to the north comprises the designated North Watford Shopping Centre, a district centre within the borough's retail hierarchy, extending up to Balmoral Road. To the east, the Abbey Line railway track is sited close to the site boundary and beyond this are railway sidings forming a minerals railhead serving a concrete batching plant (operated by London Concrete). Beyond the Network Rail land is the Imperial Way/Colonial Way employment area which is characterised by a variety of commercial and industrial uses.
- 2.4 The site is not located within a conservation area, however, the Bedford Street 'triangle' site to the west and the residential area to the south-west fall within the Nascot Conservation Area. The site contains no listed or locally listed buildings although there is a listed building on the opposite side of St Albans Road to the west (the Grade II listed Old Station House, the original Watford Station building) within the Bedford Street 'triangle' site. A number of locally listed buildings are sited close to the west and north of the site.

3. Summary of the proposal

3.1 Proposal

This is a hybrid planning application, comprising a detailed planning application for the demolition of existing buildings and erection of 1,214 residential units (Use Class C3) and 2,050sqm GEA of flexible commercial floorspace (Class A1, A2, A3, A4, A5, B1, D1, D2), a new energy centre (sui generis) and associated car and cycle parking, landscaping including a new public square and highway works including alterations to the existing Penn Road and the junction with St Albans Road. Outline planning application (all

matters reserved except access) is sought only for the erection of a 2 form entry primary school and nursery (Use Class D1) of up to 2,910sqm GEA of floorspace, associated car parking and landscaping, located in the northern part of the site.

3.2 The applicants' vision for the site is *"...to create a community in Watford with the highest quality public realm and architecture, where people will be proud to live, work and play, acting as the catalyst to unlock the wider regeneration of Watford Junction."*

3.3 The proposal involves the following:

- Demolition of the existing retail warehouses, car wash buildings and associated parking and hardstanding;
- Eleven buildings (N1, N2, N3, N4, S1, S2, S3, S4, S5, S6 and the primary school);
- Building heights range between 8 and 28 storeys;
- Provision of 1,214 (Class C3) residential homes;
- Provision of 1,848sq.m (GIA) (Class A1, A2, A3, A4, A5, B1, D1, D2) flexible commercial floorspace;
- Provision of a 2-form entry primary school (420 pupils) and nursery (52 children), of up to 2,567sq.m (GIA) (Class D1);
- Provision of 317sq.m (GIA) Energy Centre (Sui Generis);
- 203 car parking spaces within two podiums;
- 1,366 cycle parking spaces.

3.4 Penn Road is to be retained and upgraded to adoptable standards and will form the only vehicular access to the site, with the existing junction with St Albans Road to be modified and improved. This road bisects the site in two, forming the southern and northern parts of the site.

3.5 The southern part of the site will contain 6 buildings (S1-S6) ranging in height from 9-28 storeys. Each of the buildings comprises a main tower element and a lower shoulder element. The buildings are arranged as 3 pairs across the site with a north-south alignment with the tower elements sited along the northern (Penn Road) and southern boundaries. Buildings S1 and S2 will front St Albans Road. Between the 2 shoulder elements of these buildings will be a pedestrian access to the site leading to The Mews public space. Buildings S3 and S6 will be located in the centre of the site (with the space between buildings S1 and S2 forming The Mews) and buildings S4 and S5 located towards the eastern boundary. Between buildings S3-S6 will be a high level resident landscaped podium serving the 4 buildings, below which will be 2 levels of car parking and ground level servicing.

- 3.6 The tallest building is S4, located at the eastern end of Penn Road, at 28 storeys. The height of the buildings step down towards St Albans Road with S3 at 20 storeys and S2 at the junction with St Albans Road at 17 storeys. The buildings sited along the southern boundary follow a similar pattern with S5, located at the south-eastern corner, at 22 storeys with S6 at 14 storeys and S1 adjacent to St Albans Road at 13 storeys. Buildings S1-S6 will provide 900 dwellings for private sale. Virtually all of the site car parking will be provided underneath the podium, with access from Penn Road.
- 3.7 The Energy Centre will be located below buildings S1 and S6 adjacent to the southern boundary, utilising the change in land levels at this point.
- 3.8 The northern part of the site will contain 5 buildings, residential buildings N1-N4 and the primary school. Buildings N1-N4 vary in height from 8-22 storeys with the primary school at 4 storeys. Building N1 is located on the northern side of the St Albans Road/Penn Road junction and is 9 storeys. The central part of the site is occupied by the primary school, located along the northern boundary, and to the north of building N2 which is at 8 storeys. These 2 buildings are linked by a first floor level podium which provides outdoor playspace for the school. Below the podium is a small amount of car parking for the school and building N2. Buildings N3 and N4 are located along the eastern boundary, with N3 located towards the north-eastern corner at a height of 14 storeys and N4 located south of this building at the eastern end of Penn Road at 22 storeys (opposite the tallest building S4). Buildings N1-N4 will provide 314 dwellings of which 107 will be affordable (buildings N1 and N3) and 207 for private sale (buildings N2 and N4).
- 3.9 In front of N2 facing Penn Road is a public open space, Penn Square, which will provide the main community amenity space for the site with commercial units at ground floor fronting this space. Pedestrian access to the school will be between buildings N1 and N2. Between the school and building N3 is a further open space, the Northern Mews, which will serve both the school and residents of the development.
- 3.10 **Conclusion**
The proposal is a high density, residential-led, mixed-use development on previously developed land in a highly sustainable location close to Watford Junction Station and a range of local services in the North Watford Shopping Centre. The proposal accords with the policy objectives of the NPPF to meet the housing needs of the Borough; to encourage the effective use of previously developed land; to promote mixed use development; and to make the fullest possible use of public transport, walking and cycling by focusing

significant development in locations which are or can be made sustainable. Furthermore, the scheme accords with the vision and objectives of the Watford Junction Special Policy Area to provide major regeneration of land to the north of the station and will form the first phase of redevelopment that will form the catalyst for the development of the adjoining land within the special policy area.

- 3.11 The proposal will provide substantial planning benefits including, but not limited to, significant regeneration of the site and the provision of 1,214 dwellings towards meeting identified housing need. The proposed development will improve the townscape and environment of the application site through replacing utilitarian retail warehouse buildings and extensive surface car parking with a grouping of buildings of high quality design and well-landscaped public and private open space with new pedestrian linkages. The extensive landscaping would also provide enhancements to biodiversity on site. The buildings will provide greater definition to the streetscape on St Albans Road due to the strong and defined edges of the development.
- 3.12 The design of the buildings are of high quality with a richness of materials and detailing necessary to make high density development successful and sustainable. The proposal will be transformational for the town, being of a scale, density and quality not seen before and will make a permanent and significant change to the skyline of Watford. Although the development exceeds the parameters anticipated by the emerging Watford Junction Draft Development Brief, this has been achieved through the high quality of design embedded in all aspects of the scheme and through a thorough and robust design process. This has also resulted in very limited adverse impacts arising from the proposal.
- 3.13 The proposal would cause no substantial harm to the significance of listed buildings, conservation areas or locally listed buildings in the surrounding areas, however, it would cause less than substantial harm to the nearby Nascot and Estcourt conservation areas by appearing visually prominent in certain views out of the conservation areas along streets, or by appearing above the roof tops of houses. However, in these cases, the significance of the conservation areas is not in their views or setting but in their dense, urban form and their historic growth around the station. In applying paragraph 134 of the NPPF, it is considered that the less than substantial harm to the heritage asset is outweighed by the social, environmental and economic benefits of the regeneration scheme in terms of providing significant new housing and affordable housing; townscape improvements; new public realm with enhanced pedestrian links; enhancements to the biodiversity of the site;

provision of jobs; and investment that would act as a catalyst for further regeneration in the area.

- 3.14 The Council's housing allocations currently do not provide a five year supply of housing land based on the standardised methodology in the NPPF, therefore the relevant policies for the supply of housing should not be considered up-to-date. Accordingly, as stated in the NPPF (paragraph 11), where the policies which are most important for determining the application are out-of-date (this includes situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites), planning permission should be granted unless adverse impacts of doing so would 'significantly and demonstrably' outweigh the benefits when assessed against the policies of the Framework taken as a whole. Significant weight therefore needs to be placed on the contribution of the proposal to meeting housing need in undertaking this balancing exercise.
- 3.15 Paragraph 10 of the NPPF highlights that at the heart of the NPPF is a presumption in favour of sustainable development as defined by the 3 interdependent objectives – economic, social and environmental. The proposed development would have considerable economic, social and environmental benefits and constitutes sustainable development. The Environmental Statement submitted with the application assesses the environmental impacts of the proposal and appropriate mitigation measures can be put in place through conditions and s106 obligations to ensure that residual effects are minimal. No significant adverse impacts have been identified which officers consider would outweigh these benefits or justify refusal when considered against the correct balancing exercise in the NPPF. Accordingly, it is recommended that the application should be approved.

4. Relevant policies

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

5. Relevant site history/background information

- 5.1 Planning permission for the erection of the northern warehouse (currently TK Maxx and Office World) was granted in 1981 (ref: 81/00206/FUL), originally as a DIY store. It was sub-divided into two retail warehousing units in February 1996 (ref: 95/00441/FUL) and there have been applications to relax planning conditions to allow unrestricted retail use. A lawful development certificate

confirming unrestricted retail within Class A1 was approved on 23 December 2010 (ref: 10/01100/LDC).

- 5.2 The change of use of a section of the car park to car wash and valeting was approved on 4 March 2010 (ref: 09/01010/COU).
- 5.3 Outline permission for the southern retail warehouse was allowed on appeal in April 1995 (ref: 93/00413/OUT) with reserved matters approval in June 1996 (ref: 96/00441/REM). Applications for a two storey side extension and internal mezzanine floorspace have been approved, but not implemented (refs: 10/01212/FUL and 15/00051/FULM).
- 5.4 An application for an additional Class A1 retail unit on the site was granted permission on 25 July 2014 (14/00569/FUL), however this permission has not been implemented.
- 5.5 Various other minor applications have been granted in relation to the buildings on the site.

6. Main considerations

- 6.1 The application is accompanied by an Environmental Statement prepared under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations). The proposed development falls under Schedule 2, Category 10(b) of the EIA Regulations being an urban development project which includes more than 150 dwellings. Schedule 3 of the EIA Regulations sets out the criteria for determining whether a Schedule 2 development is EIA development. The applicant did not request a formal Screening Opinion from the Council, with both the applicant and the Council of the opinion that the proposed development was EIA development and therefore an Environmental Impact Assessment was required.
- 6.2 The applicant requested a Scoping Opinion on 09 August 2018 to seek the Council's opinion on the scope of the significant effects to be assessed in the Environmental Statement. The Council issued a Scoping Opinion on 26 October 2018. A further Scoping letter was issued by the Applicant on 23 November 2018, noting that some of the parameters in respect of unit numbers and maximum buildings heights had been updated. It was concluded that there would be no change to the scope of the ES as a result of these changes. The Council issued an updated Scoping Opinion on 7 December 2018.
- 6.3 The main issues to be considered in the determination of this application are:

- (a) Principle of development
- (b) Housing mix and affordable housing
- (c) Socio-economic effects
- (d) Heritage, townscape and visual impact assessment
- (e) Layout and design
- (f) Standard of residential accommodation
- (g) Energy & sustainability
- (h) Open space, landscaping and biodiversity
- (i) Air quality
- (j) Noise & vibration
- (k) Microclimate - wind
- (l) Impact on neighbouring properties
- (m) Highways, parking provision and sustainable transport
- (n) Flood risk and sustainable drainage
- (o) Land contamination
- (p) Archaeology

6.4 (a) Principle of development

Policy SS1 of the Watford Local Plan Core Strategy 2006-31 seeks to deliver a minimum of 6,500 additional homes and 7,000 additional jobs between 2006 and 2031, along with other supporting services and facilities. The additional development will be focused in the designated Special Policy Areas which have good access to public transport and local facilities, and are most able to accommodate development without serious harm to character or amenity. The policy states that most development will be focused on previously developed land. Special Policy Areas have been identified for key parts of the borough with more location specific policies, either because of planned regeneration or other issues to be addressed such as the need for physical enhancement and environmental improvement. Much of the new development will be focused on those Special Policy Areas identified as most suitable for high density development, in order to help protect the residential character of the rest of the borough.

- 6.5 The site is located within Special Policy Area 2: Watford Junction which incorporates a significant area of operational railway land and other adjoining commercial land to the north of Watford Junction Station. Policy SPA2 states as its objective “...to create and deliver a sustainable transport hub to meet the travelling needs of the borough the council will support a major mixed use regeneration scheme providing new residential (1,500 units), social, commercial and retail, café and leisure facilities providing in the order of 1,350 to 2,350 new jobs, enhanced rail infrastructure and other supporting facilities.

The scheme will have at least two key activity nodes; for example one focussed on the enhanced station provision and the other extending and reinforcing the role of the existing district centre.”

6.6 Across the whole of the Special Policy Area (SPA) the development scheme should include a number of land uses and infrastructure items.

- New station interchange building and access bridge;
- Improvements to the existing station, including accommodating the Croxley Rail Link and Abbey Line improvements;
- Car parking and other transport / access improvements;
- Residential – approximately 1,500 units;
- Offices;
- An appropriate scale of retail (see retail criteria below), café and restaurant floor space;
- Hotel and conference facilities;
- Commercial leisure facilities;
- Social facilities such as general practitioner and adult care services;
- Primary school provision (either on the site or in the vicinity of the site) to support the new population introduced into the area;
- Other commercial uses that are considered suitable for an enhanced district centre and that do not unduly impact on the town centre;
- Communal or district heating systems with the potential to expand the system into adjoining areas; and
- Open space and links to nearby green infrastructure.

6.7 A masterplanning study was undertaken for the SPA in 2016 (Watford Junction Draft Development Brief) which developed further the vision and aspirations of the SPA and which was subject to public consultation in the autumn of 2016. This document did not proceed to adoption and an amended document is currently being prepared, so can be given only very limited weight. However, it sets out the Council’s vision for the SPA as a thriving town centre mixed-use neighbourhood comprising up to 2,777 dwellings, 73,000sqm employment floorspace, 6,000sqm retail floorspace, 2 primary schools, community uses and up to 3,770 car parking spaces (to serve Watford Junction Station and the proposed new development).

6.8 Within the masterplan, the application site is identified as the St Albans Quarter with the following identified for this area:

- Primarily residential development with supporting retail and community uses;
- A primary school will be provided to support the residents of the area;

- Safeguard through route via Penn Road;
- Development could include one taller building of up to 70 metres;
- Building heights should form a gradual transition from the tallest elements in the south, to the low scale development along St Albans Road and to the north;
- Create a multi-purpose public green open space;
- Pedestrian and vehicular routes should be aligned to safeguard potential future connections.

- 6.9 The indicative parameters given are buildings varying in height from 3-20 storeys, residential provision of 634 units, active ground floor uses of 1,694sqm GEA and a primary school of 3,000sqm GEA.
- 6.10 The application proposal accords with a number of the aspirations for the wider SPA, however, as the application site comprises only a part of the SPA and does not include any operational railway land, it does not include any railway infrastructure. The proposal has been informed by the general parameters set for the St Albans Quarter, noting that these are not prescriptive and can only be given limited weight. The proposed development comprises a high density, residential led, mixed-use scheme with small scale commercial and community uses designed to complement and support but not compete with the adjacent North Watford Shopping Area. It provides 1,214 dwellings with 2,050sqm GEA of commercial/community space and a two form entry (2FE) primary school with nursery (2,910sqm GEA), together with a range of public spaces to serve the community. Penn Road is also retained and safeguarded as a through route to the adjoining railway land to the east and further pedestrian links are possible along the eastern and southern boundaries. A temporary landscaped area is proposed at the eastern end of Penn Road.
- 6.11 The scale of buildings and number of dwellings is significantly greater than envisaged in the masterplan for this part of the SPA but it is important to acknowledge that the Core Strategy policies and National Planning Policy Framework (NPPF) seek to encourage the delivery of high density housing in sustainable and accessible locations. Neither Policy SPA2 nor the emerging masterplan seek to restrict housing provision. The proposal accords with the policy objectives of the NPPF to meet the housing needs of the Borough; to encourage the effective use of previously developed land; to promote mixed use development; and to make the fullest possible use of public transport, walking and cycling by focusing significant development in locations which are or can be made sustainable.

- 6.12 Furthermore, up to date evidence on housing land supply for the borough suggests that the housing targets set out in Policies SS1 and HS1 of the Core Strategy (a minimum total target of 6,500 homes from 2006 to 2031, at an average delivery rate of 260 dwellings per annum) are inadequate and significantly below current estimates. Based upon the standardised methodology from the revised NPPF (2019), the housing requirement for Watford at present is 798 dwellings per annum using the Government's methodology. The Council has currently committed to the delivery of 3,682 dwellings over the local plan period. As of 31 October 2018, based upon the Government's methodology, the Council had a 4.52-year housing supply and therefore cannot demonstrate the required 5-year housing land supply.
- 6.13 As stated in the NPPF (paragraph 11), where the policies which are most important for determining the application are out-of-date (this includes situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites), planning permission should be granted unless adverse impacts of doing so would 'significantly and demonstrably' outweigh the benefits. Significant weight needs to be placed on the contribution of proposals to meeting housing need in undertaking this balancing exercise. In light of this situation and the requirement to achieve the most efficient use of land, it is logical that more efficient use of the Council's allocated sites be promoted to help meet our housing need and that these proposals should be granted unless there are significant adverse consequences.
- 6.14 Policy TLC1 (Retail and Commercial Leisure Development) of the Core Strategy states that the primary shopping area in Watford town centre will remain the main focus for additional retail floor space, however, some of the floor space will be delivered at other SPAs such as Watford Junction – subject to the proposals being of an appropriate scale of development and there being no significant adverse impact on the vitality and viability of the town centre or the North Watford Shopping Centre. The proposed commercial/retail use is small scale and would serve the development and the local community. It is intended that these facilities would complement the facilities in the North Watford Shopping Centre.
- 6.15 The proposal would result in the loss of employment land, albeit not land currently within the Class B use classes. Furthermore, the application site is not allocated for employment use or retail use in the Core Strategy. The policies of the Core Strategy seek to focus retail warehouse uses within the Lower High Street SPA which has better access to the town centre. The loss of the existing retail warehouse use accords with Policy SPA2.

6.16 Taking all of the above into account, it is considered that the proposed development is acceptable in principle. The development will accord with the vision and objectives of the Special Policy Area and provide substantial planning benefits including, but not limited to, significant regeneration of the site and the provision of 1,214 dwellings towards meeting identified housing need.

6.17 (b) Housing mix and affordable housing

Policy HS2 of the Core Strategy states that the Council will seek provision of a mix of housing types, sizes and tenures at a local level to meet the requirements of all sectors of the community. Policy HS3 states that 35% affordable housing will be sought on major applications of 10 residential units and above. The Policy states that the affordable housing provision should consist of 20% social rent, 65% affordable rent, and 15% shared ownership.

6.18 The proposed development would provide 1,214 dwellings, which would make a very substantial contribution towards meeting the housing need in the Borough and is therefore a material consideration that should be afforded considerable weight. The breakdown of dwellings by size and tenure can be summarised as follows:

Residential Unit Size	No. of Social / Affordable Rented Homes	No. of Intermediate Homes	No. of Private Sale Homes	Total No. of Homes
Studio, 1 person	0	0	47	47
1 bedroom, 1 person	0	0	78	78
1 bedroom, 2 person	7	7	409	423
2 bedrooms, 3 person	12	0	127	139
2 bedrooms, 4 person	11	12	356	379
3 bedrooms, 4 person	0	0	20	20
3 bedrooms, 5 person	54	4	70	128
Total	84	23	1,107	1,214

6.19 The proposed housing mix provides a good mix of studio, one, two and three bedroom units with the broad breakdown by number of bedrooms being – studio 3.9%, 1 bedroom 41.2%, 2 bedroom 42.7% and 3 bedroom 12.2%. As such, 54.9% can be considered larger units suitable for families. Furthermore, the 2 bedroom units include 3 and 4 person units and the 3 bedroom units include 4 and 5 person units, further adding to the variety of unit sizes available. This is considered to be a good mix of dwellings in this highly accessible and sustainable location.

6.20 The proposed development includes 107 affordable units, 8.8% of the proposed dwellings and 13% of the proposed habitable rooms, which takes

into account the greater proportion of larger dwellings allocated for affordable housing, as requested by the Housing team. This is a significant shortfall in the affordable housing provision sought by Policy HS3. The Borough has a significant and identified need for affordable housing, as well as housing in general, and the proposed development would fail to make a substantial contribution towards meeting the requirements of the local community for affordable accommodation. The reduced level of affordable housing provision has been justified through the submission of a detailed viability appraisal by the applicants. This in turn has been subject to a detailed and robust viability review by Carter Jonas, consultants acting on behalf of the Council. In their review report they conclude that, having regard to the costs associated with delivering the primary school and the circa. £1,460,000 in section 106 contributions, the development is not capable of providing a greater level of affordable housing in this case.

- 6.21 The affordable housing tenure mix consists of 19.6% social rented, 58.9% affordable rented and 21.5% shared ownership, which generally accords with the tenure mix in Policy HS3.

Residential Unit Size	No. of Social Rented Homes (N1)	No. of Affordable Rented Homes (N3)	No. of Intermediate Homes (N1)
Studio, 1 person	0	0	0
1 bedroom, 1 person	0	0	0
1 bedroom, 2 people	7	0	7
2 bedrooms, 3 people	0	12	0
2 bedrooms, 4 people	10	1	12
3 bedrooms, 4 people	0	0	0
3 bedrooms, 5 people	4	50	4
Total	21	63	23

- 6.22 A proposed phasing programme has been submitted with the application, with each proposed building (with the exception of the primary school) comprising one phase of the development. The delivery of completed buildings is proposed over a period of 10 years from February 2023 through to November 2033. The affordable housing is provided in two of the buildings, N1 and N3, with N1 proposed for completion in January 2027 and N3 in August 2033.

- 6.23 (c) Socio-economic effects
Community infrastructure is generally funded through the Watford Community Infrastructure Levy (CIL), which was adopted in April 2015. Three Major Developed Areas, including the Watford Junction SPA, are excluded

from the CIL charging schedule and attract nil charge. The Regulation 123 list details the types of infrastructure to be funded by CIL rather than through section 106 planning obligations. Primary and secondary school places in SPA2 Watford Junction are excluded from the list of infrastructure to be funded through CIL. The CIL Regulation 123 list states that in the SPA2 Watford Junction policy area, section 106 planning obligations are likely to be sought for, inter alia, a primary school and social facilities such as GP and adult care services. Policy SPA2 also identifies the need for primary school provision and social facilities within the SPA. The proposal includes a 2 form entry (2FE) primary school (420 pupils) with nursery (52 pupils) of 2,910sqm GEA which is to be constructed by and wholly funded by the applicants. At the present time, and based upon the current development phasing programme, it is anticipated the primary school will open in September 2028. The actual timing for the delivery of the school will need to be agreed with Herts County Council and included within the section 106 agreement.

