



**WATFORD
BOROUGH
COUNCIL**

DEVELOPMENT MANAGEMENT COMMITTEE

29 July 2020

7.00 pm

Virtual meeting

Contact

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Publication date: 21 July 2020

Committee Membership

Councillor P Jeffree (Chair)

Councillor S Johnson (Vice-Chair)

Councillors N Bell, K Collett, M Mills, J Pattinson, I Sharpe, R Smith 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 July 2020, will be agreed, but signed at the next non-virtual meeting.

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. **20/00520/FUL - Land Adjacent To 1 Neston Road** (Pages 5 - 25)
5. **20/00401/VARM - 60 High Street** (Pages 26 - 41)
6. **17/00470/FULM - 37-39 Clarendon Road** (Pages 42 - 50)
7. **20/00178/FULM - 147 York Way** (Pages 51 - 76)

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.

Committee date	Wednesday 29 July 2020
Application reference Site address	20/00520/FUL - Land Adjacent To 1 Neston Road, Watford, WD24 7BN
Proposal	Demolition of existing structures and construction of a pair of 3 bedroom semi-detached houses, with associated parking, landscaping, bin and cycle storage.
Applicant	Raymond Rice Developments Ltd.
Agent	Wakelin Associates
Type of Application	Full Planning Permission
Reason for committee item	Number of Objections
Target decision date	Thursday 30 July 2020
Statutory publicity	Neighbour Letters
Case officer	Andrew Clarke, andrew.clarke@watford.gov.uk
Ward	Callowland

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 is located on the outside of the bend at the western end of Neston Road. It is irregular in shape and contains 9 lock-up garages. The surrounding area is wholly residential and comprises terraced and semi-detached, 2 storey houses developed between 1900 and 1920. To the north east the site adjoins numbers 36 and 38 Bushey Mill Lane, to the south east is number 1 Neston Road, to the south is the access onto Neston Road and to the west and north west are numbers 158 – 186 (evens) Sandringham Road.

3. Summary of the proposal

3.1 Proposal

- 3.2 Demolition of existing structures and construction of a pair of 3 bedroom semi-detached houses, with associated parking, landscaping, bin and cycle storage.

3.3 Conclusions

- 3.4 The proposal has been carefully designed with regard to the extensive planning history of the site.
- 3.5 The two dwellinghouses proposed sit comfortably within the street scene without giving rise to any significant or unacceptable loss amenity to the surrounding properties in accordance with the development plan.

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 **03/00550/FUL** – Planning permission refused in September 2004 for the demolition of the 9 garages and the erection of a pair of semi-detached houses adjoining the existing house. The application was refused for 3 reasons:

- 1. The proposed development, by reason of the size, height, bulk, design and siting of the proposed houses, and the provision of car parking and pathways on the front of the houses leaving inadequate room for satisfactory landscaping, results in a form of development which appears unnecessarily cramped, over dominant and alien to the established form and pattern of development in the area.
- 2. The proposal fails to adequately demonstrate that the garages on site cannot be used for parking of vehicles by residents in the local area. The loss of 9 garages on the site will lead to additional motor vehicles being parked on street in an area which already has on street parking problems and would worsen the existing problems to the detriment of highway and pedestrian safety.
- 3. The proposed development by reason of the siting and orientation of the proposed houses does not provide for adequate distances between the proposed houses and the boundaries with existing residential properties which will cause problems of overlooking and loss of privacy and will result in the proposed houses appearing over dominant when viewed from the windows and gardens of surrounding residential properties.

- 5.2 This refusal was the subject of an appeal which was dismissed in May 2005. However, the Inspector only upheld the second reason for refusal.
- 5.3 With regard to reason 1, the Inspector did not consider the siting of the houses back from the highway would give rise to visual dominance. The design was considered to be bulkier than the existing house at no.1 but off-set by the set-back. He noted that the house at no.1 and no.4a opposite were both detached and built after the surrounding houses. Whilst acknowledging the design features of the proposed houses did not reflect the rest of the street, he did not consider they amounted to a cogent reason for rejection. He saw no objection to 2 storey development on the site.
- 5.4 With regard to reason 2, the Inspector noted the high level of on-street parking during the weekday morning of his site visit and was in no doubt that the position would be far worse in the evenings. He considered the loss of the garages would add to local congestion.
- 5.5 With regard to reason 3, the Inspector noted that overlooking of adjoining properties in Sandringham Road would only be from one bedroom window and at an oblique angle. He considered any loss of privacy would be minimal. In respect of over-dominance, he considered this would only occur from the nearer parts of adjacent gardens. Due to their depth at approximately 15m, he did not consider there would be a significant loss in nearby residents' enjoyment of their rear gardens.
- 5.6 **17/01555/OUTM** - Outline application for the demolition of the existing dwelling and adjacent garages and erection of a block of 10 flats with access, parking and amenity space (with only landscaping as a reserved matter). Application was refused for 5 reasons:
1. The proposal is considered to be of poor design quality, having a poor relationship to the street frontage, a dominant and cramped parking area and incorporating inappropriate design features that fails to respect or enhance the locality. As such, the proposal is out of keeping with the character and appearance of the area, contrary to paragraph 58 of the NPPF and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.
 2. The proposed 2 bedroom units all fail to meet the nationally described space standard and will therefore provide an inadequate standard of accommodation. As such, the proposal is contrary to paragraph 17 of the NPPF, Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and the Watford Residential Design Guide 2016.

3. The proposal fails to provide affordable housing units to meet urgent housing needs within the Borough, contrary to paragraph 50 of the NPPF and Policy HS3 of the Watford Local Plan Core Strategy 2006-31.
4. The proposal will result in significant overlooking and a loss of privacy to the properties adjoining the site in Bushey Mill Lane. This will be harmful to the occupiers of these properties, contrary to paragraph 17 of the NPPF and the Watford Residential Design Guide 2016.
5. No sustainable surface water drainage scheme has been incorporated into the proposal to reduce the risk of flooding both in the present and in the future, contrary to paragraphs 99 and 103 of the NPPF and Policy SD2 of the Watford Local Plan Core Strategy 2006-31.

5.7 **18/00846/FUL** - Demolition of the existing dwelling and garages and erection of a two storey terrace block comprising 6 no. 3 bed houses. Application was refused for 2 reasons:

1. The proposal is considered to be of inadequate design quality, by reason of the overly large roofs, giving the proposed houses a poor overall proportion, and the visually dominant frontage parking area, that fails to respect or enhance the locality. As such, the proposal is out of keeping with the character and appearance of the area, contrary to Section 12 of the NPPF 2018 and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.
2. The proposal will appear visually dominant and overbearing from the adjoining properties at nos. 172-178, Sandringham Road. This will be harmful to the occupiers of these properties, contrary to Section 12 of the NPPF 2018 and the Watford Residential Design Guide 2016.

5.8 This refusal was the subject of an appeal which was dismissed in May 2019. The Inspector upheld both reasons for refusal.

5.9 The current scheme has been developed following pre-application discussions to ensure that the proposal address the concerns raised regarding the previous proposals for the site. Amendments suggested by officers have been included as part of this application

6. **Main considerations**

- 6.1 The main issues to be considered in the determination of these applications are:
- (a) Principle of development
 - (b) Character and appearance of the area
 - (c) Quality of accommodation for future occupiers
 - (d) Impact on adjoining properties
 - (e) Access, servicing and parking provision
- 6.2 (a) Principle of development
The site is not an allocated housing site but is within an established residential area. It is a brownfield site and is in general accordance with the criteria of Policy HS1 of the Core Strategy for windfall sites. The Council has no policy that specifically seeks to retain lock-up garages. The site is not owned Watford Borough Council and is not used for public parking. The garages would only be used by residents if they had an agreement with the owner. Their loss would therefore not be considered to have a significant impact on parking pressure locally. There is no objection in principle to the development of this site for residential use.
- 6.3 Policy HS2 gives guidance on the mix of housing units sought across the borough in order to provide for the needs of the whole community. Policy SS1 acknowledges that in suburban areas a significant provision should be made for family sized units. Given the location of the site within an established suburban area, the majority of the units should be 2 bed or more. The proposal achieves this with 2 x 3 bed houses, which is considered to be an acceptable mix for this site.
- 6.4 (b) Character and appearance of the area
Neston Road was developed in 2 phases. The first phase, on the northern side of the road, comprises late Victorian terraced housing with pitched roofs and outriggers. The main facing material is a yellow stock brick with red brick detailing and patterning. The second phase, on the southern side of the road, comprises semi-detached houses from the 1920s with gabled roofs. These generally have a red brick at ground floor and brown pebble dash render above. The application site lies on a bend in the road and was developed in 1907. The surrounding area is generally characterised by late Victorian terraced housing similar to the northern side of Neston Road.
- 6.5 The small side extension to the north west of 1 Neston Road would be demolished and a portion of the existing garden is to be included in the application site. This reallocation of land and the loss of the small side

extension will be at no detriment to the amenities of 1 Neston Road, whose rear garden remains over 320 square metres in area.