6.24 Chapter 7 (Socio-economics) of the Environmental Statement calculates child yield from the proposed development based upon the Greater London Authority (GLA) methodology. This predicts 198 primary and 200 nursery school age children and 83 secondary school age children. These figures are disputed by Herts. County Council as the Local Education Authority. Based upon their child yield model for Hertfordshire, they consider the development would generate a peak primary pupil yield of 2.04FE. They have, therefore, required that the applicants construct, fit-out and equip a 2FE primary school with nursery as part of the development to meet the needs of the development. Upon practical completion it is intended that the freehold land and building be transferred to the County Council. This has been agreed in principle and can be secured in the section 106 agreement.

6.25 Although the primary school forms the outline element of the application, with the final detailed design to be the subject of a future 'reserved matters' application, nevertheless, detailed design discussions have been continuing with Herts. County Council. The proposed design of the primary school has been based upon the Government's Building Bulletin 103: Area Guidelines for Mainstream Schools (BB103). The proposed school design will have accommodation over 4 levels:

Ground floor level – Nursery and Reception classrooms with dedicated outdoor play space, school offices and main hall.

First floor level – Years 1, 2 and 3 classrooms, staff room, learning resource rooms, DT room, library and podium open play space.

Second floor level – Years 4 and 5 classrooms, large outdoor multi-use games area (MUGA).

Third floor level – Year 6 classrooms and studio.

Roof level – small outdoor MUGA.

- 6.26 Due to the constraints of the site, it has not been possible for the proposed school to fully comply with the BB103 guidelines in respect of outdoor play space. Although the submitted design shows full compliance for the internal classrooms and spaces, there is a shortfall in outdoor play space within the school site. To help compensate for this, some informal outdoor space will also be provided for the use of the school within the wider development, particularly the open space adjacent to the school in the Northern Mews, sited between the school and building N3. This space will be directly accessible from the school building and it is intended that the school will be able to use this open space during school hours. This space will also be available for use by the wider community outside of school hours. It is also proposed that ‘habitat space’ for the use of the school will be provided with the Green Promenade along the eastern and southern boundaries of the site, on a similar basis.
- 6.27 There is no opportunity to provide outdoor playing fields within the application site. The nearest playing fields to the site are at Callowland Recreation Ground, 900m to the north-west along Leavesden Road. These are in the ownership of the Council and it has been agreed in principle that these playing fields can be used by the school under licence. In order to facilitate the use of these playing fields, the existing changing rooms are to be upgraded at a cost of £45,000, with further improvements undertaken to the playing fields (overseeding, spiking and drainage) at a cost of £5,000, both to be paid for by the applicants. The applicants have also agreed to subsidise the use of a mini-bus for the school for a period of 5 years (at a cost of £117,000) to enable children to be transported to and from the playing fields safely and in good time. All of these provisions can be secured by a section 106 agreement.
- 6.28 The County Council has articulated concerns throughout the pre-application and application process regarding the size of the school site (at just under 0.3 hectare) and whether it meets the educational and associated needs of a fully operational primary school, not being fully compliant with BB103 guidelines. However, the County Council has recognised that this is a very constrained site and has worked constructively with the applicants to identify how suitable outdoor spaces might be provided through good design and creative solutions. In these unusual circumstances, the County Council is willing to consider the proposed design solution as an exception to its normal requirements based upon compliance with BB103 and does not wish to object to the proposed school design, subject to the various planning

obligations referred to above being secured. The County Council will be a party to the section 106 agreement and will, therefore, be able to ensure all their requirements concerning the construction, timing and delivery of the school by the applicants are secured. The Council and County Council will continue to work closely together on the issue of school provision in the emerging local plan and development masterplan for the remaining the wider Watford Junction SPA.

- 6.29 In respect of secondary school provision, which cannot be provided on-site, the peak pupil yield calculated by the County Council is 1.53FE. A financial contribution of £721,257 (to be index-linked) has been agreed with Herts. County Council and it is proposed that this could be used towards the remodelling of Watford University Technical College (based on Colonial Way) to provide a year 7 intake. This can also be secured by a section 106 planning obligation.
- 6.30 The Herts Valleys Clinical Commissioning Group (HVCCG) is responsible for the provision of medical and clinical facilities within Watford. They have reviewed the application and have identified a need for additional GP surgery provision to meet the needs of the future population of the development (estimated at 2,914 additional patient registrations). Each of the 4 nearest GP surgeries to the application site are either at capacity or are operating out of sub-standard accommodation for the number of registered patients (Suthergrey House Surgery, The Elms Surgery, Callowland Surgery and Tudor Surgery). The HVCCG has therefore requested a commuted financial payment of £913,311 towards the provision of additional GP facilities. This figure has been disputed by the applicants based upon their lower predicted population yield (and therefore patient registrations) of 2,539 and a reduced floorspace requirement for each GP based upon the average GP to floorspace ratio of the 4 closest surgeries to the site. They have offered a contribution of £281,925. This is approximately one third of the figure requested by the HVCCG, however, having regard to the viability appraisal, this is considered to be an acceptable compromise in this case. This figure can be secured by the section 106 agreement.
- 6.31 The applicants have had informal discussions with one of the local surgeries to explore the possibility of providing additional GP consulting rooms within the development itself, as a satellite to their existing surgery. This could potentially be within the commercial unit in building S6. These discussions are at a very early stage at present but this remains a potential alternative provision to the requested commuted payment and can be included in the section 106 agreement.

- 6.32 The proposal includes 1,848sqm GIA of flexible commercial floor space (Use Classes A1-A4, B1, D1 and D2). This floorspace is provided in 9 units located at ground floor level in 8 different buildings across the site. Whilst many of these are identified for commercial use (those facing Penn Road and Penn Square), the units in building S6 facing the southern section of The Mews and N3 facing the Northern Mews, would be suitable for community uses and have been identified for potential creative/workshop uses. The range of units and flexible uses proposed would facilitate social interaction by providing opportunities for meetings between members of the community who might not otherwise come into contact with each other. These opportunities would be further significantly enhanced by the high quality open spaces provided across the development.
- 6.33 Chapter 8 of the NPPF seeks safe and accessible environments where crime and disorder and the fear of crime do not undermine quality of life or community cohesion; and safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas. As discussed elsewhere in the report, the proposed development would bring significant townscape improvements and would introduce activity and definition to the street frontage thereby reducing the fear of crime for pedestrians. The development includes new pedestrian routes which would be overlooked by habitable windows, ensuring that there would be high levels of natural surveillance. The public spaces would be well landscaped and would be adjoined by active frontages, which ensures that no dead spaces would be created. Hertfordshire Constabulary Crime Prevention Design Service state that their pre-application comments have been incorporated into the scheme and raise no objection to the proposed development.
- 6.34 The Environmental Statement highlights that the proposal would provide economic benefits in terms of temporary construction jobs over the predicted 14 year construction period and additional permanent employment from the various commercial units, the primary school and nursery, and the on-site concierge and management requirements.
- 6.35 (d) Heritage, townscape and visual impact assessment
A detailed Heritage Townscape Visual Impact Assessment has been undertaken for the proposed development. This considers the likely significant effects on built heritage, townscape and visual receptors and has been presented as a composite assessment in light of the similarity in the type of receptors and the inter-connected nature of the potential effects arising from the development. This has been undertaken following national guidelines for landscape and visual assessment. The assessment includes

visualisations from 9 strategic viewpoints, 5 contained urban views and 15 townscape viewpoints, all of which were agreed with the Council at pre-application stage. A Heritage Statement also forms an appendix to the assessment.

- 6.36 The site is not located within a conservation area and contains no listed or locally listed buildings. However, there are a number of heritage assets in close proximity to the site. These include:
- Nascot Conservation Area sited to the west and south-west on the opposite side of St Albans Road
 - Old Station House Grade II listed building to the west on the opposite side of St Albans Road
 - Locally listed buildings to the west on the opposite side of St Albans Road – 151, St Albans Road (Prince George PH), 153, St Albans Road (Dunnings Bar) and houses on Bedford Street
 - Locally listed buildings to the north – Elim Church, Hille House, Former Wells Brewery at Hille Business Centre and 134, St Albans Road (Former Post Office)
- 6.37 Two other conservation areas (Civic Conservation Area and Estcourt Conservation Area), other listed buildings and numerous locally listed buildings are located within a 1km radius of the site.
- 6.38 The NPPF advises (paragraph 192) 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.
- 6.39 Paragraph 193 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm.” This includes the setting of a heritage asset.
- 6.40 Paragraph 197 refers to non-designated heritage assets (i.e. locally listed buildings) and states “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-

designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

- 6.41 No heritage assets will be lost or altered as a result of the proposed development, therefore only the impact on the settings of these heritage assets needs to be considered. In respect of the significance of the heritage assets listed above, the locally listed buildings are considered of low significance and the Grade II listed buildings and conservation areas of medium significance. None are of high significance (i.e. Grade I and II* listed buildings).
- 6.42 In accordance with national policy and guidance, the significance of the effect on heritage assets, townscape character and views is dependent on an assessment of the value of the asset/townscape/view and the magnitude of change.
- 6.43 In respect of the listed and locally listed buildings, none are of significance due to their immediate setting. All are seen in their urban context and are of significance for the intrinsic architectural or historic interest. With regard to the Nascot and Estcourt conservation areas, both are of significance as they represent good examples of mid and late Victorian residential development following the opening of the railway station. However, their significance is not in their setting. In both conservation areas, there are important views out of the conservation areas where the development will appear as a strong visual feature. This is in middle or long distance views along certain streets where the development will be seen above the terraced rooftops and closing off open views at the end of the street. These will have a major or moderate adverse effect. However, these views out of the conservation areas do not contribute directly to their significance and they are only the ‘worst case’ selected views for the purpose of the assessment. Within much of both conservation areas, views of the development will be obscured entirely by the close knit urban form of existing buildings, which is a characteristic of these areas.
- 6.44 It is a similar situation with the townscape character areas around the site. There will be views of the development in the middle or long distance from certain streets and viewpoints within the surrounding character areas but the development will have no adverse impact on the character or value of these areas. For the character area within which the site is situated, Watford Junction, and the adjoining character area, Colonial Way, the development will have beneficial effects in improving the area due to the high quality of the design and materials of the development proposed.

- 6.45 In respect of the views assessed, there are 9 where the effect is considered to be major or moderate. Two of these are strategic views, from The Grove and Bushey Hall Golf Course. In these views towards the town centre, the long and middle distance views respectively are formed by a prominent bank of trees forming the skyline. The proposed development will project above the line of trees and will change the respective views significantly. However, when considered cumulatively, other recently approved tall buildings will also project above the tree line and the development will be considered in this context. The buildings will visually mark the centre of Watford which is not currently evident in the existing views. This is not considered to be harmful. Furthermore, there are other views towards the town centre, from Oxhey Park and Oxhey Hall to the south, where the skyline is marked by a series of tall buildings – the YMCA, Intu, office buildings on Clarendon Road, Watford General Hospital and the football stadium.
- 6.46 One view is a close urban view and this is from within the Estcourt Conservation Area, at the junction of Queens Road and Radlett Road. Although the development will appear visually prominent at the end of the long view down Queens Road it will not impact adversely on the significance of the conservation area as it is not contributing to its setting.
- 6.47 There are 6 townscape views where the proposed development will appear very prominent. In each of these views the proposed development will appear above the roofs of existing two storey houses and/or will close off views at the end of streets. In all these cases, the views will be significantly and permanently changed.
- 6.48 In each case where a major or moderate adverse impact has been identified, it is important to note that this would always have been the case with the proposed high density redevelopment of the land around Watford Junction. The draft development brief proposed a series of tall buildings up to 20 storeys in height. For the application site (St Albans Quarter) this proposed 5 buildings of 10-20 storeys. Although the proposed development includes more tall buildings and at greater heights (8 buildings of 13-28 storeys) and the visual impact is consequently greater, it is unavoidable that the redevelopment of land at Watford Junction would not have at least moderate adverse effects on these views, particularly given the vision for high density, multi-storey development on this site.
- 6.49 In conclusion, the proposed development will have moderate or major adverse impacts on certain views from within the surrounding areas and on some strategic views. However, it is not considered that these impacts are so

harmful that they outweigh the significant planning benefits in redeveloping part of the Watford Junction Special Policy Area in accordance with adopted policy and the objectives of the NPPF which promote high quality, high density development in sustainable locations.

6.50 (e) Layout and design

Chapter 12 of the NPPF is concerned with achieving good design. Paragraph 124 highlights the importance of high quality buildings and places with good design being a key aspect of sustainable development. Developments should be visually attractive as a result of good architecture, layout and appropriate landscaping.

6.51 Paragraph 7.9 of the Skyline SPD states that it is important that the buildings have architectural features which create richness and variety in the townscape and are clearly legible, with strong pedestrian connectivity. Furthermore, paragraph 7.14 states that tall buildings should make a positive contribution to their surroundings through an appropriate form, setback, massing and respond to the prevailing urban pattern.

6.52 The Design and Access Statement details how the design of the proposed development has sought to create a vibrant and varied residential environment through the establishment of different landscape character areas within the scheme (see paragraphs 6.72-6.74 below). The buildings on the site have been designed with a north-south alignment in order to avoid north facing dwellings, ensure good levels of daylight and sunlight penetration into the development, and to maximise pedestrian permeability through the development. The buildings have been sited to allow long views between them through the site. The layout also allows the site to be effectively accessed by vehicles from Penn Road and limits the need for vehicles to enter the rest of the site. This allows pedestrian dominated environments to be created.

6.53 The scale of the buildings has been deliberately designed to increase in height from St Albans Road towards the eastern boundary and also from the south and north towards the centre of the site, culminating in the tallest building being located at the eastern end of Penn Road. Ultimately, this will form the gateway to the adjoining Network Rail land and the wider special policy area.

6.54 The buildings have been designed with brick as their predominant facing material utilising a strong grid format for the facades with deep recessed windows. This approach gives the buildings a robust, industrial feel and reflects the heavily industrial nature of the historic use of the site which has

informed both the design and materials used. The proposed bricks include red, brown, buff and grey bricks used to define and differentiate between the individual buildings. The grid format allows for flexibility and variation in the openings by incorporating recessed side panels in different materials (brick, metal) that allows window sizes to be altered (to reflect the use of the room each window serves), adds variety and interest to the appearance of the buildings, and articulates the lower, middle and upper levels of the buildings as they increase in height.

- 6.55 On top of this façade design, layers of additional detail and interest have been added. These include the use of ribbed brickwork on the piers that form the lower levels of the buildings, projecting headers at the junctions of the façade grid on the upper levels, and the selective introduction of pre-cast concrete cornices. Finally, the roofs of the towers and ‘shoulders’ are further articulated by different design elements which draw upon the industrial typology of the historic buildings on the site. Projecting balconies within the development also incorporate a variety of metal designs. On key buildings such as N2 (which faces onto Penn Square and is the heart of the development with the public open space) and S4 (the tallest building) additional selected features and materials are introduced such as textured concrete and glazed bricks.
- 6.56 Overall, the layout of the site is considered to make effective and efficient use of the land with good permeability and legibility throughout and high quality public and private spaces. The proposed buildings are considered to have a richness in design, materials and texture that will ensure a high quality group of buildings appropriate to the high density nature of the proposal. The high quality of development makes a significant contribution to the sustainable development of the site in accordance with the NPPF.
- 6.57 (f) Standard of residential accommodation
The floor areas and room sizes of the proposed flats accord with the internal floor areas in the nationally described space standard and the Residential Design Guide. The layout of the development has deliberately been designed with a north-south alignment of the buildings to ensure all the proposed flats have their main orientation facing east, south or west. The design has also sought to maximise the number of flats with dual aspect. There are no single aspect flats that face north in the development.
- 6.58 The spacing between the buildings varies across the site but takes guidance from the Watford Junction Draft Development Brief and good practice in other high density, multi-storey developments. The draft development brief gives guideline distances of 16-20m between buildings facing across internal

roads and pedestrian routes. At one of the applicants' existing developments at Goodmans Fields in Aldgate, London, facing distances between buildings vary from 12.2-29.3m. In the proposed development, the distances between the buildings where habitable room windows face each other generally varies from 15.3-33.5m with the majority of distances between 18.4-27.4m. The Residential Design Guide gives a guideline distance of 22m between facing buildings within a proposed development although this does not acknowledge the high density nature of developments such as the proposed scheme. Overall, the proposed distances accord with the guidelines in the draft development brief and reflect current practice in other, successful high density developments. Having regard to the high density nature of the development, it is considered that the vast majority of the dwellings within the development will benefit from good or acceptable levels of outlook and privacy.

- 6.59 There are two particular 'pinch points' within the development where the distances achieved between facing habitable room windows is less than 15m. One is between buildings N1 and N2 where flats in each building face each other across the pedestrian access to the primary school at a distance of 12m. The flats in N1 are 1 bedroom, single aspect flats and they face 3 bedroom, dual aspect flats in N2. The flats in N2 have their bedrooms facing to the rear overlooking the podium open playspace of the primary school but their main living/dining/kitchen room facing N1 to avoid undue overlooking of the podium open space of the school. There is no mitigation to reduce the level of overlooking between the facing windows. This level of proximity of facing habitable rooms would not normally be considered acceptable. However, the Residential Design Guide is guidance only and there are circumstances where the reduced distances between blocks are unavoidable on constrained sites. At the applicants' Goodmans Fields development, there are several cases where 6-8 storey buildings face each other across a public pedestrian routes through the site at 12.1m and 12.2m respectively. At officer site visits, these relationships did not appear uncomfortable on the ground and the development has proven very popular. Given the relatively small number of flats affected (6 in N1 and 7 in N2) it is not considered that this should merit a reason for refusal in this case as the overall harm is not considered to outweigh the overall benefits of the scheme.
- 6.60 The second 'pinch point' occurs between buildings N3 and N4 which are sited only 6m apart (the southern elevation of N3 facing the northern elevation of N4). This relationship affects 39 flats in total, 26 in N3 and 13 in N4. The flats in N3 are all 3 bedroom, 5 person units and those in N4 are all 2 bedroom, 4 person units and it is important to note that all of the flats are dual aspect. In each of the flats in N3, the main living room faces either due east or west

with an external balcony. In each of the flats in N4, the main living/dining/kitchen rooms also face either due east or due west. The windows that face each other comprise – in N3, windows to a double and single bedroom in 13 of the flats; and a window to the kitchen/dining room in the other 13 flats – in N4, windows to both double bedrooms in each flat. The distance of only 6m would normally be considered unacceptable in respect of the very poor outlook, privacy and natural light to the windows. These adverse impacts have been mitigated to a significant degree through the use of angled windows. Due to the off-set between the two buildings, the angled windows are designed to face towards and beyond the corner of the opposite building, with the windows in N3 facing east and those in N4 facing west. In this way, overlooking between the windows is avoided, maintaining privacy to the rooms, whilst outlook and natural daylight to the rooms is maximised. Within the context of the overall development, and having regard to the fact that the main living rooms of each of the flats face due east and west, this is considered to an acceptable solution.

- 6.61 A detailed internal daylight and sunlight assessment of the proposed development has been submitted with the application, which has been carried out in accordance with guidance in the Building Research Establishment (BRE) publication (2011) *“Site Layout Planning for Daylight and Sunlight. A Guide to Good Practice”*. It is important to note that the BRE guidance states that *“it is purely advisory and the numerical target values within it may be varied to meet the needs of the development and its location”* and *“the advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer...”*.
- 6.62 The method of calculation of daylight for proposed accommodation is known as the Average Daylight Factor (ADF). The minimum recommended ADF levels are: 2% for kitchen or combined kitchen and living space where the kitchen is served by a local window; 1.5% for living room and study; and 1% for bedroom. The guidance states that living rooms and kitchens need more daylight than bedrooms, so where there is a choice it is best to site the living room or kitchen away from obstructions. The design of the scheme and the layout of the flats has evolved to maximise the opportunity for good levels of natural light.
- 6.63 The assessment demonstrates that the proposed scheme has been reasonably optimised for daylight with 87% of all habitable rooms meeting or exceeding the minimum recommended ADF. For a high density scheme such as this, this is considered to be an excellent result by the appointed consultants. Those rooms that do not meet the minimum ADF are mainly

bedrooms where there is a lower expectation for good daylight.

- 6.64 For sunlight, the BRE guidance states *“a dwelling with no main window wall within 90 degrees of due south is likely to be perceived as insufficiently sunlit. This is usually only an issue for flats...The overall sunlighting potential of a large residential development may be initially assessed by counting how many dwellings have a window to a main living room facing south, east or west. The aim should be to minimise the number of dwellings whose living rooms face solely north, north-east or north-west unless there is some compensating factor such as an appealing view to the north”*. In the proposal, 1184 of the 1214 flats (97%) have living room windows that face south, east or west, which is an extremely high proportion for such a high density scheme. Where this has not been possible, balconies have been provided to ensure direct sunlight is still received, particularly when it is often appreciated most during the summer months. As such, the vast majority of the proposed flats would receive sunlight for a part of the day.
- 6.65 The BRE guidance states that interior sunlight levels can be quantified by applying the Annual Probable Sunlight Hours (APSH) test. It recommends that interiors where the occupants expect sunlight should receive 25% of annual probable sunlight hours, including in the winter months between 21 September and 21 March at least 5% of APSH. The guidance recognises that a number of factors will impact on the actual levels of direct sunlight received, including topography, site constraints and the design of the development itself. This latter factor can include not only the scale of the buildings but also the presence of external balconies. In order to mitigate these potential effects, the guidance recommends that buildings are arranged on a north-south alignment to maximise the number of windows facing east or west. This approach has been adopted for the proposed scheme. The assessment demonstrates that up to 60% of windows meet or exceed the minimum criteria for APSH. Having regard to the multiple buildings proposed in a high density urban environment, this is considered to be a good and acceptable result.
- 6.66 With regard to outdoor amenity space, the BRE guidance recommends that at least half of the outdoor amenity areas should receive at least 2 hours sunlight on 21 March. The development proposes open amenity space at 3 levels within the development – public open space at ground level, and private amenity space on the main podium level (between buildings S3-S6) and various roof gardens on the shoulders of the buildings. This private amenity space for residents totals almost 6,000sqm. The assessment shows that all of these areas achieve the minimum BRE criteria, with the only exception being the small, north facing terrace on building N4.

- 6.67 Private amenity space for occupiers is provided in the form of balconies to the flats or, where balconies are not possible, many of the flats have been 'oversized' to incorporate 'internal amenity space' with full height windows. For the taller buildings, open balconies are not possible due to wind and safety issues and these flats incorporate larger internal spaces. In addition to this, various private amenity areas have been provided within the development in the form of the landscaped podium deck and roof gardens.
- 6.68 Play space for young children is provided through 'doorstep' play rather than formal fixed play equipment. The outdoor areas include significant landscaping (as discussed in paragraphs 6.72-6.74 below) and natural play features. In particular, the Green Promenade will contain a trail of different types of play and gym equipment for use by children of all ages and by adults. Whilst the proposal has a high density, overall the level of accommodation is considered to be of a high quality due to the design and layout of the buildings and the provision of high quality open space on the site for residents and visitors.
- 6.69 (g) Energy & sustainability
Policy SD1 of the Core Strategy states that all new development will be expected to comply with the updated national standards as delivered through the Code for Sustainable Homes and BREEAM standards for non-residential buildings. The Code for Sustainable Homes (CSH) has since been abolished and the energy performance and emissions standards equivalent to the former CSH Level 4 have been incorporated into the Building Regulations.
- 6.70 An Energy Strategy has been submitted with the application and this proposes a communal energy centre to serve the space heating and hot water requirements of the development. A fabric first approach has also been taken to the design of the scheme to minimise the need for space heating. All of the proposed flats will also be fitted with mechanical ventilation with heat recovery (MVHR) systems. As a result of this strategy, it is predicted that the development will achieve a further reduction of 2.55% in carbon dioxide emissions compared to the current Building Regulations. With the Building Regulations due to be updated in 2020, the proposed energy centre has been 'oversized' by design to allow capacity for changes/upgrades to the proposed communal gas boilers, should this be necessary, in order to remain compliant.
- 6.71 All of the non-residential units within the development are designed to achieve a BREEAM rating of Very Good.

6.72 A Sustainability Statement has also been submitted and outlines a range of measures to improve the sustainability of the development. These include water efficiency measures to target a maximum daily water consumption of 105 litres/person, significant biodiversity enhancements, sustainable construction methods, a sustainable surface water drainage scheme that minimises flood risk, and the promotion of a range of sustainable transport options (see paragraph 6.97 below).

6.73 (h) Open space, landscaping and biodiversity

The proposed development incorporates 14,880sqm of open space across the site, of which 8,882sqm would be publicly accessible and 5,998sqm would be for residents' use, and is supported by a comprehensive and detailed Landscape Strategy. The strategy is based upon a hierarchy of open space which comprises public realm, green streets, courtyards, green roofs and educational landscape. The site has been divided into distinct landscape character areas each with a distinct expression through built elements, materials, furniture and plant selection. The main character areas are:

i) Penn Road – This is the gateway to the development with the existing Penn Road being upgraded and enhanced with new paving, street trees, seating and a raised pedestrian crossing.

ii) Penn Square – This is sited on the northern side of Penn Road in front of building N2. It is designed as a community focus for the development, a high quality open space offering flexible space for informal and formal events throughout the year. The ground floor commercial units in buildings N1 and N2 provide activity and the opportunity for outdoor seating, etc. It is the applicants' intention to organise a series of community events through a Community Plan.

iii) Central and Northern Mews – These are designed as pedestrian dominated, green streets with high quality hard and soft landscaping, seating and features to encourage residents to linger and interact. Central Mews is accessed via landscaped steps from the south and west from St Albans Road and from Penn Road to the north and provides a pedestrian route through the development. The Northern Mews will also provide additional outdoor space that can be used by the primary school.

iv) Informal Garden – This is the large courtyard garden on the podium deck above the parking and servicing area, framed by buildings S3-S6. There is access to the garden from Central Mews and the Green Promenade via landscaped steps and also direct access from all 4 buildings. The garden is

landscaped for informal play and recreation, with a variety of seating, grassed mounds, informal play and tree planting.

v) Urban Squares – These are located at the southern end of Central Mews around the steps and at the eastern end of Penn Road. More formal in layout and planting, they offer opportunities for quiet seating and informal play.

vi) Green Promenade – This is a linear promenade that extends along the southern and eastern boundaries of the site with varied features and landscaping. Designed for more active use, it will incorporate fitness stations and play features as well as more secluded gardens and habitat areas for relaxation.

vii) Roof Terraces – These are large roof gardens located on the shoulders of buildings S1-S6, with smaller terraces on buildings N2 and N4. Whilst formal in their layout and landscaping, each is intended to have a different character incorporating a variety of features such as seating, external dining areas, lounge areas, raised vegetable beds and informal play, as well as tree and shrub planting.

viii) Educational Landscape – This forms part of the primary school building although also includes the adjoining space at Northern Mews. The primary school has been designed with open play space on every level that can be used for play as well as outdoor teaching. Included are two multi-use games areas (MUGAs), play courts, formal and informal seating, play equipment and raised planting beds.

- 6.74 A wide variety of high quality hard landscaping materials, furniture and play equipment is proposed to reflect the character and use of the different character areas. This is to be complemented by an extensive selection of soft landscaping, tailored to each area, with over 280 new trees to be planted across the site. Temporary additional landscaping is proposed at the eastern end of Penn Road between S4 and N4 until such time that the Network Rail land comes forward. Penn Road is built to an adoptable standard for the long-term.
- 6.75 In addition to all of the accessible open spaces, the high level roofs which are not accessible will be planted as green and brown roofs, planted with wild flowers and sedums. The current site has very low biodiversity value, limited to isolated trees and perimeter shrub planting within the car parks. The proposed extensive soft landscaping across the site and the green and brown roofs will significantly enhance the biodiversity of the site.

- 6.76 (i) Air quality
The site is not within an air quality management area (AQMA) but is close to an AQMA on St Albans Road immediately to the north of the site. Saved Policy SE20 of the District Plan states that the Council will have regard to air quality caused by both the operational characteristics of the development and the traffic generated by it. Saved Policy SE21 states, inter alia, that where developments are close to AQMAs, and a significant increase in road traffic is predicted, regard must be paid to air quality pollution concentrations.
- 6.77 An air quality impact assessment has been undertaken and forms part of the Environmental Statement. This has assessed the potential pollution arising from the demolition and construction phases and the completed operational development. The demolition and construction phases have the potential to adversely impact on air quality, principally through dust and HGV emissions. The assessment has concluded the site is a medium risk due to dust soiling effects. These impacts can be mitigated effectively through the implementation of appropriate measures on-site. These can be secured as part of a comprehensive demolition and construction environmental management plan. Air quality impacts from HGV movements are predicted to be insignificant.
- 6.78 In respect of the completed development, the submitted transport assessment has predicted a significant reduction in vehicle movements arising from the development compared with the existing retail warehouse uses. The predicted impact on air quality in respect of nitrogen dioxide (NO₂) and particulate matter (PM₁₀ and PM_{2.5}) is therefore insignificant. No mitigation is required.
- 6.79 (j) Noise & vibration
A detailed noise and vibration assessment has been undertaken for the proposal, both in relation to demolition and construction impacts and the completed operational development, and forms part of the Environmental Statement. Due to the location and context of the site, the number of existing potentially sensitive receptors (principally residential uses) in proximity to the site are limited. These will, however, increase significantly as the phased development progresses and completed residential buildings and the primary school are occupied. The most significant noise impacts are predicted to arise from the demolition and construction works. Although identified as being temporary and transient in nature, many are considered to be of major significance. These can be mitigated to some degree through the implementation of effective management plans during the demolition and construction phases, to include working practices, timing of works,

specifying attenuated equipment, good site management, etc. Demolition and construction management plans can be secured by condition. Furthermore, it is understood that it is the applicants' intention that off-site fabrication methods are used for significant elements of the development which will further mitigate potential adverse impacts. In respect of vibration, these potential impacts are considered to be insignificant.

- 6.80 In respect of the completed development, noise sources will be limited to building services plant, road traffic on St Albans Road and rail traffic. With the use of appropriately attenuated plant, residual effects from building services plant are predicted to be insignificant. The site has been assessed for its suitability for residential use and primary school use having regard to BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' and Building Bulletin 93 'Acoustic Design of Schools Performance Standards'. Mitigation measures have been proposed for the residential and school buildings in the form of a façade and glazing system with an appropriate acoustic specification and mechanical ventilation. All mitigation measures can be secured by condition.
- 6.81 Environmental Health have undertaken a detailed review of the potential noise impacts to future residents arising from electrical and thermal substations within the buildings and the ground floor commercial units and have requested appropriate conditions to mitigate these. They have also requested conditions to limit the times of use of the outdoor school MUGA (which is intended for community use) and the timing of deliveries to the commercial units. These are considered appropriate and acceptable to mitigate potential impacts.
- 6.82 (k) Microclimate - wind
Due to the scale of the proposed development, a scale model of the development was subjected to a comprehensive wind tunnel testing exercise to assess the likely significant effects of wind on pedestrian comfort and safety, both at ground level and on the raised podium and roof gardens. Wind tunnel testing is considered to be a well-established and robust means of assessing the pedestrian wind microclimate. The assessment uses the Lawson Comfort Criteria, which have been established for over 30 years, and set out the wind conditions deemed suitable for four pedestrian activities – sitting, standing, strolling and walking. A fifth category is 'Uncomfortable' when wind is considered a nuisance and mitigation is required. The testing was undertaken for the windiest season (December-February) and the summer season (June –August).
- 6.83 The wind tunnel testing highlighted a few areas within the development

where the wind conditions would exceed the relevant comfort criteria. These are principally along the southern part of the site where the prevailing south-westerly winds meet the development buildings. These include the southern entrance to The Mews from St Albans Road, the footpath (part of the Green Promenade) along the southern boundary and the landscaped podium deck between buildings S3-S6. In these locations, the wind conditions can be improved by reducing wind speeds. The proposed mitigation measures are principally the planting of additional 5m high trees along the southern boundary of the site and at the edges of the landscaped podium deck, which will act to reduce wind speeds at pedestrian level (ground level and podium level respectively). There is only one area where wind speeds cannot be adequately mitigated and this is on the high level roof terrace on building S5. This terrace is proposed to have no access to residents.

6.84 (l) Impact on neighbouring properties

Due to the context of the site, the number of properties adjoining the site are relatively limited and a number of these are in commercial use. The eastern boundary adjoins the surface car park serving Watford Junction and the Abbey Line railway. Beyond the railway line is the concrete batching plant operated by London Concrete. The southern boundary adjoins a service road and surface level car parking with the mainline railway tracks beyond. The nearest properties are sited on the southern side of the railway lines and comprise the Egale office buildings fronting St Albans Road and the Holiday Inn Express building. The proposed development will have no adverse impact on these buildings which have an east-west orientation with their flank walls facing towards the site. The northern boundary adjoins the Hille Business Centre which comprises a number of industrial buildings. Two buildings adjoin the boundary with the site but neither has any windows facing the site. The proposed development will have no adverse impact on these buildings.

6.85 The only properties likely to be affected by the proposed development are located on the western side of St Albans Road. These comprise two residential blocks currently under construction on the Bedford Street triangle site (known as Brewery Mews). The main block fronts St Albans Road at 6 and 9 storeys high. The second is sited at right-angles to St Albans Road and is 6 storeys high. Adjacent to these is the Tyre City premises at the junction of Bedford Street. Between Bedford Street and Leavesden Road are the Prince George public house and Dunnings Bar. Both have residential accommodation on their first floor facing the site.

6.86 As part of the Environmental Statement, an assessment has been undertaken on these sensitive residential properties for daylight, sunlight and

overshadowing. The nearest residential properties to the north in Brixton Road, beyond Hille Business Centre, were also assessed. The potential impacts have been assessed using the Building Research Establishment Guidelines 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' 2011. Other relevant guidance and best practice has also been considered relating to high density urban development. The assessment shows that 73% of the rooms assessed meet the minimum requirement for daylight and 88% of the windows assessed meet the minimum requirement for sunlight. The rooms and windows that do not meet the minimum guidelines are located within the Brewery Mews development and on the first floor of the Prince George public house. The effect on these is considered to be minor adverse.

- 6.87 The Brewery Mews development is still in the early stages of construction and, as a result, no existing residents would be affected. Purchasers of flats within the development will be aware of the proposed development opposite. In respect of the public house, this will be short-term accommodation and will be occupied in a different way to most accommodation and experience a different level of amenity due it being part of the public house. Overall, it is considered that the minor adverse impacts on a small number of rooms and windows is acceptable given the overall benefits of the proposed development in delivering housing in the Borough.
- 6.88 With regard to outlook and privacy, the properties in Brewery Mews and on the opposite side of St Albans Road will face towards the site across the busy St Albans Road which comprises 4 lanes at this point. This facing relationship is considered normal and acceptable in an urban environment.
- 6.89 (m) Highways, parking provision and sustainable transport
i) Vehicular access
The development will be served by the existing Penn Road, which is to be retained and upgraded to adoptable standards. The existing junction with St Albans Road is to be modified, to include a narrowing of the width of the junction, to improve vehicle movements and pedestrian crossing points. This will be the only vehicular access to the site. The proposed works to modify the junction have been agreed with the Highway Authority based upon the predicted reduction in traffic flows arising from the development.
- 6.90 Penn Road is also to be 'safeguarded' to provide access to the adjoining Network Rail land to the east, which is currently used as the Watford Junction car park, and forms part of the wider masterplan area. This accords with the draft Watford Junction Development Brief. The proposed mechanism to ensure this is for Penn Road to be adopted as public highway

by the Highway Authority as part of a s.106 agreement. It is anticipated that this adoption will take place at the time access to the adjoining Network Rail land is required to facilitate development of this land. This would be subject to the Council's costs being underwritten.

- 6.91 It is acknowledged that the applicants will retain a ransom strip around the southern, eastern and northern boundaries of the site, which means that access to the adjoining Network Rail land can only be physically secured with their agreement. The Council has sought Counsel's advice regarding this matter and has been advised that this is a private matter between the respective landowners. The role of the Council is to ensure that Penn Road is kept free of development so that future access to the adjoining land is not prevented by physical development. This can be secured as part of a s.106 agreement. However, in the event that agreement is not reached between the various landowners for the purchase of the ransom strip, Counsel's advice is that the Council could consider using its compulsory purchase powers to secure this strip of land and access to the adjoining land to facilitate the wider development.
- 6.92 Although the submitted drawings show no physical development along the length of Penn Road, they do show landscaping at the eastern end of Penn Road where it adjoins the site boundary. The applicants have stated that this is intended to be temporary landscaping, placed on the adoptable road, and capable of being removed as and when access to the adjoining Network Rail land is required. This can be also be secured as part of the s.106 agreement and as part of the detailed landscaping of the site.
- 6.93 ii) Pedestrian access
In addition to the existing pedestrian access along Penn Road, two other pedestrian access points are to be created. One is located between buildings S1 and S2 and gives access from St Albans Road to the Central Mews via steps and a ramped pavement. The second is located at the southern corner of the site and gives access to the southern end of Central Mews, via steps, and the Green Promenade along the southern boundary of the site. The Green Promenade allows pedestrian access around the southern and eastern boundaries of the site. Together with Central Mews, Penn Road and the Northern Mews the development allows a high degree of pedestrian permeability through the site.
- 6.94 From the southern access point, the walking distance from the site to Watford Junction Station entrance is only 320m along Bridle Path. As part of the proposed wider public realm improvement works around Watford Junction, the applicant has proposed a range of potential improvement

measures along the footpath to enhance pedestrian use and safety. A financial contribution of £50,000 towards these works has been agreed and can be secured as a section 106 planning obligation.

6.95 iii) Car parking

The development proposes a provision of 203 car parking spaces to serve the 1,214 dwellings, primary school and commercial units. In respect of the dwellings, this equates to a provision of 0.16 spaces per dwelling. This very low provision is justified by the highly accessible location of the site close to Watford Junction Station and the bus interchange at the station. Many bus services also operate along St Albans Road. The North Watford Shopping Centre is located immediately to the north of the site and the town centre is 750m to the south-west along St Albans Road.

6.96 The majority of the parking spaces (181) are located under the high level podium between buildings S3-S6. These spaces are located on 2 levels with ground level access from Penn Road between buildings S3 and S4. The remaining spaces (22) are located underneath the podium deck of the primary school and to the rear of building N2. These are accessed from the Northern Mews. It is proposed that 10% of the parking spaces will have electric charging points.

6.97 Due to the low parking provision, it is acknowledged the proposal has the potential to give rise to overspill parking on surrounding roads. Roads to the south-west and south are covered by existing controlled parking zones (CPZs). Future residents of the development will have no entitlement to parking permits to park in these roads. The roads to the north and north-west of the site are not currently within a CPZ. However, consultations on the introduction of a CPZ in Callowland ward including these roads has recently commenced. The application site is not included within the proposed boundaries of the proposed CPZ and, therefore, future residents will not be entitled to residents permits to park in these roads in the event of a CPZ being introduced.

6.98 iv) Traffic generation

The current retail park is estimated to generate up to 4,677 car trips per day. The proposed development is predicted to generate only 837 trips per day due to the low level of parking provision. As such, the development will provide a significant highway benefit in reducing traffic flows on St Albans Road.

6.99 v) Servicing and deliveries

Servicing and deliveries to the northern part of the site will take place from

various locations. Building N1 will be serviced from a proposed lay-by on St Albans Road. Building N2 will be serviced from a lay-by on Penn Road adjoining Penn Square, which can also be used to service building N1. Buildings N3 and N4 will be serviced from a turning head in the Northern Mews sited between the buildings with further servicing possible from a turning head at the eastern end of Penn Road (until such time as this road is required to access the adjoining land). The primary school will be serviced from the Northern Mews turning head and from the undercroft parking area.

6.100 Servicing of the southern part of the site will be from a dedicated servicing area underneath the high level podium. This comprises a double height servicing access underneath building S3 allowing large vehicles to enter from Penn Road and exit via the northern part of Central Mews. Building S3 will incorporate a site wide 24 hour concierge facility that will receive deliveries for the development. Servicing by smaller vehicles of buildings S1 and S2 can also take place from the northern part of Central Mews. In addition to the central concierge facility, buildings S1 and S2 also include their own concierge facilities.

6.101 vi) Sustainable transport measures

The application proposes a number of sustainable transport options to encourage non-car travel and to support the low level of parking provision.

1) Travel Plan. It is proposed that comprehensive travel plans will be provided for the residential dwellings and the primary school. These will be monitored by Herts. County Council.

2) Electric car club. It is proposed to establish a car club on the site with up to 5 spaces for electric car club vehicles. The set-up costs will be paid by the applicants and secured through a section 106 obligation. As part of the residential Travel Plan, all new residents will be provided with 1 year's free membership of the car club to encourage the use of these vehicles as opposed to private vehicles.

3) Cycle parking spaces. A total of 1,348 cycle parking spaces are provided across the development, exceeding the requirement for 1 space per dwelling. All cycle spaces will be within secure and weatherproof internal stores. 18 cycle spaces are also proposed within the public realm.

4) Cycle hub. It is proposed to provide a cycle hub within the development, adjacent to the main concierge, to provide basic cycle repair facilities and washdown facilities as well as to organise cycle events such as 'Dr Bike' sessions and cycle training to encourage residents to cycle.

5) Cycle hire. In addition to the cycle hub, it is also proposed to provide cycles for hire. These could include Brompton fold-up cycles suitable for commuting.

6) Bike share scheme. The development will also incorporate a minimum of 15 cycle spaces for the Council procured borough wide bike share scheme which is to be operated by Beryl Bikes and is due to commence operation in 2020.

7) Demand Responsive Transport. This is a new form of public transport to commence operation in 2020, to be operated by Arriva Click. Unlike standard bus services, this is a flexible on-demand service that allows passengers to book pick-up times from specified locations online. The service will commence initially with 7 buses serving the Watford area. The applicants will provide a credit of approximately £90 per dwelling upon occupation, amounting to £109,260 over a 10 year period as the phases of the development progress.

6.102 (n) Flood risk and sustainable drainage

A detailed surface water drainage system has been proposed for the site. This comprises two networks, one serving the southern part of the site and one the northern part. It is based upon the use of green and blue roofs on the buildings and underground attenuation tanks with a restricted discharge to the surface water sewer at the greenfield rate of 5 litres/second. This is a very substantial reduction in the unrestricted peak run-off rate from the current site, predicted to be 730 litres/second. The system has been designed to be future-proof to accommodate a 1 in 100 year storm event with 40% allowance for climate change.

6.103 (o) Land contamination

A desk based study and intrusive ground investigations have been undertaken for the site to establish potential ground contamination that may need to be remediated. Levels of contamination were found to be low or only marginally above threshold levels, and isolated across the site. The main risk identified is to groundwater through the use of piled foundations in the absence of mitigation measures. The Environment Agency considers the development to not be high risk and that groundwater can be protected from further deterioration through not using infiltration based surface water drainage systems (this is not proposed), ensuring piling does not cause preferential pathways for contaminants to the groundwater, and the decommissioning of boreholes. These matters can be secured by appropriate conditions. Affinity Water has also requested similar conditions to protect

the groundwater from potential pollution and turbidity during piling operations. There is considered to be an insignificant risk to the human health of future residents.

6.104 (p) Archaeology

The Historic Environment Unit at Herts County Council has commented as follows with regard to the potential for archaeological remains on the site:

“While the proposed development is clearly large in scale, and will cover over 2ha, it is within a part of Watford where the ground will have been heavily disturbed by 20th century development. The supplied Archaeological Desk-Based Assessment (DBA) supports this assertion and refers to site investigation works that show modern made ground between 1 and 2.6m deep on site, directly overlying natural deposits. This would suggest that any archaeology that had been present has been truncated.

The site also has no specific potential for the presence of archaeological assets of any period, with no known remains pre-dating the later post-medieval period nearby, although this is undoubtedly related to the lack of archaeological work that has been carried out in the surrounding area.”

No mitigation measures are therefore required in respect of archaeological remains.

7. Public Consultation

The applicants undertook wide ranging public consultation prior to the submission of the application and further consultation post-submission. A detailed Statement of Community Involvement has been submitted with the application.

7.1 Two public consultations were held at various stages of the pre-application and design development process. The initial consultation took place during the evolution of the design to ensure that as many local people as possible were aware of the proposal and had the opportunity to provide comments before the detailed design process.

7.2 *Event 1 – June 2018*

The first round of public exhibitions were held on Wednesday 27 June 2018 3pm – 7pm, at the Church of the Nazarene, Watford and Saturday 30 June 2018 11am – 3pm, at the Holiday Inn Express, Watford. Approximately 10,000 leaflets were hand delivered across the local area around the site and the exhibition was also advertised in the Watford Observer newspaper and website. A total of 100 people attended across the two days of consultation.

7.3 A website, www.94-98stalbansroad.co.uk, was launched to allow interested parties to access information online and get in touch with the project team. Engaging the community enabled the project team to identify and address concerns and gain initial feedback on the development proposals. This helped to evolve the proposals to a detailed design stage.

7.4 *Event 2 – November 2018*

A second round of exhibitions to display the updated proposals were held in November 2018. These were held on Tuesday 27th November 2018 12pm-6pm at the Holiday Inn, Watford Junction, Thursday 29th November 2018 3pm-7pm at The Scroll Church and Saturday 1st December 2018 11am-3pm at the Holiday Inn, Watford Junction. Approximately 10,000 leaflets were hand delivered across the local area around the site and the consultation was also advertised in the Watford Observer newspaper and online. The exhibitions were once again well-attended with approximately 118 members of the public attending.

7.5 *Event 3 – June 2019*

A post submission exhibition to display the final submission scheme was held in June 2019. These were held on Wednesday 5th June 2019 3pm to 7pm at the Holiday Inn, Watford Junction and Saturday 8th June 11am-3pm at the same venue. Approximately 10,000 leaflets were hand delivered across the local area around the site and the consultation was also advertised in the Watford Observer newspaper and online. The exhibitions were once again well-attended with approximately 117 members of the public attending.