- 6.6 The proposal is to erect a pair of two storey semi-detached properties. These would be red brick, with pitched, tiled roofs with front canopy porches and architectural detailing which will break up the elevations. The positioning, scale and design reflect the wider character of the street and would sit comfortably within the street scene. Appropriate materials and design details will be secured by condition.
- 6.7 The land surrounding the dwellings will be landscaped, which is considered an improvement on the existing site which is currently all hardstanding. Appropriate hard and soft landscaping will be also secured by condition.
- 6.8 (c) Quality of accommodation
The western dwelling labelled 'unit 1' has a gross internal area of 92 square metres over 2 storeys with a 112 square metre rear garden. This dwelling has two bedrooms at first floor level with bathrooms at both ground and first floor levels. The front ground floor room is stated to be either a study or a third bedroom. The kitchen, living and dining room is to the rear of the ground floor leads onto the garden. The use of the front room as a third bedroom would be unconventional, though if it were used as a bedroom the floor area the dwelling would fall 1 square metre short of the 93 square metre requirement for a 3 bedroom, 5 person dwelling. If not used as a bedroom, the dwelling would far exceed minimum space standards. The dwelling would have good levels of outlook, natural light and privacy. The garden area would significantly exceed the guideline area of 65 square metres for a 3 bedroom dwelling in the Residential Design Guide.
- 6.9 The eastern dwelling labelled 'unit 2' has a gross internal area of 107 square metres over 2 storeys with a 107 square metre rear garden. This dwelling has three bedrooms and two bathrooms at first floor level with a separate w/c at ground floor level. This property has a large separate kitchen to the front of the ground floor with a living room behind which leads onto the garden. The dwelling would far exceed the 93 square metre requirement for a 3 bedroom, 5 person dwelling. The dwelling would have good levels of outlook, natural light and privacy. The garden area would significantly exceed the guideline area of 65 square metres for a 3 bedroom dwelling in the Residential Design Guide.
- 6.10 (d) Impact on surrounding properties
The site is adjoined by residential properties on 3 sides. To the north-east the site adjoins numbers 36 and 38 Bushey Mill Lane, to the south east is number

1 Neston Road, to the south is the access onto Neston Road and to the west and north west are numbers 158 – 186 (evens) Sandringham Road.

6.11 36 and 38 Bushey Mill Lane

These properties are sited along the north eastern boundary of the site. They comprise detached houses linked by garages. The proposed dwellings are sited 13.5 – 18 metres from the rear boundary with these properties. The minimum distance between first floor habitable room windows is 34 metres. In order to maintain acceptable levels of privacy between proposed development and existing residential properties the Residential Design Guide requires a minimum distance of 11m to the rear boundary and 27.5m to rear facing habitable room windows. In this case, both are achieved. As such, the proposed houses will not give rise to any unacceptable overlooking or loss of privacy to these properties and their private garden areas.

6.12 1 Neston Road

The small single storey side extension to the north west of 1 Neston Road would be demolished and a portion of the existing garden is to be included in the application site. This reallocation of land and the loss of the will be at no detriment to the amenities of 1 Neston Road, whose rear garden private amenity remains over 320 square metres.

6.13 This property will have a double storey flank wall abutting the common boundary with the proposed development. The proposed dwelling (unit 2) would be 1 metre from the common boundary at the closest point. The proposed dwelling would marginally cross the 45 degree line taken on plan view from the first floor rear window of this property. This is unlikely to result in any noticeable loss of light or outlook to this property.

6.14 158 – 164 and 168 - 186 (evens) Sandringham Road.

These properties adjoin the western and north western boundary of the site. Number 168 contains two dwellings numbered 168 and 168A.

6.15 The proposed building is sited directly behind numbers 160 - 178. The front garden is directly behind number 158 and the rear garden is directly behind numbers 180 – 186. Numbers 158 – 164 form a terrace of four dwellings which are orientated at a different direction to numbers 168 to 186 Sandringham Road which is due to a bend in the road. Rear alleyways exist along the boundary of the subject site which appear to provide rear access to some of the properties on Sandringham Road

- 6.16 Due to the narrow width at 3.9m these properties have relatively small rear gardens, many of which are less than 50 square metres. However, most would have a depth of at least 11m or more.
- 6.17 One of the reasons for refusal for the previous application (reference: 18/00846/FUL), which was upheld at appeal, was the visually dominant and overbearing impact of the flank wall from the adjoining properties at numbers 172 - 178 Sandringham Road.
- 6.18 Under the current application, the flank wall of the proposed dwelling (unit 1) is sited 1.6 – 2.1 metres from the rear boundary with these properties or the rear alleyway. This flank wall would have an eaves height of 3.4 metres with the pitched roof rising away from the common boundary to a ridge height of 6.8 metres.
- 6.19 The closest distance between the flank wall of the proposed dwelling and the nearest first floor outrigger at number 176 Sandringham Road is 15.7 metres. This property, along with numbers 170 – 174 has no rear facing outrigger window, having a low cat slide roof shape to the rear. The closest first floor window facing the development is also at 176 Sandringham Road and is the window which looks down the open tunnel back. This separation distance is 19.7 metres.
- 6.20 Given the separation distances and the low height of the proposed flank wall it is considered that the development would not appear visually dominant and overbearing from the rear of properties on Sandringham Road.
- 6.21 The proposed flank elevation does not breach a 25 degree line taken from the nearest ground floor window of any of these properties. As such, the proposal will not give rise to any noticeable loss of light to these properties.
- 6.22 The pitched roof of the proposed dwelling facing Sandringham Road does contain a Velux window. The opening parts of this window would be 1.8 metres above the internal floor level and the glazed parts would be 1.9 metres above the same floor level. These levels ensure no overlooking or loss of privacy would occur to properties on Sandringham Road.
- 6.23 The front elevation of the dwelling (unit 1) has an 'oriel' window at first floor level. This oriel window protrudes from the front elevation of the property with angled panes of clear glass. This feature has been designed to prevent direct overlooking to the gardens of numbers 158 – 162 Sandringham Road and is acceptable.

6.24 (e) Access, servicing and parking provision

The reallocation of land from 1 Neston Road would slightly widen the street width of the proposed site. It is proposed to widen the existing vehicular crossover by 2.1 metres to a double cross-over of 5.4m wide to allow direct access off Neston Road for two parking spaces, one for each dwelling. This arrangement would be in accordance with the parking provisions noted in the Watford District Plan and is therefore considered acceptable. It is noted that increased parking pressure was the primary reason for objection to this proposal.

6.25 Cycle storage would be provided in the gardens of both properties, accessed via a side gate. Details of this stores will be secured by condition.

6.26 The site is 0.2 miles from bus stops on St Albans Road and 0.4 miles from Watford North Railway Station.

6.27 The plans depict a suitable refuse stores. Details of this stores will be secured by condition. Refuse and recycling bins should be presented on the highway for collection.

7 Consultation responses received

7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment
HCC Highways	Condition recommended for details of the hard surfacing and information of surface water run-off. Informatives suggested to ensure widen crossover is constructed by an authorised contactor to the correct specification. Further informatives suggested to ensure no detriment to free flow of the highway in accordance with the Highways Act 1980.

7.2 Internal Consultees

Name of Statutory Consultee / Other Organisation	Comment
WBC Arboricultural officer	Condition recommended for soft landscaping.

WBC Waste and Recycling	Refuse requirements noted.
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7.3 Interested Parties

Letters of consultation were sent to 66 properties. 28 Objections were received. These are summarised in the table below.

Representation Matter	Comment
Additional parking pressure	The provision of two parking spaces for the two dwellings is in accordance with policy. See section on (e) Access, servicing and parking provision above.
Construction lorries cannot access the site.	Method of construction and any highways agreements required is a matter for the applicant to resolve should planning permission be granted.
Overlooking / overshadowing / loss of light and loss of privacy.	The proposal has been designed to not give rise to any significant or unacceptable loss amenity to the surrounding properties. See section on (d) Impact on surrounding properties above.
Design, character and appearance of the area	The positioning, scale and design reflect the wider character of the street and would sit comfortably within the street scene. See section on (b) Character and appearance of the area above.
Disruption from construction	The Environmental Protection Act, the Control of Pollution Act and the Highway Act control the matters of disruption raised.
Pressure on local services	The development is CIL (Community Infrastructure Levy) liable. This levy is used to help the local authority to deliver the infrastructure needed to support development in their area.

8 Recommendation

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

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:

- NTR-20-PL-LP01
- NTR-20-PL-EX01
- NTR-20-PL-L01
- NTR-20-PL-L02
- NTR-20-PL-L03
- NTR-20-PL-L04
- NTR-20-PL-L05
- NTR-20-PL-L06
- NTR-20-PL-L07
- NTR-20-PL-L08
- NTR-20-PL-L09

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

3. No construction works shall commence until detailed design drawings of the houses, including the porches, windows reveals and protrusions, external door reveals, brick banding detailing, eaves details, barge boards and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

Reason: In the interests of the character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31. This is a pre-commencement condition as the materials need to be agreed with the Local Planning Authority before construction commences.

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

Reason: In the interests of the character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31. This is a pre-commencement condition as the materials need to be agreed with the Local Planning Authority before construction commences.

5. No dwelling shall be occupied until full details of a hard landscaping scheme, including details of boundary treatments and the drainage of the parking spaces, have 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. These details shall include 2m x 2m pedestrian visibility sight splays, free from obstruction between a height of 600mm and 2.0m and relative to the back of the footway on both sides of the parking spaces. These visibility splays shall be retained at all times.

Reason: In the interests of the visual appearance of the site and highway safety, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy T21 of the Watford District Plan 2000.

6. No dwelling shall be occupied until full details of a soft landscaping scheme have 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 the development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

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

7. No dwelling shall be occupied until details of the cycle and refuse stores have been submitted to and approved in writing by the Local Planning Authority and have been constructed in accordance with the approved drawings. The bin stores shall be retained as approved at all times.

Reason: To ensure adequate facilities are provided for the future occupiers, in accordance with saved Policies SE7 and T10 of the Watford District Plan 2000 and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

8. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1,

Classes A, B, C or D of the Order shall be carried out to the new houses without the prior written permission of the Local Planning Authority.

Reason: To enable the Local Planning Authority to ensure that any such developments are carried out in a manner which will not be harmful to neighbouring amenity or the character and appearance of the area.