8. Consultation responses received

8.1 Statutory consultees and other organisations

Consultee	Consultee response
Secretary of State for Housing, Communities and Local Government	No comments.
<i>Noted</i>	
Natural England	No objection.
<i>Noted</i>	
Environment Agency	Low risk site. Standard advice issued. Standard conditions requested.
<i>Noted</i>	

Affinity Water	No objection. Conditions requested.
<i>Noted</i>	
Network Rail	Holding objection. Request access to adjoining land is secured from Penn Road.
<i>Noted. Access via Penn Road to the adjoining Network Rail land is discussed in paragraphs 6.89-6.92 of the report.</i>	
Thames Water	Insufficient capacity in existing foul and surface water sewers. Conditions requested to secure capacity survey and necessary upgrades before phased occupation.
<i>Noted. Thames Water has a statutory obligation to provide the necessary infrastructure.</i>	
Cadent Gas/National Grid	Diversion of assets required.
<i>The scheme incorporates the relocation of the existing gas governor on the site.</i>	
Sport England	No objection.
<i>Noted.</i>	
Ministry of Defence RAF Northolt	No response.
<i>Noted.</i>	
UK Power Networks	No response.
<i>Noted.</i>	
Herts Valleys Clinical Commissioning Group	Requested financial contribution towards GP surgery provision of £913,311. Also requested consideration of financial contributions towards acute care and mental health facilities.
<i>The financial contribution towards GP surgery provision is not considered viable in light of the viability review and a reduced contribution of £281,925 has been offered by the applicant. This is been accepted by the LPA as a reasonable compromise in this case and can be secured through a section 106 agreement. This is included in the recommendation.</i>	
Crime Prevention Design Advisor	General compliance with Secured By Design.
<i>Noted.</i>	
Herts County Council – Fire and Rescue Service	Fire hydrant provision required.
<i>Noted and secured through the s.106 agreement. This is included in the recommendation.</i>	
Herts County Council – Lead Local Flood Authority	No objections subject to appropriate conditions.
<i>Noted. These have been incorporated into the proposed conditions.</i>	

Herts County Council – Highway Authority	No objections subject to appropriate conditions.
<i>Noted. These have been incorporated into the proposed conditions.</i>	
Herts County Council – Education Authority	Do not object to the application subject to delivery of a primary school with nursery, a financial contribution towards secondary education and other planning obligations being secured in a s.106 agreement.
<i>Noted and secured through the s.106 agreement.</i>	
Herts County Council – Ecology	Site is limited ecological interest. Conditions requested.
<i>Noted.</i>	
Herts County Council – Public Health	No objection to the application. Health Impact Assessment considered inadequate.
<i>Noted. There is no statutory requirement for the applicant to provide a health impact assessment.</i>	
Herts County Council – Waste and Minerals	No objection to the application. Requested Site Waste Management Plan.
<i>This has been secured by condition.</i>	

8.2 Internal Consultees

Planning Policy	Comments regarding townscape and visual assessment. No objection.
<i>Noted. See discussion in paragraphs 6.34-6.48 of the report.</i>	
Housing	Seek improved affordable housing provision and mix.
<i>Noted. The affordable housing provision has been limited by the requirement of the applicant to provide and finance a 2 form entry primary school and nursery on the site.</i>	
Arboricultural Officer	Requested landscaping condition.
<i>This has been included in the recommendation.</i>	
Waste and Recycling	Proposed bin storage facilities and waste management provision is acceptable.
<i>Noted. Bin storage facilities and a waste management scheme have been secured by condition.</i>	
Land Contamination Officer	Requested standard conditions to deal with land contamination.

<i>These have been included in the recommendation.</i>	
Environmental Health	Requested various conditions relating to noise mitigation measures.
<i>These have been included in the recommendation.</i>	

8.3 Interested parties

Letters were sent to 2,213 properties in the surrounding area. Responses have been received from 173 properties. These include 162 letters of objection, 3 letters of support and 7 neutral comments. The key issues raised are summarised below, the full letters are available to view online:

Objection Comments	Officer response
Overdevelopment of the site, excessive height of buildings, impact on the skyline. Out of keeping with the area.	See paragraphs 6.4-6.13 and 6.35-6.49 of the report.
Inadequate car parking provision for the development. Local roads at capacity. No controlled parking zone.	See paragraphs 6.95-6.97 of the report.
Increased traffic and congestion. St Albans Road already very congested.	See paragraph 6.98 of the report.
Inadequate local facilities to support the development. Need more health facilities, secondary schools, local facilities.	See paragraphs 6.23-6.32 of the report.
Impact on surrounding properties due to height of buildings – loss of outlook, privacy, daylight and sunlight	See paragraphs 6.84-6.88 of the report.
Increased noise and pollution during construction works.	See paragraphs 6.76-6.81 of the report.
Lack of affordable housing.	See paragraphs 6.17-6.22 of the report.
Lack of green/open space.	See paragraphs 6.73-6.75 of the report.
Inadequate infrastructure to support the development. Watford Junction has no capacity for additional commuters. Inadequate public transport. Improved pedestrian and cycle	Capacity improvements at Watford Junction have recently been approved. Further improvements will be included within subsequent phases of the Watford Junction masterplan. For enhanced sustainable transport

routes required.	measures see paragraph 6.101 of the report.
------------------	---

Support Comments	Officer response
Will help to regenerate St Albans Road.	Noted.
Supports improvement to town centre.	Noted.
Will provide a good range of housing options of a high quality.	Noted.

9. Recommendation

That planning permission be granted subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following planning obligations and subject to the conditions listed below:

Section 106 Heads of Terms

- i) The provision of 107 units of affordable housing within buildings N1 and N3, comprising a mix of 1, 2 and 3 bedroom flats for social rent, affordable rent and shared ownership.
- ii) Either a financial payment of up to £281,925 (index-linked) towards the provision of GP surgery accommodation within the borough of Watford or the provision of appropriate GP surgery accommodation within building S6 on the site.
- iii) The construction of a fully equipped 2 form entry primary school with nursery on the site.
- iv) A financial payment of £117,000 (index-linked) towards subsidising a minibus for the use of the primary school to transport pupils to and from Callowland Recreation Ground.
- v) A financial payment of £45,000 (index-linked) for the refurbishment of the changing rooms at Callowland Recreation Ground.
- vi) A financial payment of £5,000 (index-linked) for improvements to the playing fields at Callowland Recreation Ground.

- vii) A community use agreement for the use of the school main hall and large multi-use games area (MUGA) by residents of the development and the wider public.
- viii) A financial payment of £721,257 (index-linked) towards the provision of secondary school education serving the borough of Watford.
- ix) A financial payment of £12,000 towards the monitoring of Travel Plans for the primary school and the residential development.
- x) A financial payment of £50,000 (index-linked) towards environmental improvements along Bridle Path between the site and Watford Junction Station.
- xi) The setting up of an electric car club on the site with 5 electric charging car club spaces and a one year annual membership of the car club for each household upon first occupation (total cost of £119,200).
- xii) The provision of a £90 credit (index-linked) for the use of the Council procured demand responsive transport service (operated by Arriva Click or an alternative operator) for each household upon first occupation (total cost of £109,260).
- xiii) The upgrading of Penn Road to adoptable highway standards from St Albans Road to the eastern site boundary and the adoption of Penn Road from St Albans Road to the eastern site boundary by the Highway Authority at a time when Penn Road is required to serve the adjoining Network Rail land to the east.
- xiv) The provision of a minimum of 15 cycle spaces on Penn Road for the Council procured bike share scheme (operated by Beryl Bikes or an alternative operator).
- xv) Provision of fire hydrants to serve the development.

Conditions

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

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

2. The development (with the exception of the primary school) hereby permitted shall be carried out in accordance with the following approved drawings:

X0001, X0101
X0551, X0552, X0553
P0131, P0132A, P0133A
P0101, P0102A, P0103A, P0104A, P0105A, P0106A, P0107A, P0108A, P0110A
P0551, P0552, P0553A, P0554A, P0555, P0556, P0557, P0558
P0201, P0202, P0203, P0204, P0205, P0206, P0207
P0211A, P0212, P0213, P0214, P0215, P0216, P0217, P0218, P0219
P0221, P0222, P0223, P0224, P0225, P0226, P0227
P0231, P0232, P0233, P0234, P0235, P0236, P0237
P0241, P0242, P0243, P0244, P0245, P0246, P0247
P0251, P0252, P0253, P0254, P0255, P0256
P0261, P0262, P0263, P0264, P0265
P0271, P0272, P0273, P0274
P0281, P0282A, P0283A, P0284A
P0291, P0292A, P0293A, P0294A
P0601, P0602, P0611A, P0612A, P0621, P0622, P0631, P0632, P0641, P0642, P0651, P0652, P0661, P0662, P0671, P0672, P0681A, P0682A, P0691A, P0692A
P0501, P0502, P0511
P1001, P1002, P1003, P1004, P1005, P1006, P1007, P1008, P1009, P1010, P1011, P1012, P1013, P1014, P1015, P1016, P1017, P1018, P1019
P1031, P1032A, P1033A, P1034, P1035

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

3. Approval of the details of the siting, design and external appearance of the primary school and the landscaping of the primary school site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced on the primary school. The details of the reserved matters shall accord with the following parameter plans submitted with the application:

Drawing nos. P0132A, P0133A

Reason: To ensure that the Development is carried out in accordance with the plans and other submitted details, to ensure the Development keeps within the parameters assessed pursuant to the Environmental Impact Assessment for the Development.

4. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of four years from the date of this permission.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

5. The development of the primary school hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of three years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

6. No removal of trees, scrub or hedges shall be carried out on the site between 1st March and 31st August in any year unless a suitably qualified ecologist has previously searched the trees, scrub or hedges and certified in writing to the Local Planning Authority that such works of removal may proceed.

Reason: In order to avoid harm to nesting birds which are protected under the Wildlife and Countryside Act 1981.

7. No demolition works (including ground excavations) shall commence until a method statement detailing the measures to prevent and control the spread of Cotoneaster species during any operations has been submitted to and approved by the Local Planning Authority. The development shall be carried out only in accordance with the approved measures.

Reason: In order to prevent the spread of Cotoneaster species which are listed as an invasive species in the Wildlife and Countryside Act 1981.

8. No demolition works (including ground excavations) shall commence until a detailed demolition environmental management plan has been submitted to and approved in writing by the local planning authority. The plan shall be based upon the Demolition and Construction Environmental Method Statement submitted with the application and include the measures and best practice guidelines contained in Chapters 6, 8 and 9 of the Environmental Statement. The demolition works and ground excavations shall only be carried out in accordance with the approved plan.

Reason: To minimise the impacts of the demolition works on nearby properties and the surrounding area.

9. No demolition works (including ground excavations) shall commence until a detailed site waste management plan has been submitted to and approved in writing by the local planning authority. The plan shall be based upon and include the measures contained in the Outline Site Waste Management Plan by Waterman IE Limited (Ref. WIE14052-101-R-5-2-3-SWMP) submitted with the application. The demolition works and ground excavations shall only be carried out in accordance with the approved plan.

Reason: To minimise the waste generated by the development and ensure the sustainable re-use and management of waste within the county.

10. No construction works (excluding all works associated with demolition) shall commence until detailed finished site land levels and site cross-sections have been submitted to and approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the site and the adjoining land levels.

11. No construction works (excluding all works associated with demolition) shall commence until a development phasing plan has been submitted to and approved by the Local Planning Authority. The plan shall include for each phase a site plan delineating the area of the development phase, the number of dwellings to be constructed, the number and location of car parking spaces, access for servicing and delivery vehicles and pedestrian routes to access the building. The development shall be

implemented in accordance with the approved phasing plan, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure each development phase can be adequately accessed and has an acceptable relationship to previous phases of the development.

12. No construction works shall commence in any development phase until a detailed construction environmental management plan has been submitted to and approved in writing by the local planning authority. The plan shall be based upon the Demolition and Construction Environmental Method Statement submitted with the application and include the measures and best practice guidelines contained in Chapters 6, 8 and 9 of the Environmental Statement. The construction works shall only be carried out in accordance with the approved plan.

Reason: To minimise the impacts of the demolition works on nearby properties and the surrounding area.

13. No construction works shall commence in any development phase until a detailed site waste management plan has been submitted to and approved in writing by the local planning authority. The plan shall be based upon and include the measures contained in the submitted Outline Site Waste Management Plan by Waterman IE Limited (Ref. WIE14052-101-R-5-2-3-SWMP). The construction works shall only be carried out in accordance with the approved plan.

Reason: To minimise the waste generated by the development and ensure the sustainable re-use and management of waste within the county.

14. Following demolition of the existing buildings and prior to the commencement of any construction works in each phase of the development, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- i) A supplementary site investigation, undertaken in those areas that were previously inaccessible based on the Preliminary Environmental Risk Assessment prepared by Waterman IE Limited (Report ref. WIE14052-101-R-4-2-1-PERA) and the Geo-environmental and Geotechnical Ground Investigation Report prepared by Fairhurst (Report ref. 125840), to provide

information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

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

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

15. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of each phase of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

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

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy and verification plan to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be 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.

Reason: To protect highly sensitive groundwater resources. The Preliminary Risk Assessment submitted with this application indicates the presence of polluting substances from the previous uses (former petrol filling station now used as MOT & service centre, electrical substations and garages). The site is located within Source Protection Zone 1, indicating that groundwater beneath the site will reach the public drinking water supply within 50 days and is therefore highly sensitive to pollution.

17. The proposed residential development permitted by this planning permission shall be carried out in accordance with the approved drainage strategy as indicated on the Drainage Strategy layout produced by Fairhurst, drawing number 125840-C-4002, revision P7, dated 1 October 2019 and the following mitigation measures detailed within the Flood Risk Assessment (May 2019) unless otherwise agreed in writing by the Local Planning Authority:
 1. Limiting the surface water runoff generated by the critical storm events so that it will not exceed the surface water runoff rate of 8 l/s for Phase 1A; 2 l/s for Phase 1B and 5 l/s for Phase 2 during the 1 in 100 year event including plus 40% of climate change allowance.
 2. Providing storage to ensure no increase in surface water runoff volumes for all rainfall events up to and including the 1 in 100 year plus climate change event providing a minimum of 39.1 m³ of storage in blue roof structures and 160 m³ of storage in the proposed underground attenuation tank (or such storage

volume agreed with the LLFA) for Phase 1A; a minimum of 145.5 m³ of storage in blue roof structures, 420 m³ of storage in the proposed underground concrete attenuation tank and 420 m³ of storage in the proposed landscaped podium over car parking with sub-base attenuation (or such storage volume agreed with the LLFA) for Phase 1B; a minimum of 89.3 m³ of storage in blue roof structures and 296 m³ of storage in the proposed underground attenuation tank (or such storage volume agreed with the LLFA) for the proposed residential development included in Phase 2.

3. Discharge of surface water from the private drainage network into the public surface water sewer served by Thames Water.

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

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

18. The proposed school development permitted by this planning permission shall be carried out in accordance with the approved principles of the drainage strategy indicated on the Drainage Strategy layout produced by Fairhurst, drawing number 125840-C-4002, revision P7, dated 1 October 2019 and the following mitigation measures detailed within the Flood Risk Assessment (May 2019) unless otherwise agreed in writing by the Local Planning Authority:

1. Limiting the surface water runoff from the school site generated by the critical storm events so that it will not exceed the surface water runoff rate of 2.6 l/s during the 1 in 100 year event including plus 40% of climate change allowance.
2. Providing storage to ensure no increase in surface water runoff volumes for all rainfall events up to and including the 1 in 100 year plus climate change event providing a minimum of 154 m³ of storage in the proposed blue roof structure (or such storage volume agreed with the LLFA) for the proposed school development included in Phase 2.
3. Discharge of surface water from the private drainage network into the wider strategic drainage network on the site and then

into the existing public surface water sewer served by Thames Water.

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

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

19. No development for Phase 1A shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include the following:

1. Detailed modelling to demonstrate how the system operates during up to and including the 1 in 100 year critical duration storm event including an allowance for climate change. This should include drain down times for all storage features.
2. Final, detailed drainage plan including the location of all SuDS features, pipe runs, invert levels and discharge points.
3. Full, detailed engineering drawings of all SuDS features including cross and long sections, their size, volume, depth and any inlet and outlet features.

Reason: To prevent the increased risk of flooding, both on and off site.

20. No development for Phase 1B shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include the following:

1. Detailed modelling to demonstrate how the system operates during up to and including the 1 in 100 year critical duration storm event including an allowance for climate change. This should include drain down times for all storage features.
2. Final, detailed drainage plan including the location of all SuDS features, pipe runs, invert levels and discharge points.
3. Full, detailed engineering drawings of all SuDS features including cross and long sections, their size, volume, depth and any inlet and outlet features.

Reason: To prevent the increased risk of flooding, both on and off site.

21. No development for Phase 2 for the residential development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include the following:

1. Detailed modelling to demonstrate how the system operates during up to and including the 1 in 100 year critical duration storm event including an allowance for climate change. This should include drain down times for all storage features.
2. Final, detailed drainage plan including the location of all SuDS features, pipe runs, invert levels and discharge points.
3. Full, detailed engineering drawings of all SuDS features including cross and long sections, their size, volume, depth and any inlet and outlet features.

Reason: To prevent the increased risk of flooding, both on and off site.

22. No development for Phase 2 for the school development shall take place until a detailed surface water drainage scheme for the site based on the principles of the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include the following:

1. Detailed modelling to demonstrate how the system operates during up to and including the 1 in 100 year critical duration storm event including an allowance for climate change. This should include drain down times for all storage features.
2. Final, detailed drainage plan including the location of all SuDS features, pipe runs, invert levels and discharge points. If areas are to be designated for informal flooding these should also be shown on a detailed site plan.
3. Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
4. Full, detailed engineering drawings of all SuDS features including cross and long sections, their size, volume, depth and any inlet and outlet features.

Reason: To prevent the increased risk of flooding, both on and off site.

23. Upon completion of the drainage works for each phase in accordance with the phasing arrangements, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority.

This shall include:

1. Provision of complete set of as built drawings including the final drainage layout for site drainage network.
2. Maintenance and operational activities for the lifetime of the development.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

24. No infiltration of surface water drainage into the ground at this site is permitted other than with the express written consent 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 approval details.

Reason: To protect highly sensitive groundwater resources. The Preliminary Risk Assessment submitted with this application indicates

the presence of polluting substances from the previous uses (former petrol filling station now used as MOT & service centre, electrical substations and garages). The site is located within Source Protection Zone 1, indicating that groundwater beneath the site will reach the public drinking water supply within 50 days and is therefore highly sensitive to pollution.

25. No piling (or other foundation designs using penetrative methods) shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure and groundwater pollution, and the programme for works) has been submitted to and approved in writing by the Local Planning Authority. All piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To protect groundwater and underground sewerage utility infrastructure.

26. Prior to the commencement of any superstructure works within each development phase, details and samples of the materials to be used for all the external finishes of the buildings, including walls, roofs, doors, windows and balconies, for the development phase shall be submitted to and approved in writing by the Local Planning Authority. The materials shall be based upon the materials palette in the Design and Access Statement by Lifschutz Davidson Sandilands. The development within each phase shall be carried out only in accordance with the approved materials.

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

27. Prior to the commencement of any superstructure works within each development phase, a detailed noise mitigation scheme for the building to achieve satisfactory internal noise levels to each dwelling, in accordance with BS 8233:2014 'Guidance on Sound Insulation and Noise Reduction for buildings', shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the building fabric, glazing specifications, party walls and floors and mechanical ventilation systems. The noise mitigation scheme shall address potential noise nuisance arising from road traffic, rail

traffic, electrical substations, thermal substations, and all plant and equipment associated with commercial units within the building. The noise from electrical substations shall not exceed the criteria set out in Table 5 of 'A Procedure for the Assessment of Low Frequency complaints' (University of Salford, Manchester, 2009). No dwelling within the development phase shall be occupied until all the approved mitigation measures have been completed.

Reason: To protect the amenities of the future occupiers of the development.

28. No plant and equipment associated with the commercial units shall be installed on any building until a noise impact assessment, including proposed mitigation measures for noise, to achieve satisfactory internal noise levels to the nearest residential dwellings, has been submitted to and approved in writing by the Local Planning Authority. The plant and equipment

Reason: To protect the amenities of the future occupiers of the development.

29. Prior to the commencement of any superstructure works in each development phase that includes a commercial unit(s), full details of the proposed shop front(s) for the commercial unit(s) within that phase shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following:

- a) Detailed drawings at scale 1:20 including sections of the proposed shop front(s);
- b) Detailed drawings at scale 1:20 of the proposed area for signage;
- c) Details of the proposed materials for the shop front(s);
- d) Details of any proposed security measures; and,

The shop front(s) shall be installed in accordance with the approved details prior to the first occupation of the commercial unit(s) and shall be maintained as such thereafter.

Reason: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and would enhance the public realm, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

30. Prior to the commencement of any superstructure works for each development phase, a landscaping scheme for the treatment of all open spaces, including but not limited to public open space, communal amenity space, children's play space and private amenity space, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall be based upon the Landscape Strategy by Gillespies include the following details:

- a) Details of the landscape management scheme;
- b) Details of children's play space , including but not limited to types of play areas, play equipment, how the space is differentiated from communal/public open space and how this fits in with the children's play space strategy for the whole site;
- c) Enclosures: including but not limited to types, dimensions and treatments of walls, fences, screens, barriers, rails, retaining walls and hedges;
- d) Hard landscaping: including but not limited to ground surfaces, kerbs, edges, paving, furniture, bins, lighting, steps and if applicable synthetic surfaces;
- e) Soft landscaping: number and type of species to be planted;
- f) Trees: number and type of species to be planted;
- g) Biodiversity measures, including but not limited to green roofs, brown roofs, bird boxes, bat boxes, invertebrate boxes and bee hives;
- h) Lighting details, including siting, type, height, specification, hours of operation and lux values;
- i) Details of the wayfinding signage and details of the maintenance of any such signs proposed and approved;
- j) Details of how the landscaping features will provide suitable wind mitigation as set out in the Environmental Statement;
- k) Management plan detailing management responsibilities and maintenance schedules for the ongoing maintenance and access for communal amenity areas and public open space; and,
- l) Any other landscaping feature(s) forming part of the scheme.

All landscaping in accordance with the approved scheme shall be completed/planted during the first planting season following practical completion of the development phase. Any trees or shrubs which die within five years of completion of the development phase shall be replaced with the same species, unless otherwise approved in writing, to the satisfaction of the Local Planning Authority.

The development phase shall be carried out strictly in accordance with the approved details and shall be maintained as such thereafter.

Reason: In the interest of biodiversity, sustainability, and to ensure that a high quality of public realm and private amenity space and visual amenity is provided.

31. No dwelling or commercial unit forming part of the development shall be occupied (unless otherwise agreed in writing by the Local Planning Authority as part of a phasing of the development) until the existing junction between Penn Road and St Albans Road has been upgraded and the footpath improvements along Penn Road, as shown in principle on drawing no. 17279-00-201 in the Transport Assessment by Markides Associates, have been completed in full.

Reason: To ensure safe and convenient access into the site for vehicles, cyclists and pedestrians in the interests of public safety.

32. No dwelling or commercial unit within the development shall be occupied until written approval has been provided by the Local Planning Authority that either 1) all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or 2) a housing and infrastructure phasing plan has been approved in writing which specifies the infrastructure works to be undertaken and the number of properties that can be occupied in each development phase. Where a housing and infrastructure phasing plan has been approved, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.

33. No dwelling or commercial unit within the development shall be occupied until written approval has been provided by the local planning authority that either 1) all surface water network upgrades required to accommodate the additional flows from the development have been completed; or 2) a housing and infrastructure phasing plan has been approved in writing which specifies the infrastructure works to be undertaken and the number of properties that can be occupied in each

development phase. Where a housing and infrastructure phasing plan has been approved no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.

34. No dwelling shall be occupied within any development phase until details of the provision of communal facilities for terrestrial and satellite television reception (eg. aerials, dishes and other such equipment) for the building in the development phase has been submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the relevant building and shall be retained thereafter. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

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

35. No dwelling or commercial unit within each development phase shall be occupied until the refuse and recycling storage facilities for that phase have been provided in accordance with the approved plans. The storage facilities shall be retained at all times thereafter.

Reason: In the interests of the visual appearance of the site and to ensure satisfactory provision for on-site storage facilities.

36. No dwelling shall be occupied within any development phase until a residential delivery and servicing management plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall include all deliveries to and waste and recycling collections from the residential dwellings.

The development shall be operated strictly in accordance with the approved plan, shall be maintained as such thereafter and no change thereof shall take place without the prior written consent of the Local Planning Authority.

Reason: To ensure that the delivery and servicing arrangements are adequate to service the dwellings and do not impact on the free-flow of traffic and highway safety.

37. No commercial unit within any development phase shall be occupied until details of a delivery and servicing management plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall include all deliveries to and waste and recycling collections from the commercial unit. No deliveries to or collections from any commercial unit shall take place before 7.00am or after 11.00pm on any day.

The development shall be operated strictly in accordance with the details approved, shall be maintained as such thereafter and no change thereof shall take place without the prior written consent of the Local Planning Authority

Reason: To ensure that the delivery and servicing arrangements are adequate to service the commercial units and do not impact on the free-flow of traffic and highway safety.

38. The commercial units shown within buildings S2, S3, S6, N1, N2, N3 and N4 shall only be used for purposes within Use Classes A1, A2, A3, A4, A5, B1, D1 or D2 of the Town and Country Planning (Use Classes) Order 1987 (as amended). Prior to the first occupation of any commercial unit full details of the proposed use, together with hours of operation, shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be operated strictly in accordance with the details approved, shall be maintained as such thereafter and no change thereof shall take place without the prior written consent of the Local Planning Authority.

Reason: To ensure an appropriate balance of non-residential uses are achieved and to ensure the proposed development does not have an adverse impact on neighbouring residential amenity.

39. No commercial unit within buildings S2, S3, S6, N1, N2, N3 and N4 shall be used for purposes within Use Classes A3, A4 or A5 of the Town and Country Planning (Use Classes) Order 1987 (as amended) until details of the means of ventilation for the extraction and dispersal of fumes, including details the extraction, ventilation and filtration equipment and any other external plant or machinery (including ventilation units and air intake louvres) together with details of its method of construction, appearance, finish and acoustic performance has been submitted to and approved in writing by the Local Planning Authority. The use shall not commence until the approved plant and equipment has been installed in full. The approved plant and equipment shall be retained at all times. No further external equipment or plant may be installed without the prior written approval of the Local Planning Authority.

Reason: To safeguard the amenity of the occupiers of adjoining properties by preventing noise and odour nuisance and to ensure a satisfactory appearance.

40. Prior to the first occupation of any building within each development phase a car parking and cycle parking strategy for that phase shall be submitted to and approved in writing by the Local Planning Authority including:
- a) The location and allocation of car parking for commercial and residential users.
 - b) The location of the accessible car parking spaces.
 - c) The number and location of the electric vehicle charging spaces, which should be a minimum of 10% of the total number of car parking spaces provided.
 - d) The location of and number of cycle parking spaces including details of the stands to be used.
 - e) Security and accessibility measures.

No dwelling shall be occupied until the approved car parking and cycle parking strategy for that phase has been implemented in full. The approved car and cycle parking spaces shall be retained as approved at all times.

Reason: To ensure the permanent retention of car parking spaces for occupiers and users of the development and to ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of travel.

41. No commercial unit within buildings S2, S3, S6, N1, N2, N3 and N4 hereby permitted shall be occupied until a certificate of compliance from an accredited assessor, confirming that the unit has achieved a BREEAM rating of Very Good, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy and water, in accordance with Policies SD1, SD2 and SD3 of the Watford Local Plan Core Strategy 2006-31.

42. No external multi-use games area (MUGA) within the primary school site shall be used for sporting activities by staff, pupils or members of the public before 9.00am or after 9.00pm on any day.

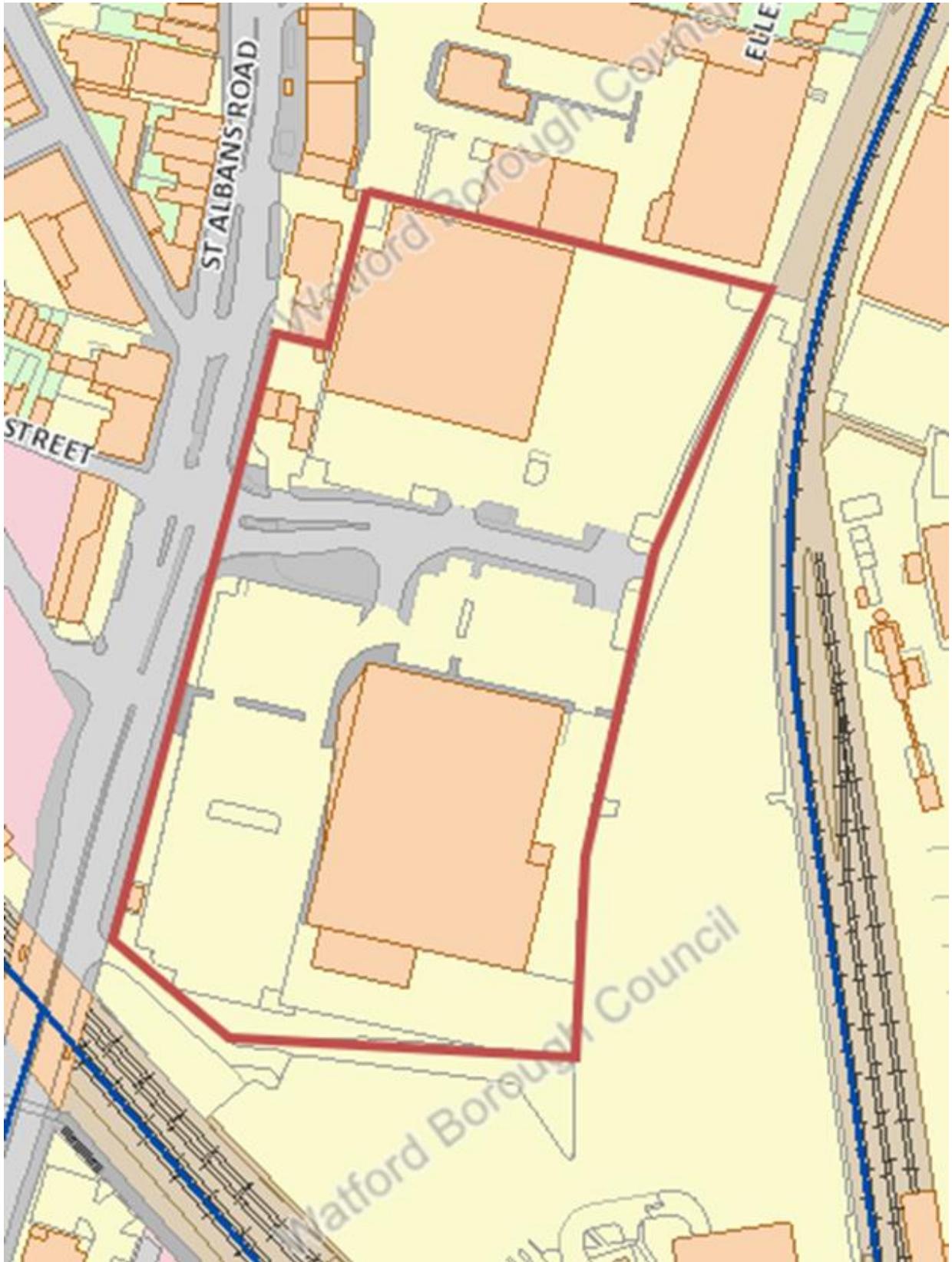
Reason: To ensure the use of any MUGA does not give rise to noise nuisance to nearby residential occupiers.

43. The primary school shall not be occupied until details of the means of ventilation for the extraction and dispersal of fumes, including details the extraction, ventilation and filtration equipment and any other external plant or machinery (including ventilation units and air intake louvres) together with details of its method of construction, appearance, finish and acoustic performance has been submitted to and approved in writing by the Local Planning Authority. The use of the primary school shall not commence until the approved plant and equipment has been installed in full. The approved plant and equipment shall be retained at all times. No further external equipment or plant may be installed without the prior written approval of the Local Planning Authority.

Reason: To safeguard the amenity of the occupiers of adjoining properties by preventing noise and odour nuisance and to ensure a satisfactory appearance.

44. No lighting shall be installed within the primary school site or on the building until full details of the lighting, including siting, type, height, specification, hours of operation and lux values, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.

Reason: To prevent glare and nuisance to occupiers of adjoining properties.



Site location plan



Site masterplan



Ground floor plan



Typical upper floor plan



Landscape strategy



Aerial view



St Albans Road street view. Buildings N1-S2-S1



View south within site looking towards buildings S4-S3-S2



View north within site towards Penn Square. Buildings N1-N2-N4



CGI of Penn Square



CGI of Central Mews

Agenda Item 6

Committee date	Monday, 16 December 2019
Application reference Site address	19/00366/FULM - W H Sports Club Limited, 8 Park Avenue
Proposal	Improvements to existing sports club, including the demolition of existing function hall and the erection of a first floor extension to provide a new function hall, erection of a single storey meeting room/store extension, construction of an indoor multi-purpose fitness studio, new outdoor floodlit multi use games area (MUGA), reconfiguration of existing sports club carpark, and the erection of a 4-storey residential development to provide 23 no. 1 and 2 bedroom dwellings with separate access from Cassio Road.
Applicant	Mr Glen Tomlinson
Agent	BPTW
Type of Application	Full planning application
Reason for committee Item	Major application
Target decision date	01 July 2019
Statutory publicity	Press advertisement and site notice
Case officer	Paul Baxter, paul.baxter@watford.gov.uk
Ward	Vicarage

1. Recommendation

Grant planning permission as set out in section 8 of this report.

2. Site and surroundings

- 2.1 West Herts Sports Ground is located in designated Open Space, as shown on the “saved” Proposals Map of the Watford District Plan 2000 (WDP2000), with access from Park Avenue. The application site comprises the whole sports ground site, including a 0.11ha parcel of land fronting Cassio Road which has been the subject of a series of temporary planning permissions from 1984 for a single storey modular building. The temporary planning permissions from 2002 have granted consent for a modular building to provide health services for the homeless. The NHS previously leased the site from West Herts Sports Club, however, they vacated the site at the end of 2018 because their lease expired and was not renewed. The modular building has now been removed from the site and the land currently consists of hard surfacing which is enclosed by fences. The proposed 4 storey residential building forming part of

this application would be sited on the land formerly occupied by the temporary community health use.

- 2.2 The clubhouse and car park of West Herts Sports Ground is located outside the designated Open Space. The sports ground includes tennis courts, a cricket pitch and cricket nets.
- 2.3 The 0.11ha parcel of land adjacent to No. 85 Cassio Road is served by a vehicular crossover onto Cassio Road, which previously provided access to the temporary community health use. It also provides access to a substation adjacent to the tennis courts. Cassio Road is classified as a Class A Principal Road (Main Distributor). The clubhouse and car park of West Herts Sports Club is served by a vehicular access from Park Avenue, which is an unclassified road. The car park currently provides 91 car parking spaces.
- 2.4 The application site is in a sustainable location due to its proximity to services and passenger transport facilities in the town centre. It is also within the Central/West Watford Controlled Parking Zone.
- 2.5 The existing clubhouse is not listed and the site is not located within a designated conservation area. No trees on site are protected by a tree preservation order.
- 2.6 West Herts Sports Ground is bordered on 3 sides by predominantly 2-storey residential properties with rear gardens. The application site is separated from the properties on the opposite side of Cassio Road by a dual-carriageway. The properties on the opposite side of Cassio Road generally consists of 3 and 4 storey buildings providing flats.

3. Summary of the proposal

3.1 Proposal

The application proposes the erection of a 4 storey building in the south-eastern corner of the application site to provide 23 no. flats (6 no. 1-bed and 17 no. 2-bed) and improvements to the existing sports club, including the demolition of the existing function hall and the erection of a first floor extension to provide a new function hall, erection of a single storey meeting room/store extension, construction of an indoor multi-purpose fitness studio, new outdoor floodlit multi use games area (MUGA), and reconfiguration of the existing sports club carpark.

- 3.2 The footprint of the residential building would be roughly 'L-shaped'. Two ground floor flats would have their own entrance from the street and there

would be centrally positioned communal entrances to the front and rear. A communal garden area would be located to the rear, which would include a cycle store. The vehicular access to Cassio Road would be retained, which would continue to provide access to the existing substation. No on-site parking spaces are proposed as part of the residential development. The submitted block plan indicates that bin storage would be provided adjacent to the south-eastern boundary with No. 85 Cassio Road.

3.3 The submitted plans show that the external elevations would be finished in brickwork, including red, light buff and dark buff colours. The front elevation includes projecting bay features and a curved element on the corner. The roof consists of a metal standing seam mansard roof.

3.4 The existing trees on the frontage adjacent to Cassio Road would be removed. New planting is indicated on the submitted plans.

3.5 The following development is also proposed at West Herts Sports Club:

- Demolition of the existing ground floor function hall and the erection of a first floor extension over the bar/lounge to provide a new function hall.
- Erection of a single storey meeting room/store room extension.
- New extension on the north-eastern elevation of a fitness suite to provide a martial arts studio and changing facilities.
- Internal re-configuration of the fitness suite including a new first floor mezzanine.
- New 42m x 24m MUGA enclosed by 4.8m high fencing with 8m floodlighting.
- New cricket nets adjacent to the MUGA.
- Artificial cricket wicket.
- Re-configuration of the car park to increase parking spaces from 91 to 103 (including 2 disabled parking spaces).
- Provision of an overflow parking area with new 8.8m high safety netting along the length of the overflow parking area adjacent to the sports pitch.
- Safety netting to be extended for the full width of the tennis courts on the side facing the cricket pitch.
- New floodlights to 3 no. tennis courts towards the south-eastern corner of the application site.
- New grounds staff building and green waste enclosure in the south-western corner of the application site.
- New cycle storage facilities.
- New 2m high boundary fencing.

3.6 The proposal is unusual in that the proposed sale of the 0.11 hectare of land for the residential building will fund the majority of the improvements to the sports club. In order to maximise the investment in the sports club, no affordable housing provision is proposed in this case. As such, the residential element of the application proposal constitutes 'enabling development' for the sports club improvements. These improvements will enable the club to maximise its sporting opportunities and potential and secure the long-term financial sustainability of the club.

3.7 **Conclusion**

A previous scheme (ref. 18/00579/FULM) for the development of the plot of land adjoining 87, Cassio Road for residential development was refused for reasons of scale and design, loss of designated open space, loss of a community health facility, lack of affordable housing provision, potential impact of existing floodlights on the proposed residential flats and lack of parking control measures. Although the application was submitted on the premise of the residential development funding improvements to the sports club, these improvements were not detailed and there was no planning or legal link between the two.

3.8 The current application is considered to have satisfactorily addressed all of these reasons for refusal, subject to the completion of a section 106 legal agreement. The scale and design of the residential building has been amended and is now considered to be appropriate and acceptable in this location. The community health facility has now been removed and has relocated to the Colne House medical centre on Upton Road, a short distance from the site. The loss of open space and lack of affordable housing provision is now considered justified through the enabling nature of the residential development which can be secured through a section 106 legal agreement. The legal agreement can also secure the necessary exclusion from the local controlled parking zone to ensure adequate parking controls are in place. Finally, the potential impact of the existing floodlights has been mitigated.

4. **Relevant policies**

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

5. **Relevant site history/background information**

5.1 The following planning history is of relevance to the current application:

18/00579/FULM - Demolition of temporary building and redevelopment to provide 25 residential apartments. Refused planning permission. July 2018.

Reasons:

- 1) In the short term (up until 2024) the proposal would result in the loss of a community facility which is currently operated and required by the NHS to meet the health needs of vulnerable people. The loss of the facility would be contrary to "saved" Policies CS3 and CS9 of the Watford District Plan 2000, Priority 3 (Provide for our vulnerable and disadvantaged communities) of the Watford Borough Council Corporate Plan to 2020, and the social objectives set out in paragraph 7 and Section 8 of the National Planning Policy Framework. In the longer term the proposal would result in the permanent loss of designated Open Space (as shown on the "saved" Proposals Map of the Watford District Plan 2000). The proposed development includes no measures to improve the overall quality of green infrastructure and the social and environmental harm caused by the loss of Open Space clearly outweighs the benefits of providing additional housing. The proposal is therefore contrary to Policies GI1 and HS1 of the Watford Local Plan Core Strategy 2006-31 and paragraph 74 of the National Planning Policy Framework.
- 2) The proposed development, by virtue of the very close proximity of the habitable windows in the rear wing of the building to the boundary, would be likely to experience light pollution from the future installation of floodlights (approved under reference 14/00385/FUL) at the adjacent tennis courts. The proposal would therefore fail to provide an acceptable standard of amenity for future occupants of the proposed development, contrary to "saved" Policy SE23 (light pollution) of the Watford District Plan 2000, Policy SS1 of the Watford Local Plan Core Strategy 2006-31 and paragraph 17 of the National Planning Policy Framework which states, among other things, that planning should always seek to secure a good standard of amenity for existing and future occupants of land and buildings.
- 3) In the absence of a Unilateral Undertaking for the provision of affordable housing, the removal of permit entitlement in the Controlled Parking Zone for future occupiers of the development, and the provision of fire hydrants to serve the development, the proposal is contrary to Policies HS3 and INF1 of the Watford Local Plan Core

Strategy 2006-31 and "saved" Policies T24 and T26 of the Watford District Plan 2000.

- 4) The application fails to demonstrate that adequate measures could be put in place to prevent indiscriminate parking within the application site which would be harmful to highway safety and the quality of the residential environment. The proposal is therefore contrary to "saved" Policies T21, T24 and T26 of the Watford District Plan 2000.
- 5) By reason of its height, scale and massing the proposed development would adversely affect the character of the neighbouring residential area and as such would be contrary to Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

14/00605/FUL - Renewal of planning permission 10/00974/FUL for a single storey modular building for day care services for the homeless. Conditional planning permission. July 2014.

13/00637/FUL - Proposed single storey side extension forming two additional consultant rooms to modular buildings for GP Services for patients that are homeless, in local hostels and vulnerable patients and the relocation and installation of air conditioning units. Conditional planning permission. August 2013.

10/00974/FUL - Renewal of planning permission 08/00077/FUL for a single storey modular building for day care services for the homeless. Conditional planning permission. December 2010.

08/00077/FUL - Renewal of temporary planning permission for a single storey modular building for Day Care Services for the homeless. Conditional planning permission. May 2008.

05/00277/FUL - Renewal of temporary planning permission for the erection of a single storey modular building for Day Care Services for the homeless. Conditional planning permission. June 2005.

02/00462/FUL - Erection of a single storey modular building for Day Care Services for the homeless. Conditional planning permission. September 2002.

02/00051/FUL - Erection of single storey modular building. Refused planning permission. May 2002.

Reason:

- 1) The proposed development would involve the loss of an area of private open space/garden which contributes to the character of the area. Such a loss would be detrimental to the area and would be contrary to Policy SE19 and Policy L2 of the Policies U7 and L4 of the Watford District Plan 2000.

9/0338/97 – Change of use of land to car valeting service, Cassio Road entrance to sports club.

Reasons:

- 1) The proposed development would involve the loss of an area of private open space/garden which contributes to the character of the area. Such a loss would be detrimental to the area and would be contrary to Policy SE19 and Policy L2 of the Watford District Local Plan 1993.
- 2) The proposed structures by nature of their design and location would not be sympathetic to the character of the area and would have an adverse effect on the street scene and contribute to light pollution contrary to Policy SE16 of the Watford District Local Plan 1993.
- 3) The proposal would introduce an element of traffic generation, noise, fumes and general disturbance contrary to Policies SE1, H8 and T3 of the Watford District Local Plan 1993.

9/175/94 – Temporary planning application (2 years) for use of the site for the erection of portable building and coach for soup support centre. Conditional planning permission. April 1994.

9/213/86 – Temporary accommodation for doctors' practice. Conditional planning permission. April 1986.

9/422/84 – Temporary accommodation for doctors' practice. Conditional planning permission. July 1984.

6. Main considerations

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

- (a) Principle of land use
- (b) Housing
- (c) Sport and recreation facilities
- (d) Relationship between the sports ground and proposed housing
- (e) Impact on the character and appearance of the area
- (f) Living conditions of proposed residential accommodation

- (g) Impact on amenity of adjoining residential properties
- (h) Access, servicing and parking
- (i) Sustainable surface water drainage
- (j) Planning balance

6.2 (a) Principle of land use

The site of the proposed residential development relates to a 0.11ha parcel of land which is located within designated Open Space, as shown on the “saved” Proposals Map of the WDP2000. The land has been subject of a series of temporary planning permissions from 1984 for a single storey modular building, which from 2002 has been to provide community health services for the homeless. The temporary permissions were approved on the grounds of the benefits to the local community. The modular building was utilised by the NHS, however, they have now vacated the site because their lease had expired and was not renewed. The community health service has relocated to Colne House on Upton Road, a medical centre located a short distance from the site. The modular building has been removed from the site and the land currently consists of hard-surfacing.

6.3 Policy GI1 of the Watford Local Plan Core Strategy (Core Strategy) states *“The Council will seek a net gain in the quality and quantity of green infrastructure...”* and *“In some instances an improvement in the overall quality of green infrastructure may make it acceptable for minor open space loss...”*

6.4 Policy GI4 of the Core Strategy states *“The Council will work in partnership with local sports clubs and sports organisations to: 1) Increase community participation in physical activity and sport to contribute towards a healthy town for Watford residents and, 2) Develop capacity within the local sporting infrastructure, particularly around clubs, coaches and volunteers, to improve sporting opportunities...”*

6.5 Paragraph 96 of the NPPF highlights that access to high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Paragraph 97 states *“existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- *An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *The development is for alternative sports and recreational provision, the*

benefits of which clearly outweigh the loss of the current or former use”.