Informatives

1. Positive and proactive statement
2. Street Name and Numbering
3. Building Regulations
4. Party Wall Act
5. Community Infrastructure Level Liability
6. Hours of Construction
7. Highway Works – HCC agreement required



Site Location Plan

Rev.	Date	Details
Project: Land adjacent to 1 Neston Road, Location Plan Walford WID24 7BN		
Comment:		
North:		
Drawn By:	TH	Date: MAR20
Scale:	1:500@A3	
Rev:		
Notes: 1. All dimensions are to the centre of the road unless otherwise stated. 2. The Contractor is to check all dimensions and boundaries and address the authorities. 3. The Contractor is to check all dimensions and boundaries and address the authorities. 4. The Contractor is to check all dimensions and boundaries and address the authorities. 5. The Contractor is to check all dimensions and boundaries and address the authorities. 6. The Contractor is to check all dimensions and boundaries and address the authorities. 7. The Contractor is to check all dimensions and boundaries and address the authorities. 8. The Contractor is to check all dimensions and boundaries and address the authorities. 9. The Contractor is to check all dimensions and boundaries and address the authorities. 10. The Contractor is to check all dimensions and boundaries and address the authorities.		
The Old School House, Bridge Road, Hurton Bridge, Wiltshire, WID4 8RD Kings Langley, Hertfordshire, WD4 8RR T 01923 267488 E info@wakelin.co.uk W www.wakelin.co.uk © Wakelin Associates 2020		
Wakelin Associates Architects		
NTR/20/PL/LP01		

Notes:
 All ground levels to be used in accordance with the latest available data.
 All dimensions are given in metres unless otherwise stated.
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**SUBJECT TO SURVEY,
 DETAILED DESIGN AND
 PLANNING**

PROPOSAL - 2 X 3 BED SEMI-DETACHED HOUSES
 UNIT 2 - 3 BED @ 00/00
 UNIT 3 - 3 BED @ 00/00

TOTAL PARKING - 2 SPACES (1 PER UNIT)

NOTES:
 Materials:
 Front parking and footpaths -
 Asphalt; High black pavement
 Rear footpaths -
 Concrete paving, cobbles

Boundary Treatment:
 A low fence border fence from front boundary to 5m
 from pavement edge

Landscaping:
 Tree specification -
 Rear garden - decorative tree planting to provide
 privacy and shade to the rear garden and to provide
 privacy to the rear garden.
 Front garden - ornamental tree planting to provide
 privacy and shade to the front garden and to provide
 privacy to the front garden.

Highway specifications:
 Rear garden - mature of Birch, Laurel, Prunus, Viburnum
 and low hedges to provide screening and screening to
 the rear garden.
 Front garden - low level hedge, planting to be managed
 to provide year round screening, screen maintained to a
 surface level between front garden and footpath/parking
 area.

Other:
 Show all the necessary parking beds, to allow the least form
 access and enhance biodiversity.

Site:
 Land adjacent to no. 1 Neston Road
 Watford
 WD24 7BN

Client:
 Proposed Site Plan

Date:
 1/20/2024

Project:
 NTR/20/PL/L01

Company:
 Wakein Associates
 Architects

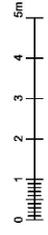
Contact:
 The Old School House, Bridge Road, Heming Bridge
 Watford, Hertfordshire, WD24 7BN
 T: 01923 252488 E: info@wakein.co.uk



Proposed Site Plan

Proposed Elevations

Notes:
 1. All elevations are to the face of the work unless otherwise stated.
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 10. All elevations are to the face of the work unless otherwise stated.



PLOT 1 - 3 BED @92m²

PLOT 2 - 3 BED @107m²

**TOTAL PARKING - 2 SPACES
(1 PER UNIT)**

- MATERIALS:**
- Walls: Matt Stock Brick with contrasting brick feature bands
 - Roof: Dreadnought plain tile in the Collingwood Blend,
 - Doors: Timber Composite finished in White
 - Windows: White UPVC Sash Windows, Obscured glazing to first floor side elevation (based on elevation)
 - Hard standing: Parking spaces/Driveways and footpaths - Obscured paving, all other hard standing is regular small medium (SUSBS)
 - Boundary: 1.5m noise barrier timber fence

Rev: **Date:** **Drawn:**
 Project: Land adjacent to no. 1 Neston Road
 Watford
 WD24 7BN

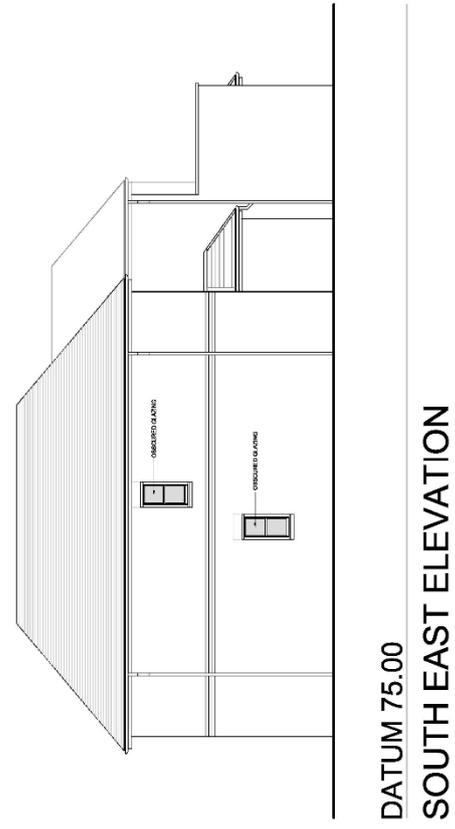
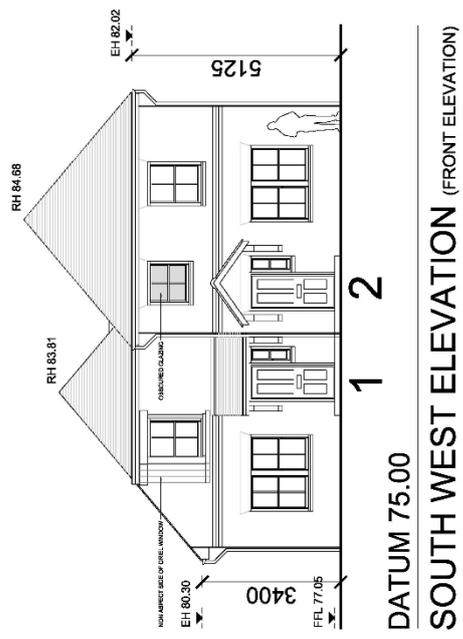
Client: Proposed Elevations
Sheet: 1 of 2

Scale:	North:
1:1100@A3	
Date:	Drawn:
MAR20	TH

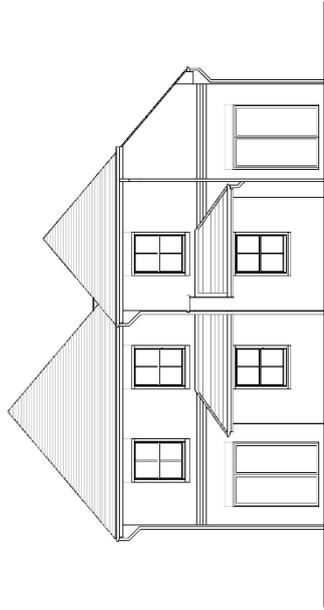
NTR/20/PL/L04

Wakelin Associates Architects

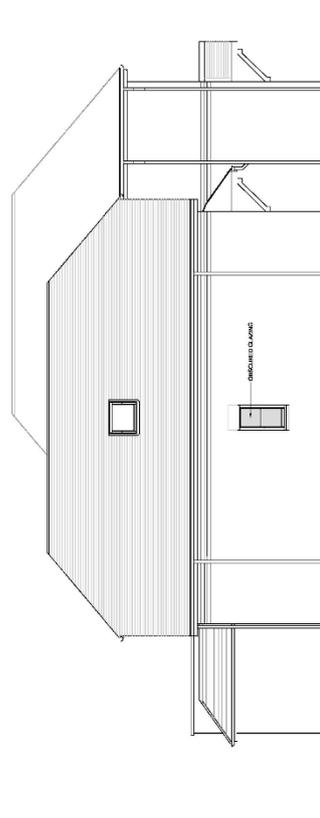
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Proposed Elevations

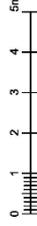


DATUM 75.00
NORTH EAST ELEVATION (REAR ELEVATION)



DATUM 75.00
SOUTH EAST ELEVATION

Notes:
 1. All elevations are to the face of the work unless otherwise stated.
 2. All dimensions are in millimetres unless otherwise stated.
 3. All dimensions are to the face of the work unless otherwise stated.
 4. All dimensions are to the face of the work unless otherwise stated.
 5. All dimensions are to the face of the work unless otherwise stated.
 6. All dimensions are to the face of the work unless otherwise stated.
 7. All dimensions are to the face of the work unless otherwise stated.
 8. All dimensions are to the face of the work unless otherwise stated.
 9. All dimensions are to the face of the work unless otherwise stated.
 10. All dimensions are to the face of the work unless otherwise stated.