- 6.6 The proposed residential development would result in the permanent loss of designated Open Space. Paragraph 1.5 of the submitted planning statement states *“this application comprises regeneration works to the WHSC [West Herts Sports Club] and the enabling residential development on land at 87 Cassio Road, which will deliver the required investment to fund these works”*. The proposed works at WHSC are set out in paragraph 3.5 of the committee report. Paragraph 3.5 of the planning statement states the applicant’s case that the community benefits of the proposal and improvements to the quality and quantity of green infrastructure within the WHSC outweigh the loss of Open Space.
- 6.7 The term ‘enabling development’ in the NPPF is only made in reference to heritage assets and relates to situations where the benefits of development which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies. Typically the benefits in question are the generation of funds that will be used to pay for work to be done to a listed building or other heritage asset that is in urgent need of significant repairs. However, the principles of enabling development are not limited to proposals that would protect a heritage asset providing that it serves a proper planning purpose.
- 6.8 Having regard to the policy advice in the NPPF, the first question to address is whether the land proposed for the residential building is surplus to requirements. In this case, although the land has not been used for sporting or recreational use since before 2002, it is still capable of meaningful sporting use. The area of land is sufficient in size to accommodate a tennis court (adjoining the existing tennis courts) or to accommodate the cricket practice nets, which are currently sited adjacent to the land. The land is not, therefore, considered to be surplus and could be used for meaningful sporting use. These sporting benefits of this area of land are, however, relatively limited and need to be weighed against the wider benefits of the proposed masterplan for the whole site.
- 6.9 The next question to address is whether the loss of the land and the potential sporting facilities would be replaced by equivalent or better provision in terms of quantity and quality. The main sporting elements of the application proposal comprise:
- New 42m x 24m MUGA enclosed by 4.8m high fencing with floodlighting

- New cricket nets adjacent to the MUGA
- Artificial cricket wicket

6.10 It is considered that the new MUGA and artificial cricket wicket would be of greater benefit than the provision of 1 additional tennis court and the cricket nets can be accommodated elsewhere within the site. In addition to these benefits, other benefits include the refurbishment and re-configuration of the existing fitness suite and a new extension to the fitness suite to provide a martial arts studio and changing facilities. These improvements would provide a significant benefit to the club. Whilst they would not require the full amount of the stated net financial benefit to the club of £1,765,000 from selling the land for residential development, the long term financial security of the club is also a relevant consideration. This is considered in more detail in paragraphs 6.16-6.20 below.

6.11 The proposed improvement works would enhance and improve sporting facilities at the site. The planning statement indicates that the proposed improvements would also increase adult membership from 890 to an anticipated 2465 in 3 years. As such, the proposed improvement works would accord with the objectives of Policy GI4 of the Core Strategy and the policies of the NPPF.

6.12 The proposed package of works for all the sporting and other improvements to the club has been costed by an independent quantity surveyor at £2,140,000, which includes dilapidations (which the club have been unable to finance) and the repayment of existing personal loans used to install the existing tennis court floodlights. The applicants have argued that membership fees alone would be insufficient to support the repayment of any loans taken out to facilitate these works or to sustain the club in the long-term. It is also stated by the applicants that *“It is not reasonable to expect the Trustees, who donate their time to the Club, to be jointly and severally liable for loans”*. The cost of the improvement works and their financing is an important consideration for a community run club of this nature, as is other sources of income to secure the long-term security of the club. It is therefore considered that the principle of enabling development is relevant and appropriate in the determination of this application.

6.13 (b) Housing

The Watford 5-year housing supply statement (October 2018) states that Watford has a 4.52 year housing supply. As such, the local planning authority cannot demonstrate a five year supply of deliverable housing sites and therefore the tilted balance in paragraph 11(d) of the NPPF should be applied, which states that permission should be granted unless any adverse impacts of

doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole. The balancing exercise is carried out in the 'planning balance' section of the report. Paragraph 64 of the NPPF is also relevant as it requires 10% of the housing proposed to be available for affordable home ownership. If this was required then it would significantly impact on the viability of the scheme.

6.14 Policy HS1 of the Core Strategy provides a list of factors that will go against residential allocation and which will also be considered in determining applications on windfall sites. These include among other things, the loss of existing employment land, open space or other community facilities for which there is still an identified need. As discussed above, the proposal would result in the permanent loss of designated Open Space, which weighs against the principle of housing on the site.

6.15 The proposed residential development would provide 23 no. flats, which would make a modest contribution towards meeting the housing need in the borough. However, the proposal would make no contribution towards the provision of affordable housing and so the development fails to meet the needs of those who require affordable housing, contrary to Policy HS3 of the Core Strategy. The submitted viability appraisal shows that a net sum of £1,765,000 would be provided to the club but no contribution made towards affordable housing provision. As such, the social benefits of the proposed additional residential development is undermined by the lack of affordable housing. This position has been justified by the applicant through the costing of the proposed package of improvement works to the club and its facilities which have been costed at £2,140,000. Any provision of affordable housing on-site or a commuted payment towards affordable housing would significantly undermine the ability of the club to carry out the proposed improvement works, which is likely to result in significant decline of the sporting facilities offered on site.

6.16 (d) Sport and recreation facilities

A detailed Sports Need Assessment has been submitted in support of the application. This report states:

“West Herts Sports Club (WHSC) is a Community Amateur Sports Club, which has provided sporting opportunities for adults and young people in the Watford area for nearly 100 years. The club currently has more than 500 adults and in excess of 300 young people using the site regularly for sporting activities, as either club members or community users.

“The West Herts Sports Club is identified as the only existing multi sports club within Watford in the Watford Sports Facility Strategy and is therefore

considered to be a priority strategic site not only for club members but for community sport across the borough.

“Despite its success, the club finances have suffered in recent years, leading to a trading deficit in each of the last four years. The facilities are deteriorating as a consequence, and the club does not have funds available to maintain or improve facilities to the levels which would enable the club to sustain and grow and drive sports participation forward across the borough.

“Having considered all options the club concluded that in order to survive and thrive and provide better facilities for local people, an injection of funds was needed. The small portion of land adjacent to Cassio Road has potential to provide these much-needed funds.

“The funds received from the development of the land in question will be used to improve the existing facilities at the club for members and help to provide a wider community sporting offer for the people of Watford. The proposal is a significant strategic development and represents far more than support for on-going running and maintenance of the club. Alongside delivering sporting needs the much-needed investment will also deliver long-term sustainability for West Herts Sports Club securing the future of the only multi-sports club in Watford.

“In summary the development plan is a holistic approach to ensure that West Herts Sports Club becomes a destination of choice for local families in Watford and beyond. It puts forward significant development, which will mark a ‘step-change’ in community sports provision in the area.”

6.17 The Council’s Sports Facility Strategy for Watford 2015-2025 sets out 3 strategic goals:

- To ensure that Watford has a network of accessible, high quality, high capacity, well maintained, well used and financially and environmentally sustainable sports facilities, capable of accommodating local demand, complemented by good quality changing and social accommodation, on a limited number of strategically located sites, known as strategic sports sites.
- To promote the development of financially sustainable multi-sport clubs offering inclusive opportunities for players of all ages and abilities and both sexes.
- To develop new forms of provision for traditional sports to encourage new participants and encourage past participants to return to their

former sport, promote more mid-week participation and reduce the peaking of demand for pitches at the weekend.

The West Herts Sports Club is identified as the only existing multi sports club within Watford and is also the sole owner of its site, and is therefore considered to be a priority strategic site. All other sports clubs in the town are single sport (football, rugby, tennis, cricket) and many do not own their sites.

6.18 The application has the support of the Council's Head of Parks, Open Spaces and Projects:

"Having looked at this, we would support this on the following grounds

- *Loss of open space by the development is minimal and hasn't been usable open space for years.*
- *The benefits to sport in the borough here are substantial. Sports clubs such as West Herts provide valuable sports provision on multi activity sites. Clubs struggle with funding as it is so looking at their spend/investment proposals, there are clear advantages to what they are proposing to their long term sustainability, even if some are considered backlog maintenance issues.*
- *The investment they are proposing will improve the sports offer here across the borough and in particular the quality of the facilities. Where there are proposals to invest in non-direct sports facilities, these are equally important in their longer term sustainability – increased membership and usage, increased income, better offer, more visitors – the knock on effect is all positive.*
- *The Councils current direction of travel in sports facilities is to look at multi sports activities on key sites and enhance quality. This is clearly the message in the current Sports Facilities Strategy.*

"The evidence provided by the club I would endorse and would support the application on the basis that sports facilities are substantially enhanced as a result of the housing scheme here."

6.19 The application is also supported by Sport England who would normally oppose any development leading to the loss of any part of a playing field, or land which has been used as a playing field and remains undeveloped, or land allocated for use as a playing field, unless the development as a whole meets one or more of 5 specific policy exceptions. In conclusion, they consider the benefits to sport from the application clearly outweigh the detriment caused by the impact on the playing field. As such, the application meets one of the exceptions (Exception 5). Furthermore, they also consider the proposals for new or enhanced facilities that support the use of the playing field accord with

another of the policy exceptions (Exception 2).

6.20 Overall, there is a wealth of supporting evidence to demonstrate the significant benefits to the sporting provision of the town through the application proposals. Furthermore, the non-sporting improvements, specifically to the function room, will help to generate an additional source of income that will help to ensure the long-term sustainability of the club, which could not be achieved through subscriptions alone. This is a further argument to support the principle of enabling development at the site.

6.21 (e) Relationship between the sports ground and proposed housing

Tennis court floodlights:

WHSC previously had planning permission in May 2014 (ref: 14/00385/FUL) for re-surfacing of the 3 tennis courts closest to the application site and installation of floodlights. Condition 4 of the planning permission stated *“The tennis courts and associated floodlights hereby approved shall not be used outside the hours of 7.00am to 10pm Monday to Friday and 8am to 10pm on Saturdays, Sundays and public holidays, unless otherwise agreed in writing by the Local Planning Authority”*, which was in order to protect the amenities of neighbouring residential properties. At the time of the determination of planning application ref. 18/00579/FULM the floodlights had not been installed, however planning permission ref. 14/00385/FUL had been implemented because the re-surfacing of the tennis courts had been carried out within the time limit.

6.22 Planning application ref. 18/00579/FULM was refused planning permission, among other reasons, because the lighting report submitted with planning permission ref. 14/00385/FUL showed that there would be light overspill outside the tennis courts and the habitable windows in the rear wing of the proposed residential building would be within the light overspill Iso contour lines shown in Section 3.1 of the report, which would be harmful to the amenities of future occupants of the development. Since the refusal of planning application ref. 18/00579/FULM, floodlights have been installed at the adjacent tennis courts. A lighting report prepared by Midlands Lighting Solutions Ltd has been submitted in support of the current application, which shows that the provision of back shields to the floodlights closest to the proposed residential development would prevent light overspill to the proposed flats. The proposal has therefore addressed the previous reason for refusal relating to light overspill from the tennis court floodlights.

6.23 (d) Impact on the character and appearance of the area

Section 12 of the NPPF seeks the creation of well-designed places. Paragraph 124 highlights that good design is a key aspect of sustainable development.

Policy UD1 of the Watford Local Plan 2006-31 states, among other things, that new development should respect and enhance the local character of the area in which it is located.

- 6.24 Paragraph 127 states, among other things, that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 6.25 Residential development:
Planning application ref. 18/00579/FULM proposed the erection of a part 5 storey, part 4 storey building. The fourth floor was predominantly glazed and recessed from the brick external walls and the four storey element on the side towards No. 85 Cassio Road was proposed to have a metal mansard roof to include the third floor accommodation. In considering this application, the Development Management Committee considered that the proposed development by reason of its height, scale and massing would adversely affect the character of the neighbouring residential area.
- 6.26 In comparison to the previous application, a storey has been removed from the northern part of the proposed building which has reduced the maximum height to 4 storeys. The massing has been broken down more and there is more vertical emphasis to the proportions on the front elevation. It is considered that the proposed development would now provide an acceptable standard of appearance and would be compatible with the height and scale of surrounding buildings. There are 4 storey flats at the northern end of Cassio Road and the 3 storey element of the proposed building would make an appropriate transition to the adjacent 2 storey terrace to the south. Conditions requiring the submission of details of the proposed external materials and detailed plans of the external elevations should be attached to any grant of planning permission to ensure that an acceptable appearance is achieved.
- 6.27 Multi Use Games Area:
The proposed MUGA is appropriate in the context of the sports ground setting, which includes various infrastructure including tennis courts, netting and floodlights. The submitted lighting assessment shows that the proposed floodlights would not cause significant light overspill in the surrounding area. In order to mitigate the visual appearance of the MUGA when viewed from Cassio Road, the height of the proposed fencing has been reduced from 8.8m to 4.8m. As such, it is considered that the MUGA would have no adverse effect

on the character and appearance of the surrounding area.

6.28 Sports club extensions:

The proposed extensions to the sports club buildings would integrate satisfactorily with the form and scale of the existing buildings. Details of external materials can be secured by condition to ensure that an acceptable appearance is achieved.

6.29 (e) Living conditions of proposed residential accommodation

The floor areas and room sizes of the proposed flats accord with the minimum space standards in paragraphs 7.3.6 – 7.3.8 of the Residential Design Guide. The habitable rooms of the flats would also have good levels of outlook, natural light and privacy.

6.30 Noise could affect the living conditions of future occupiers because the application site is located adjacent to a busy Cassio Road and there are a number of single-aspect units that have habitable windows close to the road. Furthermore, the rear of the building is in close proximity to the existing tennis courts. As such, a condition should be attached to any grant of planning permission to require the submission of a Noise Impact Assessment for approval to include noise surveys and any required mitigation measures to achieve the internal noise levels contained in BS 8233:2014 and appropriate ventilation.

6.31 A communal garden would be provided to the rear of the building which would provide an acceptable amount of outside amenity space.

6.32 (f) Impact on amenity of adjoining residential properties

Residential Development:

The proposed building is positioned to the north of the neighbouring houses in Cassio Road and would not cause a significant loss of light or outlook to the main habitable windows and gardens of the neighbouring properties. Furthermore, the habitable windows facing the side boundary with No. 85 Cassio Road would maintain a sizeable distance to the boundary and would not cause a significant level of overlooking into the neighbouring property. As such, the proposal would not cause a significant loss of amenity to neighbouring residential properties.

6.33 Multi Use Games Area:

The submitted lighting assessment shows that the proposed floodlights would not cause significant light overspill in the surrounding area and so it would not cause a loss of amenity to neighbouring properties. Furthermore, the MUGA is separated from the nearest properties in Cassio Road by the wide and busy

dual-carriageway at this point which is the dominant noise source in the area. As such, it is not considered the proposed MUGA would cause noise or disturbance to neighbouring residential properties.

6.34 Extensions to clubhouse:

The proposed extensions would maintain sizeable distances to neighbouring properties and therefore would not cause a significant loss of light, outlook or privacy.

6.35 (g) Access, servicing and parking

Residential development:

The Highway Authority has raised no objection in respect of the impact on the local highway network or highway safety. They have requested a financial contribution of £34,000 towards bus stop improvements on Rickmansworth Road (provision of shelter and easy-access kerbing) which would improve facilities for all users of the bus stops. However, given the enabling form of development being proposed, it is not considered that this is an essential requirement given the highly sustainable location of the site.

6.36 The application site is in a sustainable location close to the services and passenger transport facilities in the town centre, therefore a car-free development is acceptable in principle, subject to the provision of satisfactory on-street parking controls. The application site is located in the Central/West Watford Controlled Parking Zone where there is high demand for on-street parking. Therefore, in accordance with “saved” Policies T24 and T26 of the WDP 2000, it is necessary to complete a section 106 unilateral undertaking to remove permit entitlement for future occupants of the proposed dwellings. This is to ensure that future occupants of the proposed development would not exacerbate demand for on-street parking in an area that already experiences significant parking problems.

6.37 The proposal includes measures to prevent indiscriminate parking on the access road and hard-surfacing within the application site, including the reduction in width of the access road and the installation of a bollard, which addresses reason for refusal 4 of planning permission ref. 18/00579/FULM.

6.38 The submitted plans indicate that the dwellings would have cycle parking facilities, which accords with the sustainable transport objectives in “saved” Policy T10 of the WDP 2000.

6.39 A condition can be attached to any grant of planning permission to require details of the siting, size and design of the bin storage facilities to be submitted to and approved in writing by the Local Planning Authority.

6.40 West Herts Sports Club:

The alterations to the configuration of the car park would result in an increase of 12 car parking spaces. The Highway Authority is satisfied that this would not have a significant impact on the local highway network or highway safety. The overflow car park will provide up to an additional 66 spaces, for use at times when specific events generate increased parking demand, whether sporting events or functions. This will avoid overspill parking on the surrounding roads.

6.41 (h) Sustainable surface water drainage

The applicant has provided two drainage strategies for the site, one relating to the new residential building and one to the wider site. Herts County Council as the lead local flood authority has confirmed that both strategies are acceptable and demonstrate that the whole site can be satisfactorily drained and any potential flood risk mitigated. Appropriate conditions are requested to secure the implementation of the detailed strategies.

6.42 (j) Planning balance

The application has been submitted on the basis of the proposed residential development providing an enabling form of development for the proposed sports and infrastructure improvements at the West Herts Sports Club. Enabling development is an established concept within planning law and is considered relevant and appropriate in principle in the determination of this application. The main planning benefits of the application are the provision of housing in a sustainable location towards meeting the borough's housing needs, the provision of new and improved sports facilities at the club, and the provision of new social facilities that will provide an additional source of regular income to secure the long-term sustainability of the sports club. The proposed sports improvements accord with the objectives of Policy GI4 of the Core Strategy and the policies of the NPPF. They are also supported by Sport England under its exception policy and the Council's Head of Parks, Open Spaces and Projects.

6.43 The planning dis-benefits are the loss of an area of designated open space and the lack of affordable housing provision. In the case of the loss of open space, the parcel of land has not been used for any sports activity since before 2002 and has only limited opportunity for sports use due to its size and location in the corner of the wider site. The proposed sports benefits of the application significantly outweigh the benefits that could arise from the use of this parcel of land. In respect of affordable housing, there is a significant need for affordable housing within the borough and the lack of affordable housing is an important consideration. However, in this case, the sports club is a unique

club within the borough. West Herts Sports Club is the only existing multi sports club within the borough and is also the sole owner of its site, and is therefore considered to be a priority strategic site. The application proposal represents the only opportunity for significant investment in this club and to secure its long-term sustainability. For this reason, it is not considered justified to require the 10% shared ownership units required by Paragraph 64 of the NPPF. Whilst the lack of affordable housing is regrettable, affordable housing to meet the urgent housing needs of the borough can be secured from all other major housing developments in accordance with Policy HS3.

6.44 In considering the benefits and dis-benefits of the application proposal, it is concluded that the opportunity afforded by the application to improve this unique sports club within the borough and secure its long-term sustainability outweighs the loss of open space and the lack of affordable housing in this case.

7. Consultation responses received

7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Hertfordshire County Council (Highway Authority)	No objection. However, they have requested £34,000 for bus stop improvements on Rickmansworth Road.	Noted. The financial contribution is discussed in 6.35 and 6.36 in the report.
Hertfordshire County Council (Lead Local Flood Authority)	No objection to proposed drainage strategies subject to conditions.	Noted.
Hertfordshire County Council (Growth & Infrastructure)	No comments.	Noted.
Hertfordshire County Council (Fire & Rescue Service)	HCC seeks the provision of hydrants required to serve the proposed buildings by the developer.	Noted.

	Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the pumping appliance.	
Hertfordshire County Council (Waste & Minerals)	The borough council is urged to pay due regard to the policies of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012.	Noted.
Hertfordshire Constabulary Crime Prevention Design Service	No objection.	Noted.
Sport England	Sport England raises no objection. The development is considered to meet exception 5 of their adopted Playing Fields Policy and paragraph 97 of the NPPF. Support the application subject to 2 planning conditions being imposed.	Noted.
Thames Water.	No objection subject to condition in relation to piling.	Noted.

7.2 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No response.	
Design & Conservation	Bulk and massing relatively successful. Improvements	Noted.

	recommended for the layout and elevations.	
Housing	In line with Council's policy 8 (35%) affordable housing units should be provided. This would be 5 x affordable rent, 2 x social rent and 1 x shared ownership. It is noted that profits from the sale will fund improvements to the existing sports club. This will be by sacrificing affordable housing which is needed. If the profits are not reinvested in new sporting facilities then this money should be used for affordable housing provision or commuted sum.	Noted. The S106 is proposed to be drafted to require any unspent money after 5 years to be treated as commuted sum for affordable housing.
Economic Development Officer.	No objection.	Noted.
Arboricultural Officer	No objection.	Noted.
Head of Parks, Open Spaces and Projects	Supports the application.	Noted.

7.3 Interested parties

Letters were sent to 380 properties in the surrounding area. 46 letters of support and 4 letters of objection were received.

A petition of support containing 102 signatures was also received.

The letters of support are summarised in the table below.

Representation	Officer comments
This application is an opportunity to develop a small part of the ground that has no useful function to provide additional residential properties. The funds received will be used to regenerate the club and provide top quality sports and leisure facilities for use by the local community.	This is discussed in the report.

The letters of objection are summarised in the table below.

Representation	Officer comments
The proposed new extension for martial arts is over 4 metres tall. While this provides the recommended internal headroom it has side effects. The resulting bulk of this extension would intrude on view, daylight and winter sunlight angles of some houses in the terrace adjoining the proposed location of the new gym [These are to the rear of Gatehouse Place].	It is a well-established planning principle that there is no right to a view over adjoining land. The proposed extension would maintain a sizeable distance to the neighbouring properties in Gate House Place and therefore would not cause a significant loss of light or outlook.
A 4m high extension would cause loss of view from the grounds of Lynbury Court towards the existing open space of the playing fields.	It is a well-established planning principle that there is no right to a view over adjoining land.
Noise pollution.	The proposal would provide facilities in relation to the existing sport and leisure use and would not cause a material increase in noise disturbance to neighbouring residential properties. However there is potential for additional noise with the overflow parking area and the new function hall. A condition is proposed for a management plan to be submitted to ensure the applicant has a plan in place to address the amenity of neighbours.
Impact on the value of properties.	This is not a material planning consideration.
The proposed multi-purpose fitness studios will reduce the current number of parking spaces for the sports club, meaning cars will need to relocate onto streets nearby.	The car park would be reconfigured which would increase the number of parking spaces from 91 to 103. An overflow car park is also to be created for periods of high use.
The proposed block of flats do not include balconies even on the quiet west and south sides.	The development includes a communal garden to the rear of the building and so this is not

	sufficient grounds to refuse planning permission.
In contrast with local Edwardian and Victorian buildings in the vicinity the elevations of the flats show a use of more materials than a desire to achieve variety might reasonably and contextually justify.	The massing and vertical proportions of the proposed flats is acceptable. A condition should be attached to require details of materials to be submitted to the local planning authority for approval.
The proposed trees along the street elevation front are welcome but the space is tight. Please ensure that upright non-spreading trees are specified.	A condition should be attached to require the submission of a landscaping scheme for approval.
There is clearly a need for more housing units in Watford, but there are many sites where such provision can be made. By contrast experience has shown that there are very few sites likely to gain planning permission for the long-term provision of integrated services for the homeless. 87 Cassio Road is such a site, with a long record of such services being provided there, and this unique site will be lost forever for homeless services if it is used for private residential development.	The previous temporary permissions for health services for the homeless provided a significant community benefit which justified the use of Open Space. However, this use has now ceased and has relocated to the nearby Colne House medical facility. Neither the Council nor a third party can require the applicants to lease the land for non-sporting purposes.

8. Recommendation

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

Section 106 Heads of Terms

- i) The provision of the approved sporting, social and supporting facilities at the site within a period of 5 years from the date of permission.
- ii) The payment of any monies not spent on the approved sporting, social and supporting facilities within a period of 5 years to the Council as a commuted sum towards the provision of affordable housing within the borough.

- iii) A financial payment to the Council of £2,000 towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude the site from the controlled parking zone, thereby preventing residents' parking permits being issued to this development.
- iv) The provision of fire hydrants, as required, to serve the residential building.

Conditions

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

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

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

1021-001, 002B, 003B, 004A, 005A, 006
1021-100H, 101C, 102D, 103D, 104A, 105A, 106A, 300C
1012-001C, 101G, 102F, 103D, 300E, 301B

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

3. The development within the wider sports club site (excluding the residential building) shall be carried out in accordance with the approved Surface Water Drainage Strategy 4551, prepared by Ambiental (Ref: 4551 SWDS, dated 04/11/2019, version: Final v1.0) and the following mitigation measures:

- i) Implement drainage strategy based on infiltration to include collection of surface water from the MUGA, overflow car park, cricket pitch, as well as all other identified areas on the Surface Water Drainage Strategy Drainage Layout Drawing, Drawing No. 4551-DR01, Revision A, dated 04.11.2019, to include permeable paving, and discharge via geocellular soakaway.
- ii) Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% climate change event providing a minimum of 87.3m³ (or such storage volume agreed with the LPA) of total storage volume in geocellular crates and additional permeable paving areas.

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

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

4. No development within the wider sports club site (excluding the residential building) shall take place until a detailed surface water drainage scheme for the improvements to the existing sports club, based on the approved drainage strategy and sustainable drainage principles and incorporating the measures below, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
 - i) Final detailed drainage layout including the precise locations of all SuDS features.
 - ii) Detailed engineered drawings of all the proposed SuDS features including cross section drawings, their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs.
 - iii) Inclusion of silt traps for the protection of residual tanked elements.
 - iv) Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as permeable paving etc. and ensuring appropriate management and treatment of the car parking areas. Investigation into the use of filter trenches/strips and swales etc. to minimise the use of proprietary surface water treatment products.
 - v) Final detailed management plan to include full details of rigorous maintenance needed, in addition to including arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To prevent the increased risk of flooding, both on and off site.

5. Upon completion of the drainage works for the improvements to existing sports club site and in accordance with the timing / phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - i) Provision of a complete set of as built drawings for site drainage.
 - ii) Maintenance and operational activities.

- iii) Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

6. The residential development shall be carried out in accordance with the approved Surface Water Drainage Strategy, prepared by Ambiental (Ref: 4387_3814 SWDS, dated 18/02/2019, version: Final v1.0) and the following mitigation measures:
 - i) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 3.5 l/s during the 1 in 100 year event plus 40% of climate change event.
 - ii) Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 26m³ (or such storage volume agreed with the LLFA) of total storage volume in underground tank and additional permeable paving areas.
 - iii) Discharge of surface water from the private drain into the Thames Water sewer network.

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

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

7. No development on the residential site shall take place until a detailed surface water drainage scheme, based on the approved drainage strategy and sustainable drainage principles and incorporating the measures below, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
 - i) Final detailed drainage layout including precise locations of all the SUDS features and connection points into the public sewer.
 - ii) Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.

- iii) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To prevent the increased risk of flooding, both on and off site.

- 8. Upon completion of the drainage works for the residential development and in accordance with the timing / phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- i) Provision of a complete set of as built drawings for site drainage.
- ii) Maintenance and operational activities.
- iii) Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- 9. No piling shall take place on the site unless a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in full accordance with the terms of the approved piling method statement.

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

- 10. No construction works on the residential site shall commence until the tree protection measures set out in the Arboricultural Method Statement by Tree Aware UK (updated 18 February 2019) and shown on the Tree Protection Plan, drawing no. 55008-5-02 Rev 1, have been installed in full. These measures shall be retained at all times during construction works.

Reason: To protect the trees shown to be retained during construction works.

11. No construction works on the residential building above ground level shall commence until a noise impact assessment has been submitted to and approved in writing by the Local Planning Authority. The report shall assess the impact of road traffic noise and the use of the tennis courts on the proposed residential dwellings and include appropriate mitigation measures to ensure good indoor ambient noise levels are achieved to each flat in accordance with BS8233: Guidance on Sound Insulation and Noise Reduction for Buildings 2014. Any mitigation measures shall allow for background and purge ventilation to the flats. No dwelling shall be occupied until the approved mitigation measures have been installed in full.

Reason: This is a pre-commencement condition to ensure appropriate noise mitigation measures are built into the development to ensure good indoor ambient noise levels are achieved in accordance with BS 8233:2014 for the future occupiers of the dwellings.

12. No construction works on the residential building above ground level shall commence until full details and samples of the materials to be used for the external surfaces of the building (including walls, roofs, windows, doors and balconies) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be constructed in the approved materials.

Reason: This is a pre-commencement condition to ensure high quality materials are used for the building 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.

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

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

14. No residential dwelling shall be occupied until a detailed hard landscaping scheme for all the land within the residential site has been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been completed in full.

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

15. No residential dwelling shall be occupied until details of the design and materials for a secure and weatherproof cycle store for a minimum of 23 cycles within the residential site has been submitted to and approved in writing by the Local Planning Authority and the approved store has been constructed in full. The approved cycle store shall be retained at all times.

Reason: To ensure adequate facilities are provided for the future occupiers of the site and in the interests of the appearance of the site, in accordance with saved Policy T10 of the Watford District Plan 2000 and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

16. No residential dwelling shall be occupied until details of the design and materials for a secure bin store for waste and recycling storage within the residential site has been submitted to and approved in writing by the Local Planning Authority and the approved store has been constructed in full. The approved bin store shall be retained at all times.

Reason: To ensure adequate facilities are provided for the future occupiers of the site and in the interests of the appearance of the site, in accordance with saved Policy SE22 of the Watford District Plan 2000 and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

17. No residential dwelling shall be occupied until details of parking management plan for the residential site, to prevent and control unauthorised parking within the site, has been submitted to and approved in writing by the Local Planning Authority. The occupation of the residential site shall be in accordance with the approved parking management plan at all times.

Reason: To prevent unauthorised parking on the site by residents and visitors in order to ensure access for delivery vehicles and to the adjoining electricity sub-station at all times.

18. No development of the multi-use games area shall commence until details of the multi-use games area design specifications including the surfacing, fencing and line markings have been submitted to and approved in writing by the Local Planning Authority. The multi-use games area shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Policy GI4 of the Watford Local Plan Core Strategy 2006-31.

19. No development of the artificial cricket wicket and cricket practice nets shall commence until details of the design specification of the artificial cricket wicket and cricket practice nets have been submitted to and approved in writing by the Local Planning Authority. The artificial cricket wicket and cricket practice nets shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Policy GI4 of the Watford Local Plan Core Strategy 2006-31.

20. No construction works on the first floor extension to the bar/lounge, the single storey meeting room/store or the extension on north-eastern elevation of fitness suite respectively shall commence until full details and samples of the materials to be used for the external surfaces of the respective extension/building (including walls, roofs, windows, doors and balconies) have been submitted to and approved in writing by the Local Planning Authority. The development of the respective extension/building shall only be constructed in the approved materials.

Reason: This is a pre-commencement condition to ensure high quality materials are used for the building 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.

21. At least 3 months prior to the first use of the approved MUGA a revised Travel Plan for the West Herts Sports Club, based upon the Hertfordshire County Council document 'Hertfordshire's Travel Plan Guidance', shall be submitted and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented at all times.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

22. Prior to the first use of the new function hall and overflow car park, a management plan shall be submitted to and approved in writing, addressing details of how potential noise impacting on adjoining residents will be addressed. The development shall be implemented in accordance with the details submitted.

Reason: To ensure the additional uses on the site do not create any significant impacts on the adjoining and nearby residents.

Informatives

1. IN907 Positive proactive statement
2. IN910 Building Regulations
3. IN912 Hours of Construction
4. IN909 Street naming and numbering
5. IN913 Community Infrastructure Levy
6. IN914 S106 Agreement
7. Existing drainage system needs some immediate attention.



Aerial view of site (Google Earth)



Proposed site masterplan (Building F is the proposed residential building)



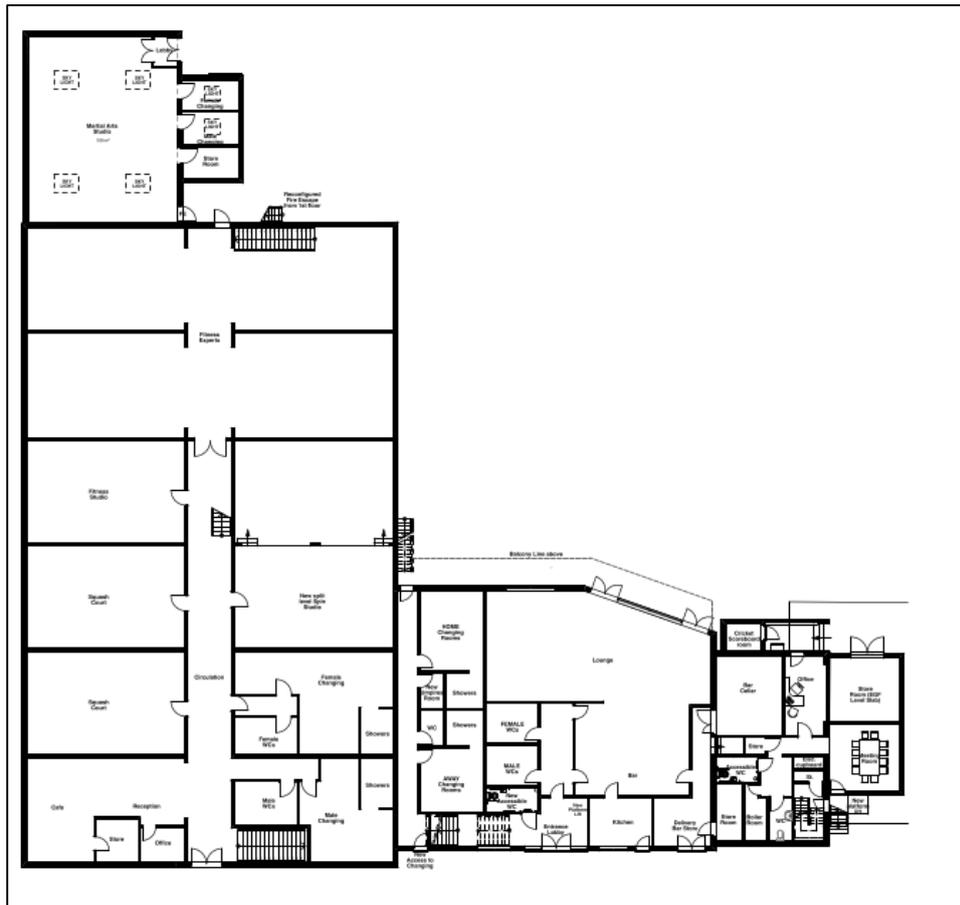
Residential building – Site layout



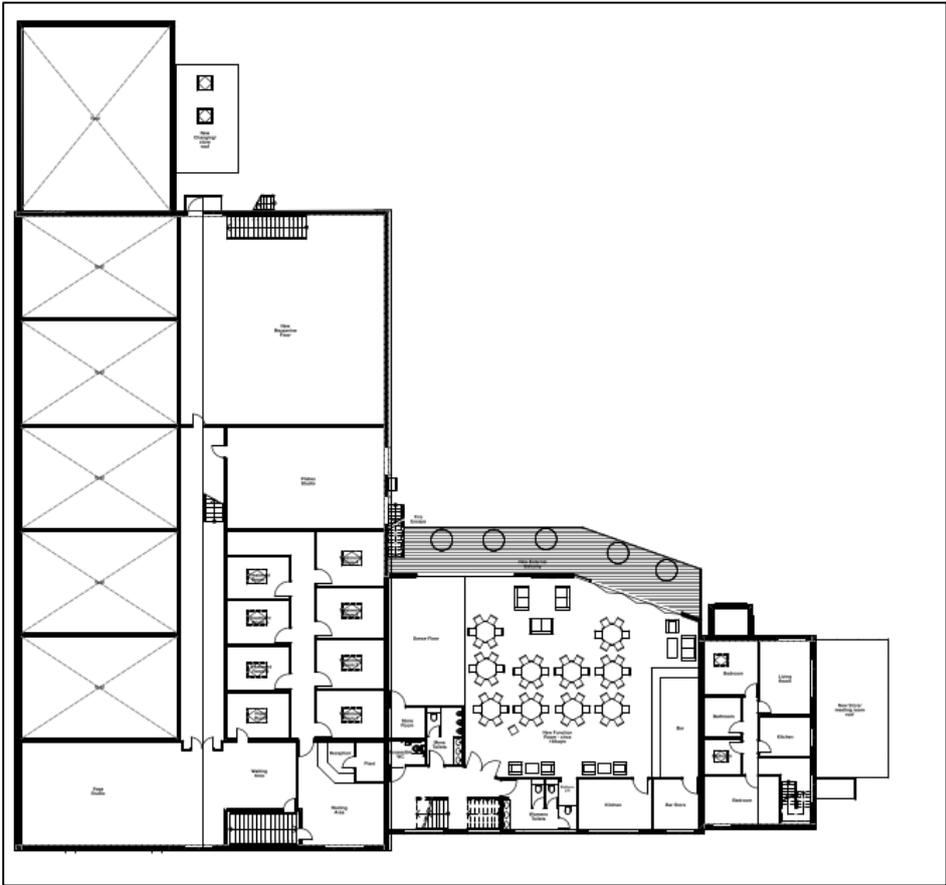
Residential building - East elevation to Cassio Road



Residential building – CGI view from Cassio Road



Sports Club buildings – Proposed ground Floor



Sports Club buildings – Proposed first floor



Sports Club buildings – Proposed CGI

Agenda Item 7

Committee date	Wednesday, 6 November 2019
Application reference Site address	19/00638/FULM - Garston Park, Codicote Drive
Proposal	Enhancement to park entrances at St Albans Road and Codicote Drive, resurfacing of existing footpaths and creation of new porous gravel footpaths around the Local Nature Reserve. Refurbishment of existing play area and erection of a new natural timber sculpture in the Nature Reserve area which will not exceed 4m high.
Applicant	Watford Borough Council
Agent	Southern Green Ltd
Type of Application	Major full planning permission
Reason for committee Item	Major application (more than 1 hectare)
Target decision date	09.08.2019 extended by agreement to 06.11.2019
Statutory publicity	Site notice and newspaper advert 30.07.2019 expiry
Case officer	Kate Pickard, kate.pickard@watford.gov.uk
Ward	; Meriden;

1. Recommendation

Grant planning permission subject to conditions detailed in section 8 of the report.

2. Site and surroundings

- 2.1 Garston Park is a 13 hectare public park providing green space and leisure opportunities for the community. The eastern side of the park is public open space of urban wildlife value, comprising woodland, semi improved grassland, and a watercourse with aquatic habitats. The western side is an amenity space with a play area, and open mown grass areas with a marked out grass football pitch, and a range of mature trees. There are footpaths through and around the park and a pavilion to the south side although no works are proposed to the building. The site is bounded by a railway line to the east. Residential gardens surround the site apart from the former Garston Bus Depot in the south-western corner.

3. Summary of the proposal

3.1 Proposal

- 3.2 Restoration work to enhance the entrances on St Alban's Road and Codicote Drive with new piers and railings. Removal of 2 no. parking spaces at the

Codicote Drive entrance. Footpath resurfacing to existing paths, and the creation of new footpaths to improve access through the park. Improvement of the play area with new inclusive equipment to appeal to a broad range of ages, a skate park and safety surfacing. Existing planting will be enhanced with the planting of new semi mature trees, new shrub areas, and a wildflower and bulb area to help increase biodiversity.

3.3 It is proposed the St Alban's Road and Codicote Drive entrances are enhanced with new brick piers, sandstone pier caps and plinths and flanked by new vertical mild steel railings. New shrub planting at these entrances will add colour and interest and a sense of arrival. The entrance style will be similar to that used in other recent park refurbishments across the Borough to create a unified identity. Existing footpaths will be improved with bitmac resurfacing, and new informal porous gravel footpaths are proposed to allow additional access around the Garston Park Local Nature Reserve.

3.4 A natural timber sculpture is proposed in the centre of the Nature reserve it will be less than 4m in height.

3.5 **Conclusion**

3.6 The proposal is fully in accordance with policy and objectives of the Watford Development Plan.

4. **Relevant policies**

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

5. **Relevant site history/background information**

5.1 None

6. **Main considerations**

6.1 The main issues to be considered in the determination of these applications are:

- (a) Principle of use
- (b) Visual impact
- (c) Access, parking and traffic generation

(d) Impact on neighbouring properties

(e) Environmental matters

6.2 (a) Principle of use

The site is within an established open space and nature reserve as indicated on the Proposals Map of the Watford District Plan 2000.

6.3 (b) Visual impact

There is no objection in principle to the refurbishment and enhancement of the existing leisure and recreational facilities as this is not harmful to the existing character and appearance of the area. The works proposed will provide significant improvements to the park for the local community.

6.4 (c) Access, parking and traffic generation

The existing access arrangement to the site will not be altered. A new access point adjacent to the former Garston Bus Depot site is proposed as part of a residential development proposal. This additional access point will improve the access for existing residents on the western side of St. Albans Road. Overall there will be a significant improvement to pedestrian access. The proposal involves the removal of two existing parking spaces at the Codicote Drive entrance, HCC Highways noted that the removal would have no impact as other parking arrangements adjacent to the boundary of Coates Way would be retained as existing.

6.5 (d) Impact on neighbouring properties

The immediate context of the site is Garston Park which does not contain any residential properties. There are however residential properties that bound the site, it is not considered that the works would create any significant adverse impacts to neighbours.

6.6 (e) Environmental matters

Hertfordshire Ecology commented that the management of the Local Nature Reserve should be via an ecological management plan that sets out how the reserve will be managed to conserve and enhance biodiversity. Specifically they have raised concerns over the control and prevention of damage to the grassland areas resulting from the increased use and the creation of new gravel pathways through the Nature Reserve. The proposal seeks to reduce the number of pathways round and through the Nature Reserve providing benefit to the environment through less trampling of the existing grasslands. The Hertfordshire Ecology points are noted and can be secured by a pre-commencement condition.

7. Consultation responses received

7.1 Statutory consultees and other organisations

Consultee	Comment Summary	Officer Response
HCC Highways	No objection	Noted
Crime Prevention Officer	No objection content that existing safety and security plans are in place, advised the Watford Inspector and safer Neighbourhood Team.	Noted
Sport England	No objection proposal would encourage visitors to be physically active.	Noted
Environment Agency	No comments advisory note in relation to Flood risk activity permit.	Noted
Natural England	No objection advisory note.	Noted
Hertfordshire Ecology	Objection to the additional gravel pathways through the Local Nature Reserve, the siting of the proposed sculpture with a greater propensity to increase trampling of protected grassland areas. No strategy for ecological management of the site.	Noted and agreed a pre-commencement condition relating to the Garston Park Local Nature Reserve specifies that an ecological landscape and biodiversity management plan is required to be submitted to the Local Planning Authority in conjunction with Hertfordshire County Council.
Veolia Water	No comments	
Three Rivers District Council	No comments	

7.2 Internal Consultees

Consultee	Comment Summary	Officer Response
Arboricultural Officer	Proposed loss of over mature Cherry tree within new playground, loss considered acceptable due	Noted and agreed.

	to poor condition. Indicative replacement landscaping will more than compensate for this loss.	
--	---	--

7.3 Interested parties

Letters were sent to 156 properties in the surrounding area. 1 objection was received. The main comments are summarised below, the full letter is available to view online:

Comments	Officer response
Installation of the skate park will detract from the quiet natural environment, and encourage noise, vandalism and graffiti.	<p>Crime Prevention Officer has no objection and is satisfied existing safety and security plans are in place. Additional tree planting and landscaping is proposed around the new facility.</p> <p>The skate park will provide additional facilities for more members of the local community.</p>

8. Recommendation

That planning permission be granted subject to the conditions listed below:

Conditions

1. Time Limit

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. Drawing numbers

The development shall be carried out in accordance with the following drawings, unless otherwise approved in writing by the Local Planning Authority. The following drawings are hereby approved:

1096_404

1096_405

1096_413 Rev B
1096_901
1096_406
1096_903
1096_200
1096_904
1096_902 REV A

Reason: For the avoidance of doubt as to what has been permitted and in the interests of proper planning.

Pre-Commencement Condition

3. Ecological Landscape and Biodiversity Management Plan

No development shall commence on the part of the site designated as the Garson Park Local Nature Reserve, including the proposed timber sculpture, until an ecological landscape and biodiversity management plan has been submitted to and approved in writing by the Local Planning Authority in conjunction with Hertfordshire County Council. The plan shall set out how the reserve will conserve and enhance biodiversity. The details of the management plan shall be implemented as approved or in accordance with any subsequent variations which shall have been agreed in writing by the Local Planning Authority.

The management plan shall include the following elements:

- Details of the management regime for the site;
- Details of access into the reserve
- Details of the location of and access to visitor attractions within the reserve
- Details of how any impacts will be mitigated

Reason: To ensure that increased usage will not increase the trampling of the grassland, increase the disturbance to wildlife, or further degrade the biodiversity of the reserve. In the interest of supporting the habitat and secure opportunities for the enhancement of the local nature conservation value of the site to meet the requirements of Policies GI1, GI2, GI3 of the Watford Local Plan Core Strategy 2006-2031.

4. Materials

All the external surfaces of the development shall be finished in materials of the type, colour, texture and style as specified in the drawings approved by Condition 3 unless otherwise approved in writing by the local Planning Authority.