PLOT 1 - 3 BED @92m²

PLOT 2 - 3 BED @107m²

TOTAL PARKING - 2 SPACES
(1 PER UNIT)

MATERIALS:
 Walls: Matt Shod Brick with contrasting brick feature bands
 Roof: Dreadnought plain tile in the Collingwood Blend,
 Doors: Timber Composite finished in White
 Windows: White UPVC Sash Windows, Obscured glazing to first floor side elevation (based on elevation)
 Hard surfacing: Parking spaces/Driveways and footpaths - 100% permeable (SUDS)
 Boundary: 1.5m noise barrier timber fence

Rev: | Date: | Drawn:
 Project: Land adjacent to no. 1 Neston Road
 Watford
 WD24 7BN

Client: Proposed Elevations
 Sheet 2 of 2

Scale: 1:1100 @ A3
 Date: MAR20
 Drawn: TH
 Rev: -

NTR/20/PL/L05

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Notes:
 1. All dimensions are to the face of the work unless otherwise stated.
 2. All dimensions are to the face of the work unless otherwise stated.
 3. All dimensions are to the face of the work unless otherwise stated.
 4. All dimensions are to the face of the work unless otherwise stated.
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 8. All dimensions are to the face of the work unless otherwise stated.
 9. All dimensions are to the face of the work unless otherwise stated.
 10. All dimensions are to the face of the work unless otherwise stated.



PLOT 1 - 3 BED @92m²

PLOT 2 - 3 BED @107m²

TOTAL PARKING - 2 SPACES
(1 PER UNIT)

MATERIALS:
 Walls: Matt Stone Brick with contrasting brick feature bands
 Roof: Dreadnought plain tile in the Collingwood Blend,
 Done: Timber Composite finished in White
 Windows: White UPVC Sash Windows, Obscured glazing to first floor side elevation (based on elevation)
 Hard standing: Parking spaces/Driveways and Footpaths - asphalt, kerbs and gullies regular small radius (SUS)
 Boundary: 1.5m noise buffered timber fence

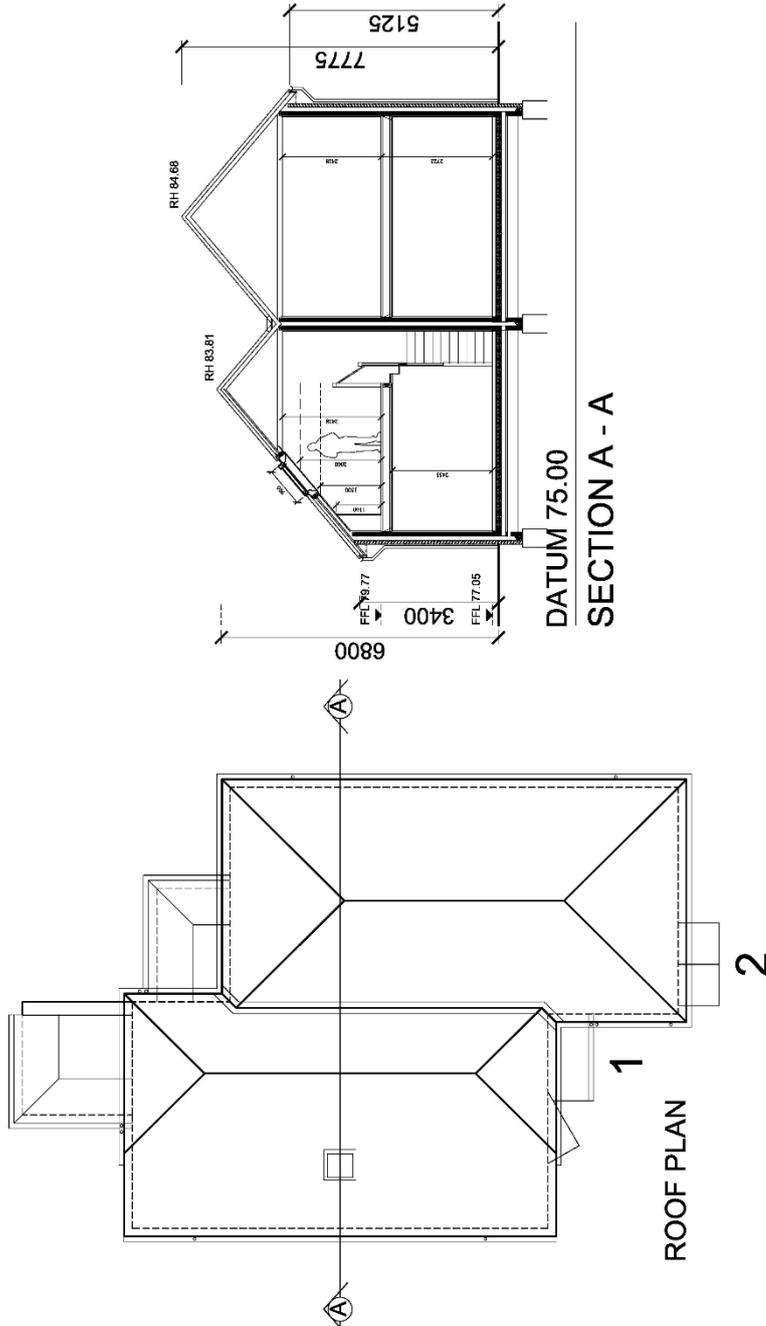
Site: [] Date: [] Details: []
 Project: Land adjacent to no. 1 Neston Road Watford WD24 7BN

Client: Proposed Roof Plan and Section A-A

Scale: 1:1100 @ A3
 Date: MAR20
 Drawn: TH
 Check: []

NTR/20/PL/L03

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Proposed Roof Plan and Cross Section

Proposed Street View

Notes:
 Refer all dimensions to the east in preference to north.
 All drawings are to be read in conjunction with the specification and shall be subject to the Architect's interpretation in respect of any discrepancy.
 The design is based on the current planning application and is subject to any changes in the design or materials of the proposed systems or products in use to those shown.
 All rights in drawings and design are reserved to the Architect.
 Subject to survey, detailed design and planning.

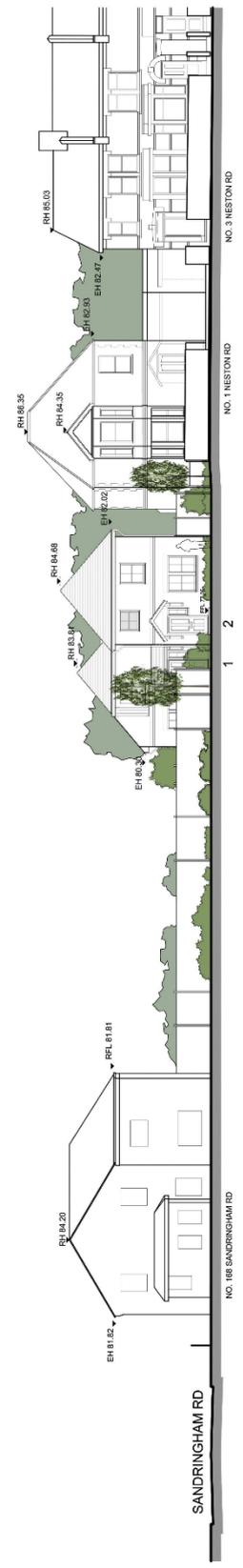
- MATERIALS:**
- Walls:** Matt Stock Brick with contrasting brick feature bands
 - Roof:** Dreadnought plain tile in the Collingwood Blend.
 - Doors:** Timber Composite finished in White
 - Windows:** White UPVC Sash Windows. Obscured glass for front back elevation (based on elevation)
 - Hard standing:**
 - Paving spaces: Concrete and Footpaths - Block Paving - Marshall's Tegula® external module (SUDS)
 - Boundary: 1.5m close boarded timber fence



PLOT 1 - 3 BED @92m²

PLOT 2 - 3 BED @107m²

TOTAL PARKING - 2 SPACES
(1 PER UNIT)



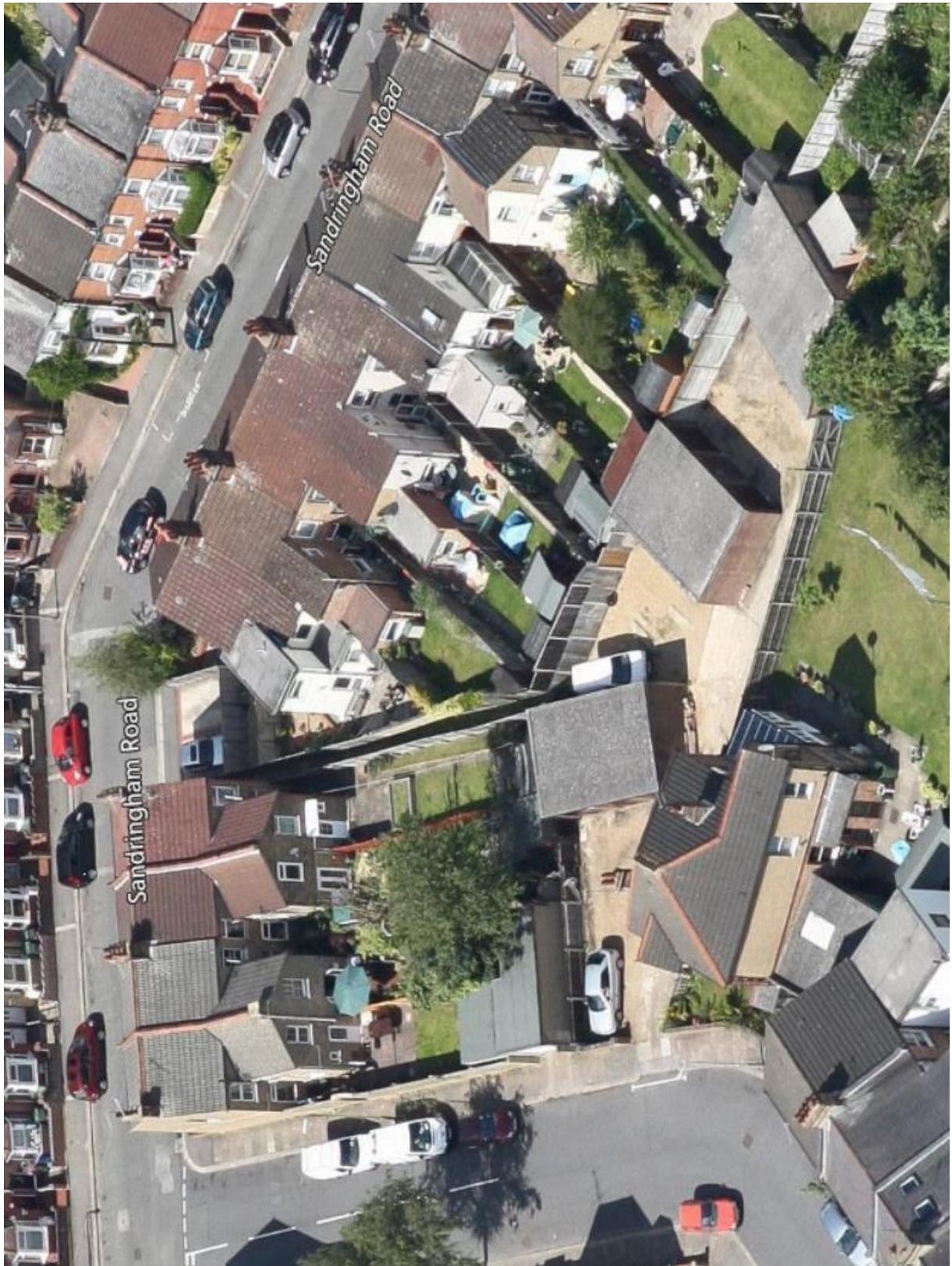
Rev: | **Date:** | **Details:**
Project:
 Land adjacent to no. 1 Neston Road
 Watford
 WD24 7BN