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

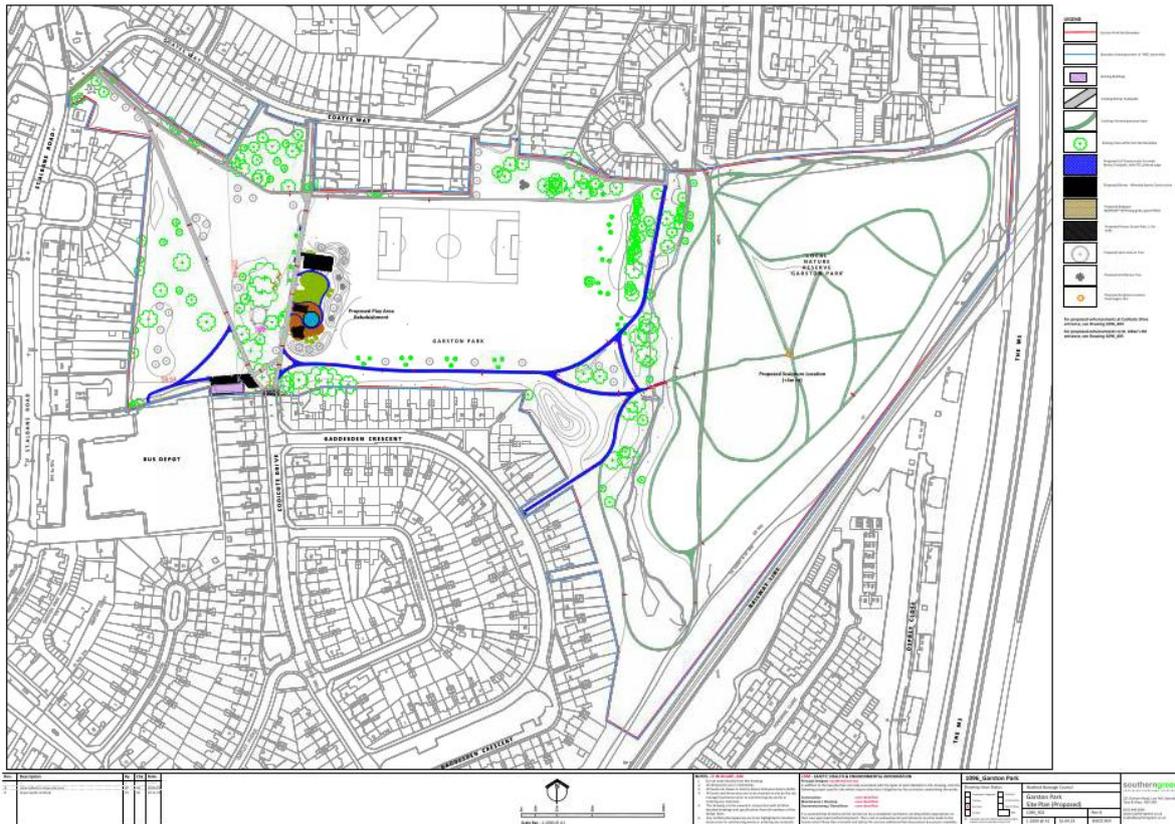
Informatives

IN907 Consideration of proposal in a positive and proactive manner

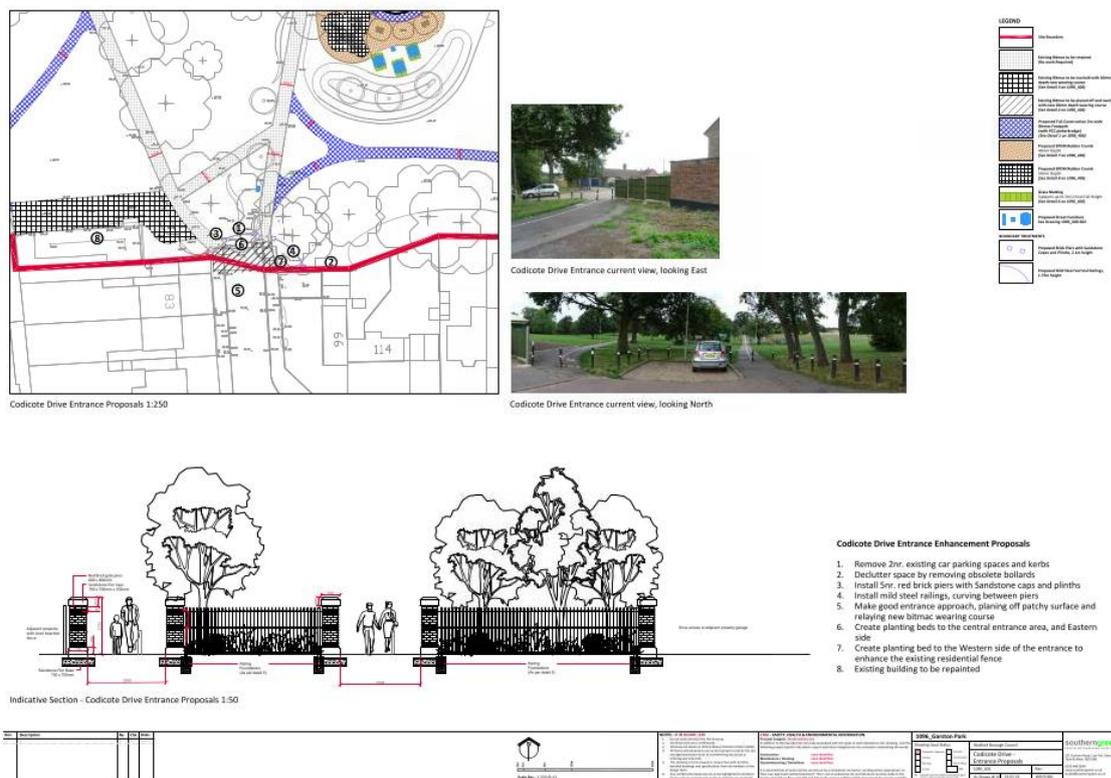
IN910 Building Regulations

IN912 Hours of Construction

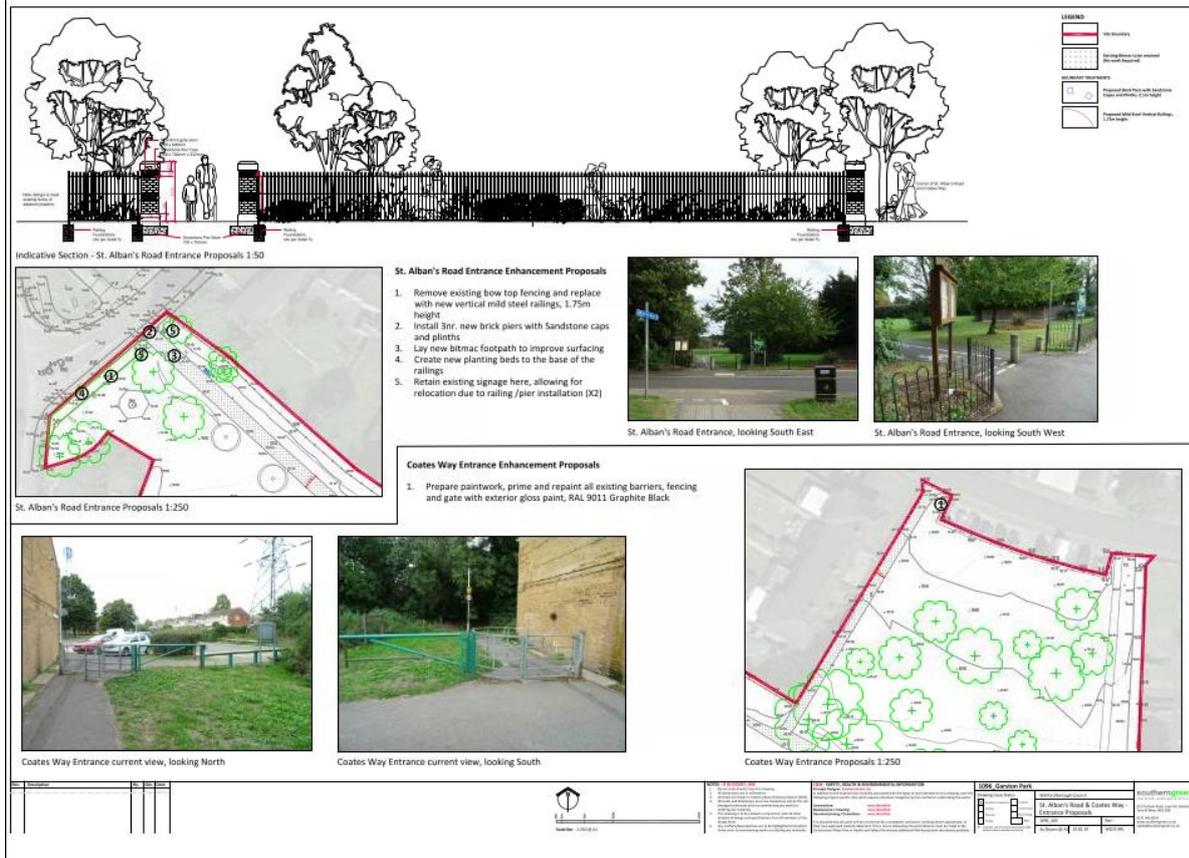
1. Revised site location plan with proposed development



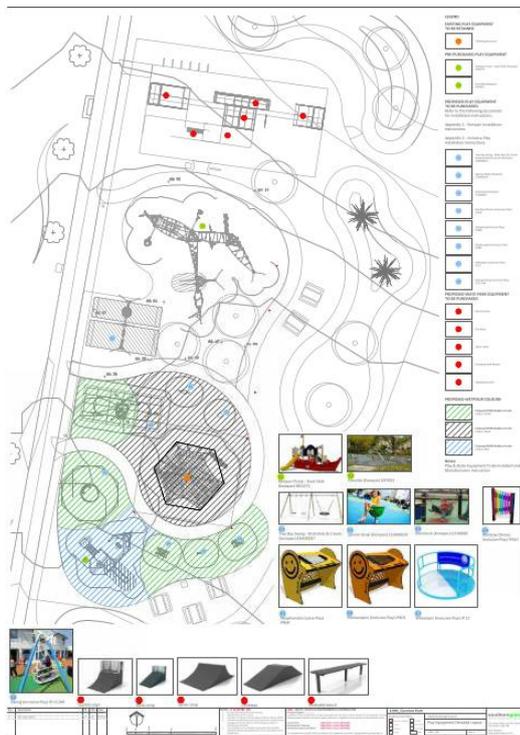
2. Codicote Drive entrance proposals



3. St.Albans Road and Coates Way entrance proposals



4. Play equipment detail



Agenda Item 8

Committee date	16 th December 2019
Application reference Site address	19/00599/OUTM 1-5 Faraday Close And 1-6 Greenhill Crescent
Proposal	Outline planning permission (all matters reserved) for up to 8240m ² of commercial/industrial floorspace (B2/B8) with ancillary first floor office and associated parking and landscaping
Applicant	Watford Borough Council
Agent	Watford Borough Council
Type of Application	Major Outline Planning Permission
Reason for committee Item	Major Outline Planning Permission
Target decision date	Extended by agreement to 18 th December 2019
Statutory publicity	Site Notice and paper advert with overall expiry of 19 st July 2019.
Case officer	Alice Reade, alice.ream@watford.gov.uk
Ward	Holywell

1. Recommendation

Grant outline planning permission subject to conditions detailed in section 8 of the report.

2. Site and surroundings

- 2.1 The site of 1.72 hectares is located within the Watford Business Park which is a designated employment area.
- 2.2 The site consists predominantly of single storey industrial buildings, some with ancillary office space totalling approximately 4200sqm of gross internal area. Uses include light industrial, general industrial and storage and distribution uses (Use Classes B1(c), B2 and B8).
- 2.3 The site is located in Flood Zone 1 with a low probability of flooding. The subject buildings on site are not listed and the site is not located in a designated conservation area. No trees on site are protected by a tree preservation order. Land contamination on site is suspected.

3 Summary of the proposal

3.1 Proposal

- 3.2 The application proposes redevelopment of the site to comprise 8240m² of new building floorspace for light industrial, general industrial and storage and distribution uses (Use Classes B1(c), B2 and B8). The indicative Proposed Site Plan shows 194 car parking spaces with amended/new accesses from Greenhill Crescent.

3.3 The application seeks outline planning permission with all matters reserved. The application therefore only considers the principle of the development and matters of (a) appearance; (b) access; (c) landscaping; (d) layout; and (e) scale await full submission and assessment as reserved matters.

3.4 **Conclusion**

3.5 The proposal would provide development of B1 (c), light industrial, B2 general industrial and B8 storage and distribution uses which is fully supported in the employment area. Redevelopment would provide increased quantum and quality of employment buildings and would make more efficient use of employment land. As such, the proposed development is fully in accordance with the policy and objectives for the designated employment area.

3.6 The development would provide appropriate on-site parking and would not create adverse impact to highway safety or adverse harm to the amenities.

4. **Relevant policies**

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

5. **Relevant site history/background information**

None

6. **Main considerations**

6.1 The main issues to be considered in the determination of these applications are:

- (a) Principle of use
- (b) Design and Layout
- (c) Access, parking and traffic generation
- (d) Impact on neighbouring properties
- (e) Environmental matters

6.2 (a) Principle of use

The site is located within Watford Business Park which is a designated Employment Area as identified by the Watford District Plan ('saved' Policy E1) and the Watford Local Plan Core strategy (Special Policy Area 6: Western Gateway). Both plan policies seek to retain, enhance and increase B Class uses in this area.

6.3 Borough wide, the Core Strategy and the more recent Economic Growth and Delivery Assessment (EGDA) prepared by Nathaniel Lichfield and Partners (2014) identify that

increased provision of employment floorspace is required to meet growing demand. Employment floorspace is therefore required to meet strategic objectives and maintain Watford's role as a regional employment centre.

6.4 The proposed development will increase the existing employment floorspace on the site by 96% from 4200m² to 8240m². This increase of B1 (b), B1(c), B2 and B8 floorspace within the employment area is policy compliant and fully supported in principle.

6.5 (b) Design and layout

Matters in respect of (a) appearance; (c) landscaping; (d) layout and (e) scale are all reserved by condition 1. Nonetheless, it is considered that the scale and quantum of development proposed can be accommodated within the site to a suitable design, as indicated in the submission. The suitable design and layout is therefore achievable subject to a reserved matters application(s).

6.6 (c) Access, parking and traffic generation

i) *Access*

Layout and access are reserved matters, however the submitted Proposed Site Plan indicates an access arrangement. The site has two existing accesses from Greenhill Crescent. One of these would be retained and widened, one would be removed and one new one created. The arrangement would continue to allow for vehicles to enter and leave the site in forward gear and is acceptable in principle subject to a reserved matters application.

6.7 ii) *Parking*

The application proposes to increase the on-site parking provision to 194. The Watford District Plan 2000 identifies the site within Zone 4 of the Car and Cycle Parking Zone Map. As set by 'saved' Policy T22 and Appendix 2 of the plan, the maximum parking provision for the business park use for the site would be 206 car parking spaces. The indicated parking provision is therefore within the maximum standard and is considered to be reasonable to allow for the development to meet its own parking needs on site and avoid additional parking in surrounding roads. Cycle parking is secured by condition.

6.8 iii) *traffic generation*

The submitted Transport Assessment shows the development and parking arrangements for 194 vehicles on site would be unlikely to result in any material impact on the capacity of the local road network. It is further noted that the site is within a sustainable location and within an existing industrial estate with expected transport movements. HCC have reviewed the Transport Assessment and details of the trip generation, trip distribution and site access and have raised no objection in respect of these matters.

6.9 iv) *Highways conditions*

The Highway Authority has requested conditions in respect of the development and these are added.

6.10 (d) impact on neighbouring properties

The immediate context of the site is the Business Park which does not contain any residential properties. There is therefore no potential significant impacts to nearby residents.

6.11 (e) Environmental matters

i) Surface water drainage strategy

The Lead Local Flood Authority lodged an objection advising that they required further details to support the development. This detail has been provided by the applicant and the Lead Local Flood Authority have been re-consulted. At the time of writing this report the comments had not been received. Their response will be provided in the update sheet to the meeting.

ii) Waste and recycling

Appropriate waste and recycling is secured by condition.

iii) Trees and landscaping

There are no protected trees on site and no trees of individual value meaning that the loss of trees is acceptable to allow the development. Landscaping is a reserved matter and this will secure replacement trees and landscaping.

7. Consultation responses received

7.1 Statutory consultees and other organisations

Consultee	Comment Summary	Officer Response
HCC Growth and Infrastructure	No additional financial requirements.	Noted
HCC Waste And Minerals	Comments relevant to waste and minerals	Noted
HCC Highways	No objection subject to conditions	Conditions are included in recommendation.
Hertfordshire Lead Local Flood Authority (LLFA)	Initial objections received due to lack of detail of surface water drainage strategy and details. Further details were provided by applicant and forwarded to LLFA on 12 th November.	Further comments from LLFA and any recommended conditions will be provided in the Update sheet to the meeting.
Thames Water Utilities	No objection. Advisory comments regarding sewers.	Noted
Environment Agency	Following review of Phase 1 Environmental Assessment, there are no objections from the EA subject to recommended conditions.	Conditions are included in recommendation.
Police Design advisory	No concerns	Noted

7.2 Internal Consultees

Consultee	Comment Summary	Officer Response
Planning Policy	Supported	Noted
Environmental Health	No comments received	
Economic Development Manager	Provision of business units is supported.	Noted

7.3 Interested parties

Letters were sent to 27 properties in the surrounding area. No objections were received.

8. Recommendation

Conditions

That conditional outline planning permission be **granted** subject to the conditions listed below:

1. Reserved matters

Approval of the details of the following reserved matters shall be obtained from the Local Planning Authority before any development commences:

(a) appearance; (b) access; (c) landscaping; (d) layout; (e) scale.

Reason: To comply with the provisions of Articles 6 of the Town and Country Planning (General Development Procedure) Order 2016, as amended.

2. Time Limit

Application(s) for approval of the 'reserved matters' must be made not later than the expiration of three years from the date of this permission. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matter to be approved.

Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. EA Remediation Strategy

No development approved by this outline planning permission or approved reserved matters shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby

permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) 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.
4. 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 in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reasons:

- To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.
- To prevent deterioration of groundwater with the Mid Chilterns Chalk groundwater body.
- The information submitted to date is considered sufficient to address part 1 of this condition, however further intrusive investigation is required to better constrain the conceptual site model (CSM) prior to undertaking a detailed risk assessment. Further investigation should be undertaken in line with recommendations made in the “Watford Business Park Zone A, Groundwater Assessment (January 2017, Ramboll Environ, UK16-22824_UK02)”.
- Any site enabling works must not cause creation of new pollution and linkages and it is expected that, prior to any works being undertaken suitable risk management strategy is in place with regards to the observed contamination.

4. EA Verification Report

Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be 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.

Reasons:

- To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.
- To prevent deterioration of groundwater with the Mid Chilterns Chalk groundwater body.

5. EA Long Term Monitoring

The development hereby permitted shall not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.

Reasons: To ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 170 of the National Planning Policy Framework.

- To prevent deterioration of groundwater with the Mid Chilterns Chalk groundwater body.

6. EA Unidentified Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reasons:

- To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.
- To prevent deterioration of groundwater with the Mid Chilterns Chalk groundwater body.

7. EA SuDs Infiltration of surface water into ground

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reasons:

- To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework.
- To prevent deterioration of groundwater with the Mid Chilterns Chalk groundwater body.

8. EA Piling

Piling, deep foundations or other intrusive groundworks (investigation boreholes/tunnel shafts/ground source heating and cooling systems) using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reasons:

- Prior to any piling etc commencing it must be demonstrated that deterioration of controlled waters will not occur. This is likely to require monitoring of controlled waters receptors prior to, during and after the works have been completed. A mitigation plan, to include trigger values and actions to be implemented should these values be breached will be required.

9. EA Decommission of investigative boreholes

A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

Reasons:

- To ensure that a sufficient monitoring network is maintained to allow for the completion any monitoring required as part of a verification plan, to demonstrate “betterment” or that no deterioration has occurred.
- To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 109 of the National Planning Policy Framework.
- No boreholes should be decommission until it has been agreed in writing that they are no longer required.

10. Highways Detailed Plans

No development shall commence until full details (in the form of scaled plans and / or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:

- i) Roads, footways.

- ii) Cycleways.
- iii) Foul and surface water drainage.
- iv) Visibility splays.
- v) Access arrangements.
- vi) Parking provision in accordance with adopted standard.
- vii) Loading areas.
- viii) Turning areas.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)

11. Highways Construction Traffic Management Plan

No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

12. Highways Travel Plan

At least 3 months prior to the first use of the approved development a detailed Framework Travel Plan for the site, based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance', shall be submitted and approved in writing by the Local Planning Authority. The approved Framework Travel Plan shall be implemented at all times.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

13. Highways New Access

Prior to the first use of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan drawing number WBC-101-TP in accordance with the highway specification to be provided as part of reserved matters detailed design drawings. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

14. Highways Existing Access - Closure

Prior to the first use of the development hereby permitted vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing number WBC-101-TP only. Any other access(es) or egresses shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

15. Highways Servicing and Delivery Plan

Prior to commencement of the development, the applicant shall submit a Delivery and Servicing Plan to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Delivery and Servicing Plan shall contain the delivery and servicing requirements (including refuse collection) for the proposed uses, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for loading and manoeuvring of delivery and servicing vehicles, and access to / from the site for delivery and servicing vehicles.

Reason: In the interests of maintaining highway efficiency and safety.

16. Car Parking

Car parking provision for the development shall not exceed the maximum standards for development within Parking Zone 4 as set out in Appendix 2 of the Watford District Plan 2000, unless otherwise agreed in writing by the Local Planning Authority. No unit shall be occupied until the respective car parking spaces for the employees and visitors have been constructed, unless otherwise agreed in writing by the Local Planning Authority. These facilities shall be retained at all times and shall

not be used for any other purpose.

Reason: To ensure that adequate parking facilities exist for employees and visitors of the proposed development, in accordance with Policies T22 and T24 of the Watford District Plan 2000.

17. Cycle storage

No part of the development shall be occupied until details of the size, type, siting and finish of a cycle storage enclosure for the proposed development has been submitted to and approved in writing by the Local Planning Authority. The storage approved under this condition shall be installed and made available for use prior to the occupation of any part of the development and shall be retained at all times for cycle storage only and shall not be used for any other purpose.

Reason: To ensure that secure and weatherproof cycle storage facilities are provided for future employees and visitors in accordance with Policy T10 of the Watford District Plan 2000 and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

18. Bin Storage

No part of the development shall be occupied until details of the size, type, siting and finish of refuse and recycling storage enclosures for the development has been submitted to and approved in writing by the Local Planning Authority. The stores approved under this condition shall be installed and made available for use prior to the occupation of any part of the development and shall be retained at all times for refuse/recycling only and shall not be used for any other purpose.

Reason: In the interests of the visual appearance of the site, to ensure that adequate waste storage facilities are provided in accordance with 'saved' policy SE7 of the Watford District Plan 2000 and Policies UD1 and SD4 of the Watford Local Plan Core Strategy 2006-31.

19. No Permitted Development Change of Use

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and any subsequent legislation that amends or supersedes this Order, the development shall only be used as uses within Classes B1(b) (research and development), B1(c) (light industrial), B2 (general industry) and B8 (storage and distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To accord with the employment designation of the land and the details of the submitted application.

20. Height

The buildings shall not exceed two storeys in height.

Reason: In the interests of the character and appearance of the area, pursuant to Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

21. Scale of development

The development shall not exceed 17 units with a total maximum gross external area of 8240m².

Reason: In the interests of proper planning and to secure the scope of development approved.

Informatives

IN907 Consideration of proposal in a positive and proactive manner

IN910 Building Regulations

IN912 Hours of Construction



©Crown Copyright and database rights 2018 OS 100019980

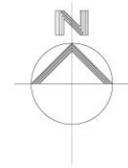
Notes:
This drawing is the sole copyright of IAN C KING Associates and no part may be reproduced without the written consent of the above



IAN C KING
ASSOCIATES ARCHITECTS
5 St George's Court, 131 Putney Bridge Road, London SW15 2PA
T: 020 8871 2022 F: 020 8871 2989 E: ick@iancking.co.uk | www.iancking.co.uk

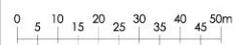
Job Title **FARADAY CLOSE REDEVELOPMENT
WATFORD BUSINESS PARK**
Dwg Title **SITE LOCATION PLAN**

Date **5-2019**
Scale **1:1250 (A3)**
Job No **WBC-101**
Dwg No **TP-LP-01**



Red line site
17,227m²
Units
8,240m² GEA
(6,935+1,305m²)

Cars - 194
(1:42.5m²)
Zone 4 parking



Rev. D
Rev. C
Rev. B
Rev. A

Notes
This drawing is the sole copyright of IAN C KING Associates and no part may be reproduced without the written consent of the above.

**FARADAY CLOSE REDEVELOPMENT
WATFROD BOROUGH COUNCIL**

Title
PROPOSED SITE PLAN

Dwg No	WBC-101-TP-01	
Date	5-2019	Scale 1:500 (A1)
Drawn	Checked	Planning

IAN C KING ASSOCIATES - ARCHITECTS
 5, St. George's Court
 5th Floor, George Road
 Watford, UK
 Tel: 01877 207176 Fax: 01877 208188
 Email: info@ianck.co.uk www.ianck.co.uk
 IAN C KING Associates - Architects is the trading name of Ianck Ltd