Content:
 Proposed Illustrative Front
 Elevation in Context

Client:	Verity
Ref:	L2006/A3
Date:	MAR20
Drawn:	TH
Rev:	-

NTR/20/PL/L08

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 Architects**
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Aerial View of Site from the east.

Agenda Item 5

Committee date	Wednesday, 29 July 2020
Application reference Site address	20/00401/VARM - 60 High Street
Proposal	A Section 73 application for minor material amendments to planning permission ref 18/01084/FULM for the redevelopment of the site to provide a mixed use scheme including 29 no. Class C3 residential units and Class A1 retail floorspace, with cycle parking and associated works, to vary Condition 2 (approval plans) to reflect minor material amendments to internal layouts, re-orientation of balconies, minor reduction in retail floor space, the inclusion of 2 no. disabled car parking spaces and other associated development replacements/amendments
Applicant	Keash Properties High Street Ltd
Agent	Avison Young
Type of Application	Section 73 variation
Reason for committee Item	Major development
Target decision date	3 rd August 2020 (extension of time)
Statutory publicity	Public advertisement in Watford Observer and site notice
Case officer	Paul Baxter, paul.baxter@watford.gov.uk
Ward	Central

1. Recommendation

Approve subject to the completion of a section 106 deed of variation and conditions as set out in section 8 of this report.

2. Site and surroundings

- 2.1 The application site is located on the south-western side of the High Street a short distance north of Market Street. It is a narrow, deep sited which extends through to Wellstones to the rear. The property comprises a vacant retail unit fronting High Street consisting of a 2 storey building which is designed with a pitched roof. A large flat-roofed extension projects to the rear. The rear part of the site adjoining Wellstones is an open parking area for up to 6 cars.
- 2.2 The application site is located in the Primary Shopping Area in the town centre and directly opposite the main entrance to the intu Charter Place extension. It adjoins a 2 storey nationally listed building at No 58-58A High Street and a 3

storey Locally Listed Building at No. 62-70 High Street. The site is not located in a designated conservation area.

- 2.3 The site at 52A-56 High Street to the north is currently being redeveloped to provide a part 4, 5 and 7 storey building with ground floor commercial units and 56 flats. The 4 storey element of the building faces the High Street and the 7 storey section faces Wellstones.

3. Summary of the proposal

3.1 Proposal

A Section 73 application for minor material amendments to planning permission ref 18/01084/FULM, for the redevelopment of the site to provide a mixed use scheme including 29 no. Class C3 residential units and Class A1 retail floorspace, with cycle parking and associated works, to vary Condition 2 (approval plans) to reflect minor material amendments to internal layouts, re-orientation of balconies, minor reduction in retail floor space, the inclusion of 2 no. disabled car parking spaces and other associated development replacements/amendments.

- 3.2 Since planning permission 18/01084/FULM was granted the site has been sold to a new developer. The approved scheme has been redesigned to facilitate the development of this narrow, constrained site and provide improved accommodation.

3.3 Conclusion

The overall scale of the proposed development is very similar to the approved scheme and would respect the context of the surrounding area and would cause no harm to the significance of the adjacent Grade II Listed Building at 58, High Street or the Locally Listed Building at 62-70, High Street. The development remains of contemporary design and would provide an attractive appearance that would enhance the character and appearance of the area.

- 3.4 The layout of the proposed development would provide an acceptable standard of amenity for future occupiers. However, as with the original permission, a condition should be attached to require the submission of final details of a noise mitigation scheme to ensure that an acceptable internal noise level is provided. There is no objection to the provision of 2 parking spaces for people with disabilities at the rear of the site on Wellstones. Adequate visibility has been provided having regard to the low vehicle speeds along Wellstones and limited number of movements.

3.5 A revised daylight and sunlight assessment has been submitted in respect of neighbouring properties and no additional adverse impacts will arise from the proposed scheme. Having regard to the density of the area and the relationship of the application site and adjoining sites, it is considered that the impact on neighbouring properties remains acceptable.

3.6 Taking the above into account, there are considered to be no adverse effects that outweigh the benefits of the proposal and therefore it is recommended that the application should be approved.

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 18/01084/FULM - Redevelopment of the site to provide a mixed use scheme including 29 no. Class C3 residential units and Class A1 retail floorspace, with cycle parking and associated works. Planning permission granted subject to a s.106 agreement on 7th February 2019.

6. Main considerations

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

- (a) Housing mix and affordable housing.
- (b) Impact on adjacent Locally Listed and Nationally Listed Buildings.
- (c) Impact on the character and appearance of the area.
- (d) Quality of accommodation provided.
- (e) Impact on amenity of adjoining residential properties.
- (f) Access, servicing and parking.
- (g) Archaeology.

6.2 (a) Housing mix and affordable housing

The approved scheme provided 21 no. 1-bed flats, 7 no. 2-bed flats and 1 no. 3-bed flat, which was considered an acceptable mix for this town centre location. The amended scheme proposes the same unit mix and this remains acceptable.

- 6.3 The approved scheme provided no affordable housing but the permission was subject to a s.106 agreement to secure a viability review upon completion of the development. This can be secured for the proposed scheme by means of a deed of variation.
- 6.4 (b) Impact on adjacent Locally Listed and Nationally Listed Buildings
The listed and locally listed buildings are located on the High Street frontage. The scale and design of the front element of the building onto High Street is largely unchanged, with the main change being 3 dormer windows in the front roofslope rather than 4 as approved. As such, the proposed amendments will have no additional impacts on these heritage assets.
- 6.5 (c) Impact on the character and appearance of the area
The approved scheme incorporates a 4 storey element on the High Street and a 7 storey element on Wellstones, with the building stepping up in height across the site. This was considered to be an appropriate scale for this town centre location and also matched the height of the adjoining building under construction at 52A-56, High Street. The overall scale and height of the building remains unchanged.
- 6.6 The design of the High Street façade remains largely unchanged with the main difference being the reduction of the approved 4 front dormer windows to 3 slightly larger dormer windows. The rear façade to Wellstones has been changed and rationalised more significantly and now includes an open pedestrian access to the side which will provide a more pleasant access for pedestrians. The approved bin and cycle stores at ground floor have been reconfigured to facilitate the provision of the 2 parking spaces. On the upper floors, the fenestration is now more ordered and in place of numerous small, and largely decorative, balconies, a smaller number of larger and usable balconies have been provided to serve the flats. This façade is considered to be an improvement compared to the approved scheme.
- 6.7 Overall, it is considered that the proposal will continue to provide a significant enhancement to the character and appearance of the locality.
- 6.8 (d) Quality of accommodation provided
All of the proposed flats will meet or exceed the nationally described space standards. In the approved scheme, the majority of the flats had been designed to be dual aspect, which was welcomed. However, in the front and rear blocks facing High Street and Wellstones, this resulted in deep, narrow and awkward layouts which didn't necessarily provide the most efficient and usable accommodation. In the proposed scheme, the units in the front and rear blocks have been designed as single aspect units which gives them a

more efficient and usable layout. Given the constraints of the site this is considered to result in better units of accommodation in this particular case.

- 6.9 The majority of the flats will have good levels of outlook, natural light and privacy although some of the inward facing units, as with the approved scheme, will experience lower levels of amenity in terms of outlook and natural light. This is largely due to the constraints of the site being deep and narrow but is not uncommon in higher density central locations such as this. As with the approved scheme, only a small number of flats are affected and overall it is considered the proposed scheme will continue to provide an acceptable quality of accommodation in this town centre location.
- 6.10 The balconies serving the flats forming the central element of the building have been relocated from the northern elevation to the southern elevation in order to received direct sunlight. This is acceptable.
- 6.11 (e) Impact on amenity of adjoining residential properties
Daylight and sunlight:
The original application was supported by a Daylight and Sunlight Assessment which adopted the methodology in the Building Research Establishment guidance “Site Layout Planning for Daylight and Sunlight. A Guide to Good Practice” (2011). The assessment concluded that there would be a noticeable loss of daylight to 2 neighbouring habitable windows – a sixth floor side-facing window in the 7-storey rear block at 52A-56, High Street (currently under construction) and a recessed second floor rear-facing window at 62, High Street which is positioned very close to the boundary. In respect of sunlight, the assessment showed that there would not be a significant loss of sunlight to the main habitable rooms of neighbouring properties, apart from the second floor rear window at 62, High Street. The assessment also concluded that there would be some overshadowing of the adjoining amenity area at 52A-56, High Street situated to the north. These impacts were considered acceptable in approving the original application. In the proposed scheme, these impacts remain unchanged. No additional adverse impacts arise as a result of the changes to the scheme.
- 6.12 Outlook:
The approved development was not considered to cause a significant loss of outlook to neighbouring properties due to its distance and relationship to neighbouring habitable windows. This remains the case with the proposed scheme.
- 6.13 Privacy:
As with the approved scheme, the distance and relationship of the proposed

habitable windows to neighbouring habitable windows is considered to be acceptable in this high density town centre location. The habitable windows in the central element of the building will overlook the courtyard garden of the adjacent development at 52A-56, High Street as before, which is acceptable given that it is a communal garden. A distance of 22m would be maintained to the south-east facing elevation of the adjacent development, which complies with paragraph 7.3.16 of the Residential Design Guide in respect of the separation distance of buildings in new development.

- 6.14 The size and position of the balconies to the flats have changed in the proposed scheme. On the Wellstones elevation each flat now has a single, larger balcony located adjacent to the building at 52A-56, High Street. Due to the proximity of these balconies to the adjoining windows (bedrooms), privacy screens will be required on the northern side of each balcony to prevent overlooking into these windows. On the High Street element of the building, balconies have been introduced on the rear elevation to the flats facing into the site. These will be sited adjacent to the terraced amenity areas of the adjoining flats at second floor level at 62-70, High Street to the south. Privacy screens will also be required on the southern side of these balconies to prevent overlooking. These privacy screens can be secured by condition.
- 6.15 The proposed roof terraces would be set in from the edge of the roof, which would restrict overlooking into neighbouring properties. As such, the proposed development would have no adverse effect on the privacy of neighbouring properties.
- 6.16 (f) Access, servicing and parking
The site is accessed from both High Street and Wellstones. Servicing of the retail unit can take place from a loading bay outside the site and this remains unchanged. Pedestrian access to the residential units is from Wellstones, which is also unchanged.
- 6.17 The approved scheme provided no on-site car parking which is acceptable in this sustainable and accessible town centre location. The current proposal provides 2 parking spaces on Wellstones for people with disabilities. These have been sited and designed to ensure reasonable visibility is achieved onto Wellstones, for vehicle speeds up to 20mph. Whilst it is accepted that the full visibility splay for a 30mph road cannot be achieved, it is also noted that vehicle speeds on Wellstones are likely to be much lower due to its nature as a service road, its narrow width and the presence of a sharp bend to the north of the site. In the circumstances, it is not considered that the introduction of 2 parking spaces would give rise to any significant hazards.

6.18 On the approved scheme, the cycle parking for the proposed flats was to be provided within the entrance lobby. This was not an ideal solution and further details had not been provided. In the current proposal, a separate secure cycle store is provided and this is acceptable.

6.19 (g) Archaeology

An Archaeological Written Scheme of Investigation has been approved pursuant to Condition 12 of planning permission 18/01084/FULM and remains acceptable (ref. 20/00032/DISCON). Demolition and construction works will need to be undertaken in accordance with this approved document.

7. Consultation responses received

7.1 Statutory consultees and other organisations

Hertfordshire County Council Highway Authority

Raised objections to the 3 car parking spaces originally proposed on Wellstones due to lack of visibility and resulting hazards. The number of spaces was subsequently reduced to 2 and visibility improved.

7.2 Internal consultees

None required.

7.3 Interested parties

Letters were sent to 18 properties in the surrounding area. No responses have been received.

8. Recommendation

That planning permission be granted subject to the completion of a deed of variation to secure the planning obligations contained in the s.106 agreement dated 7th February 2019 and the conditions listed below:

Conditions

1. The development to which this permission relates shall be begun before 7th February 2022.

Reason: To comply with the commencement date of planning permission 18/01084/FULM.

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

489-CDA-ZZ-00-DR-A-00-0100_S73-1 R1

489-CDA-ZZ-00-DR-A-01-0100_S73-1 R1
489-CDA-ZZ-00-DR-A-05-0100_S73-1 R1
489-CDA-ZZ-01-DR-A-05-0101_S73-1 R1
489-CDA-ZZ-02-DR-A-05-0102_S73-1 R1
489-CDA-ZZ-03-DR-A-05-0103_S73-1 R1
489-CDA-ZZ-04-DR-A-05-0104_S73-1 R1
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489-CDA-ZZ-06-DR-A-05-0106_S73-1 R1
489-CDA-ZZ-07-DR-A-05-0107_S73-1 R1
489-CDA-ZZ-XX-DR-A-05-0200_S73-1 R1
489-CDA-ZZ-XX-DR-A-05-0201_S73-1 R1
489-CDA-ZZ-XX-DR-A-05-0202_S73-1 R1
489-CDA-ZZ-XX-DR-A-05-0203_S73-1 R1

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

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

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

4. No construction works above damp proof course level shall commence until detailed drawings of the window and door reveals, balconies, brick detailing, capping to the external walls and shopfronts, have been submitted to and approved in writing by the Local Planning Authority. The details of the balconies shall also include the provision of privacy screens to the northern side of the balconies adjoining 52A-56, High Street facing Wellstones and the southern side of the balconies adjoining 62-70, High Street facing into the site. The development shall be carried out only in accordance with the approved details.

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

5. No construction works above damp course level shall commence until a detailed surface water drainage scheme for the site, based on the approved Flood Risk Assessment and Surface Water Management Report, Project No 376 Rev C dated August 2018, prepared by Flo, drawing reference number DR-100 Rev. P5 – Outline Drainage Design and exceedance route layout, has been submitted to and approved in writing by the local planning authority. The scheme shall include:
 1. Detailed design of the drainage scheme including 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 discharge and volume calculations/modelling. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
 2. Structural calculations of the building in order to ensure that it can accommodate the proposed blue roofs.

The scheme shall subsequently be implemented in accordance with the approved details prior to occupation of the development.

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

6. No part of the development shall be occupied until a management and maintenance plan for the SUDS features and drainage network has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 1. Provision of complete set of as built drawings for the site drainage.
 2. Maintenance and operational activities and arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

The management and maintenance plan shall be implemented in accordance with the approved details throughout the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

7. The development hereby approved shall be carried out in accordance with the Energy & Sustainability Report dated 31st July 2018 prepared by

MES Building Solutions, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development achieves high levels of sustainability in accordance with Policies SD1, SD2, SD3 and SD4 of the Watford Local Plan Core Strategy 2006-31 and Section 14 of the National Planning Policy Framework revised July 2018.

8. No construction works above damp course level shall commence until details of a final noise mitigation scheme which is based on the recommendations in the Noise Impact Assessment carried out by soundsolution consultants Technical Report 30454 R2 dated 31st July 2018 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of ventilation and specification details of the building envelope to achieve the internal noise levels contained in BS 8233:2014. No part of the development shall be occupied until all the works forming part of the approved scheme have been completed.

Reason: To ensure that an acceptable internal noise level is provided for future occupants of the development.

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

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

10. No part of the development shall be occupied until refuse, recycling and cycle storage facilities 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.

11. The ground floor commercial unit shall only be used for retail purposes within Use Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended), unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the vitality and viability of the designated Primary Retail Frontage, pursuant to 'saved' Policy S5 of the Watford District Plan 2000 and Policies SPA1 and TLC1 of the Watford Local Plan Core Strategy 2006-31.

12. The development shall only be carried out in accordance with the programme of archaeological works set out in the approved Written Scheme of Investigation for an Archaeological Watching Brief by Compass Archaeology dated January 2020.

The building shall not be occupied until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Archaeological Written Scheme of Investigation and the provision made for analysis and publication where appropriate.

Reason: This is a pre-commencement condition to ensure that any archaeological remains are properly recorded, in accordance with Policy UD2 of the Watford Local Plan Core Strategy 2006-31. This needs to take place before development commences in order to ensure any remains present are not damaged or destroyed before they are recorded.

Informatives

IN907 Positive and Proactive Statement – Grant.

IN909 Street Naming and Numbering.

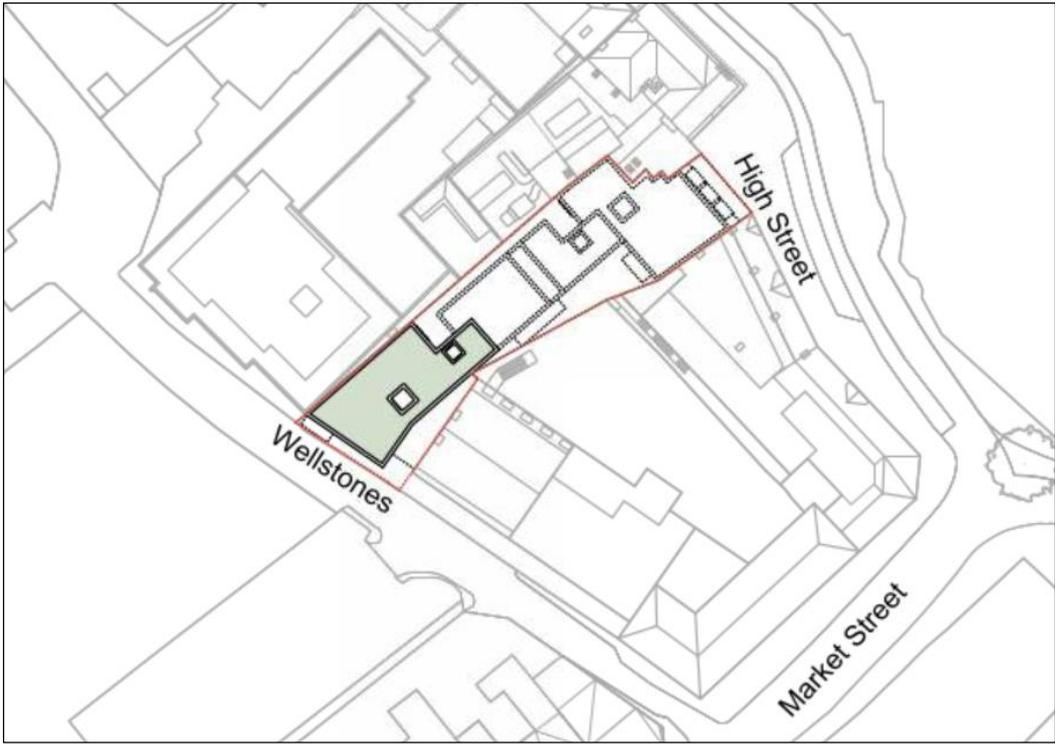
IN910 Building Regulations

IN911 Party Wall Act

IN912 Hours of Construction

IN913 Community Infrastructure Levy

IN914 Section 106 Agreement



Site location plan



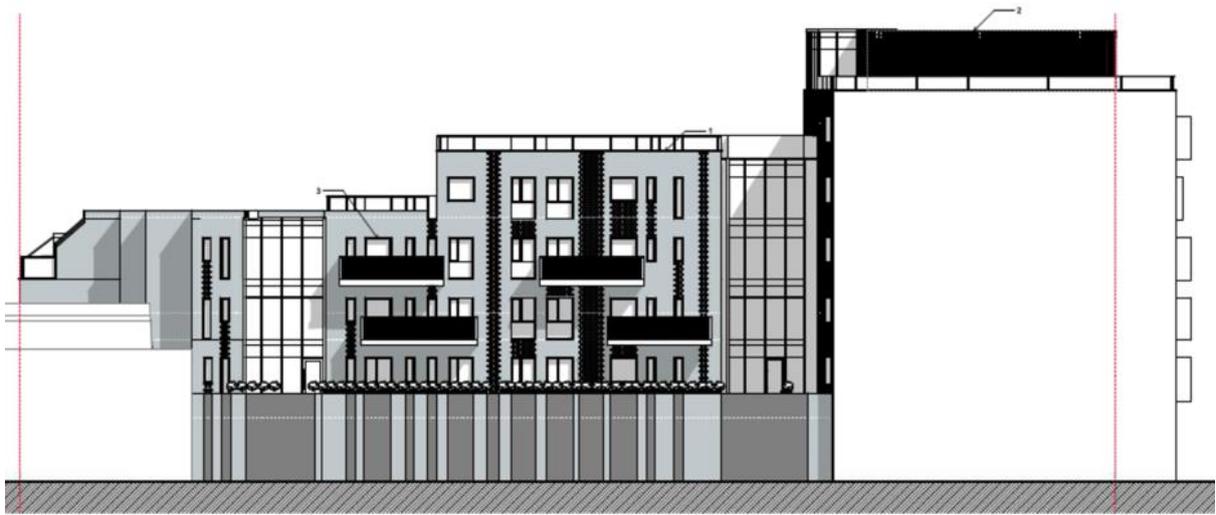
Aerial view from the west (Google Earth)



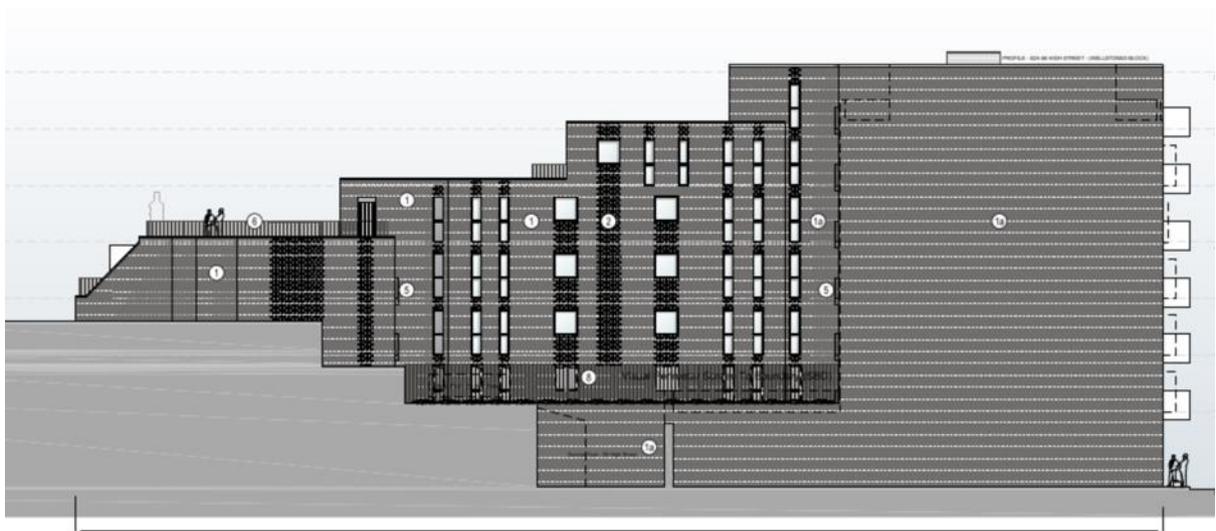
Elevation to High Street – Approved (left) and Proposed (right)



Elevation to Wellstones – Approved (left) and Proposed (right)



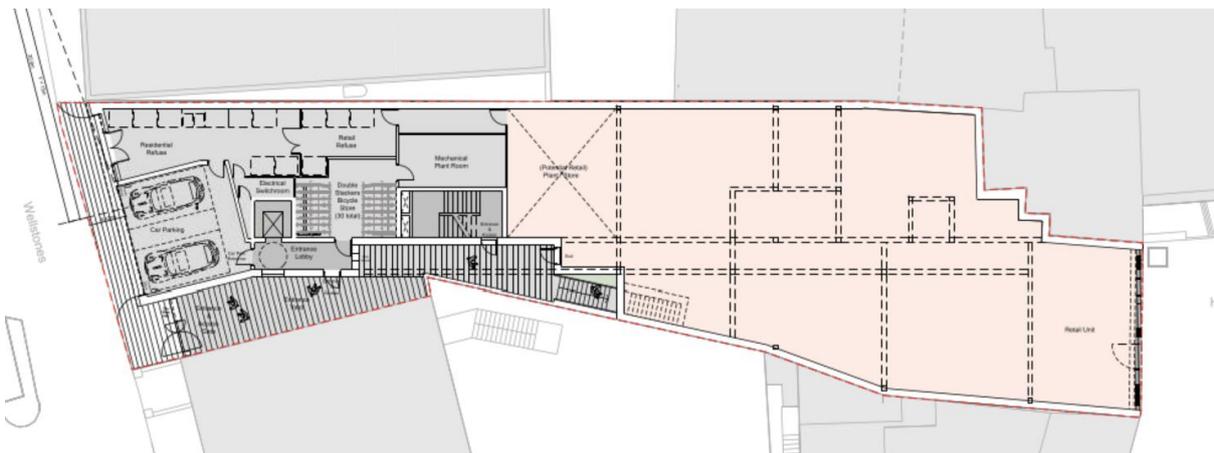
North elevation – Approved



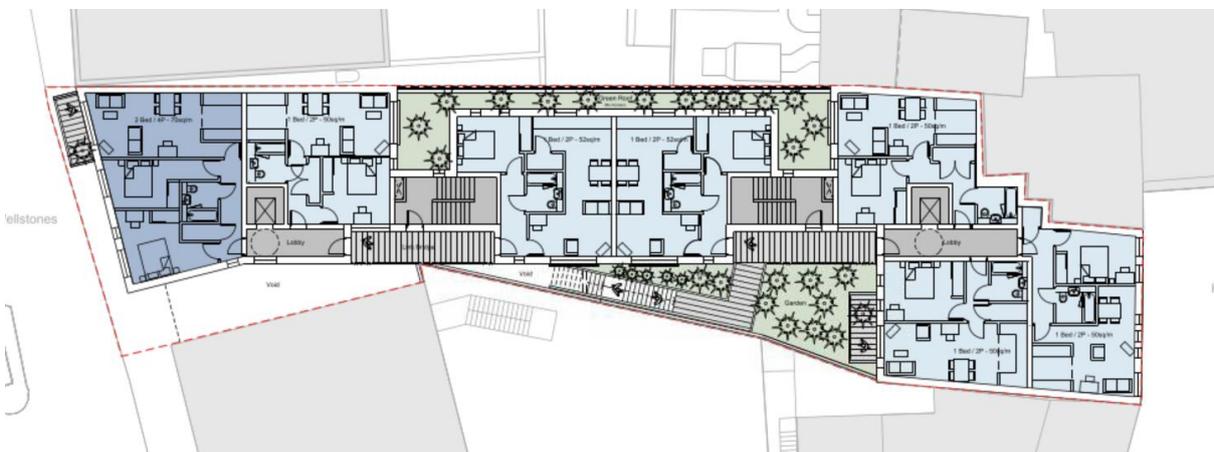
North elevation – Proposed



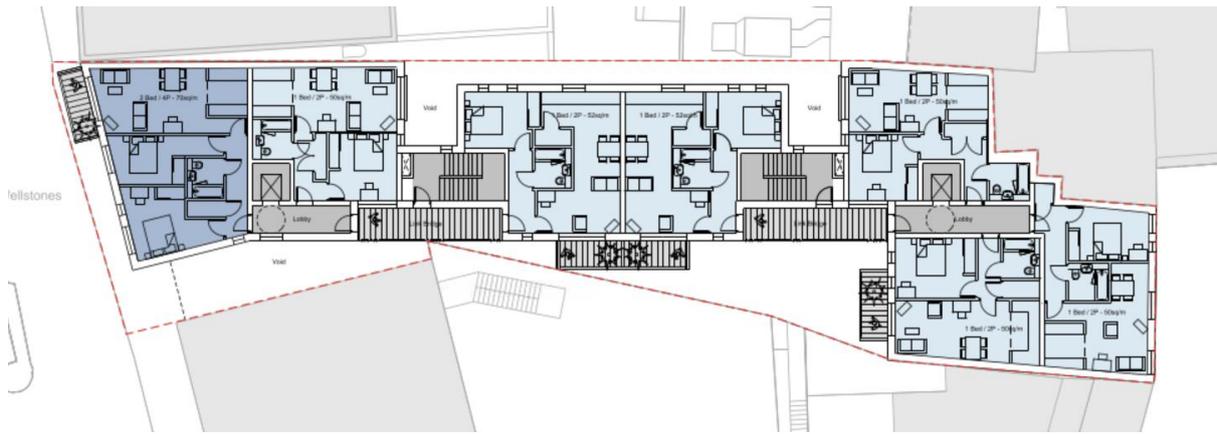
South elevation – Proposed



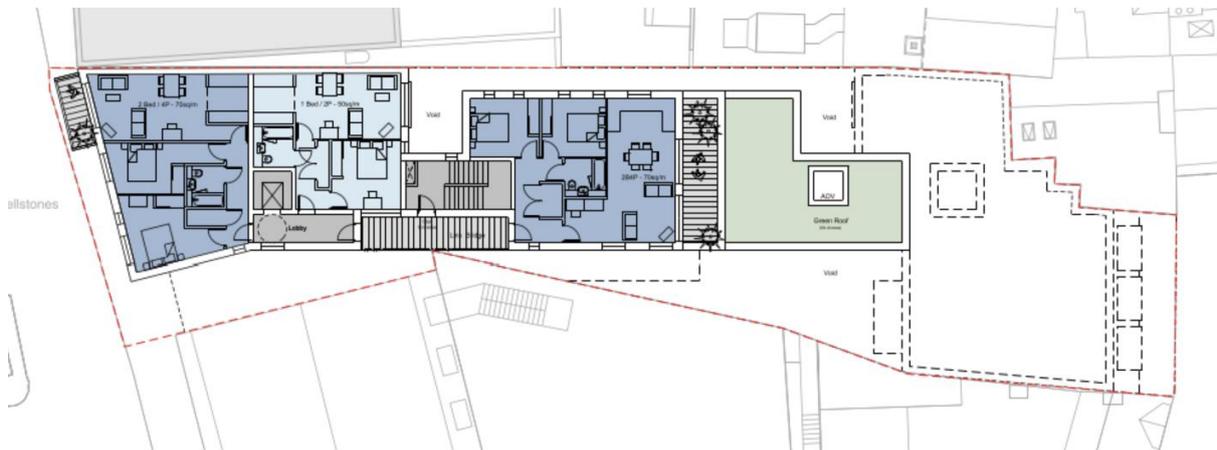
Proposed ground floor plan



Proposed first floor plan



Proposed second floor plan



Proposed fifth floor plan

Agenda Item 6

Committee date	Wednesday, 29 July 2020
Application reference Site address	17/00470/FULM - 37-39 Clarendon Road
Proposal	Variation of Section 106 agreement of planning permission 17/00470/FULM for the proposed mixed use development comprising up to 11,180 sqm of Class B1(a) office space on 8 floors, 154 residential units on 23 floors, up to 496 sqm of Class A3 café/restaurant space on the ground and 9th floors, 1st floor gym, basement car and cycle parking, access, landscaped rooftop amenity space and associated works.
Applicant	Clarendon Road Developments Ltd
Agent	Woolf Bond Planning
Type of Application	Variation of Section 106 agreement
Reason for committee Item	Major development
Target decision date	None
Statutory publicity	None required
Case officer	Paul Baxter, paul.baxter@watford.gov.uk
Ward	Central

1. Recommendation

That the Section 106 agreement be varied as set out in Section 7 of the report.

2. Site and surroundings

- 2.1 The site is located on the western side of Clarendon Road close to the junction with Beechen Grove. It is rectangular in shape and has an area of 0.40 hectare. It adjoins Jury's Inn to the south and has a rear boundary that adjoins Beechen Grove. It comprises a 4 storey office block on the frontage (Hannay House) which dates from the 1960s and is currently occupied. To the rear is a second, 3 storey office block (Millbuck House) which has been vacant since 1997.
- 2.2 The site is located in the Town Centre SPA in the Core Strategy and within an allocated employment area (E7a) in the Watford District Plan 2000. There are parking restrictions, including Residential Control Parking Zone along the roads within the vicinity of the site. The site is not within a conservation area and there are no listed or locally listed buildings within or adjoining the site.

3. Summary of the proposal

3.1 Proposal

Planning permission 17/00470/FULM was granted on 1st May 2018 following the completion of a Section 106 agreement to secure the following planning obligations:

- i) To secure a financial contribution to the Council of £1,400,000 towards the provision of affordable housing in the Borough of Watford;
- ii) To secure a review mechanism of the viability of the scheme to secure additional contributions up to a maximum total contribution of £6,156,313 towards the provision of affordable housing in the Borough of Watford, subject to the review demonstrating the improved viability of the development;
- iii) To secure a financial contribution to the Council of £600,000 towards the environmental improvement of Clarendon Road;
- iv) To secure 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 site;
- v) To secure the provision of fire hydrants to serve the site as required by Hertfordshire County Council;
- vi) 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.

3.2 This application seeks to vary planning obligations (i) and (ii) above as follows:

- i) To secure a financial contribution to the Council of £1,650,000 (index-linked) towards the provision of affordable housing in the Borough of Watford. This is to be paid on practical completion of the development.
- ii) Requirement for a review mechanism to be deleted.

Planning obligations (iii), (iv), (v) and (vi) remain unchanged.

3.3 Conclusion

The proposed variation to the Section 106 will mean that a greater minimum affordable housing contribution will be paid to the Council. It is also proposed that this payment will be made at an earlier time, upon practical completion of the development, rather than after the completion of the sale of the 125th residential unit and the completion of a viability review, as currently proposed within the agreement. This is considered to be a significant benefit as it would reduce the risk of a significant delay in securing the contribution in the event of that sales of the new homes fail to progress in a timely manner. The compromise is that there will be no prospect of any additional affordable housing contribution arising from the review. However, the viability review undertaken as part of the assessment of the request to vary the Section 106 agreement indicates that this would be very unlikely. A further benefit arising is that the removal of the late stage review would reduce uncertainty around the cost of delivering the scheme increasing the likelihood that the scheme will be funded and delivered providing significant new office floorspace, supporting job creation, and 154 residential units, which has not commenced in over 2 years and will expire on 1st May 2021. On balance, it is considered that the benefits of varying the Section 106 agreement will significantly outweigh the dis-benefits and that the request should be granted.

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 17/00470/FULM - Proposed mixed use development comprising up to 11,180 sqm of Class B1(a) office space on 8 floors, 154 residential units on 23 floors, up to 496 sqm of Class A3 café/restaurant space on the ground and 9th floors, 1st floor gym, basement car and cycle parking, access, landscaped rooftop amenity space and associated works. Planning permission granted 1st May 2018.

18/00895/FUL - Erection of a substation at rear of site adjacent to Beechen Grove (amended description). Planning permission granted 5th November 2018.

18/00894/NONMAT - Non-material amendments to planning permission 17/00470/FULM for various amendments to the building and the variation of

the wording of Conditions 4, 23 and 24. Application granted 30th November 2018.

20/00600/NONMAT - Non-material amendments to planning permission 17/00470/FULM as amended by 18/00894/NONMAT for increase in height of the office building, ground floor layout amended and office area revised, increasing the office floor area by 1065sqm. Application granted 7th July 2020.

6. Main considerations

- 6.1 The only issue to be considered in this case is the variation of planning obligations (i) and (ii) of the Section 106 agreement. No physical amendments are proposed to the site or building or the proposed uses.
- 6.2 The difference between the commuted sum figures of £1,400,000 and £6,156,313 used in the Section 106 agreement arose out the different benchmark land values for the site attributed by the applicant's consultant and the Council's consultant respectively. As this difference could not be resolved at application stage, it was agreed as part of the review mechanism in the Section 106 that an independent third party consultant would be jointly appointed to determine the benchmark land value to be used in the review. This consultant concluded that a value higher than that proposed by the applicant's consultant should be used. This figure has been used in the current appraisals.
- 6.3 The proposed changes are requested by the applicant due to the uncertainty created around the review mechanism and the potential increase in the affordable housing contribution up to £6,156,313. It is stated that this requirement is hindering the investment funding required to bring the development forward. The planning permission is already over 2 years old and needs to be commenced before 1st May 2021. The applicant is in the process of securing a development partner to build out the scheme but is currently unable to secure the necessary funding due to the requirement for a review mechanism and the uncertainty this creates around the cost of the scheme.
- 6.4 A new viability appraisal has been submitted to demonstrate that a one-off payment of £1,650,000 (to be index-linked from the date of the original permission) towards affordable housing, to be paid upon practical completion of the development, is viable together with the other approved obligations of £608,000, making a total contribution of £2,258,000. This is also in addition to a Community Infrastructure Levy payment of £1,697,178. This has been based upon the higher benchmark land value of the third party consultant. The

appraisal has been reviewed by consultants Aspinall Verdi on behalf of the Council and has been agreed. They have concluded:

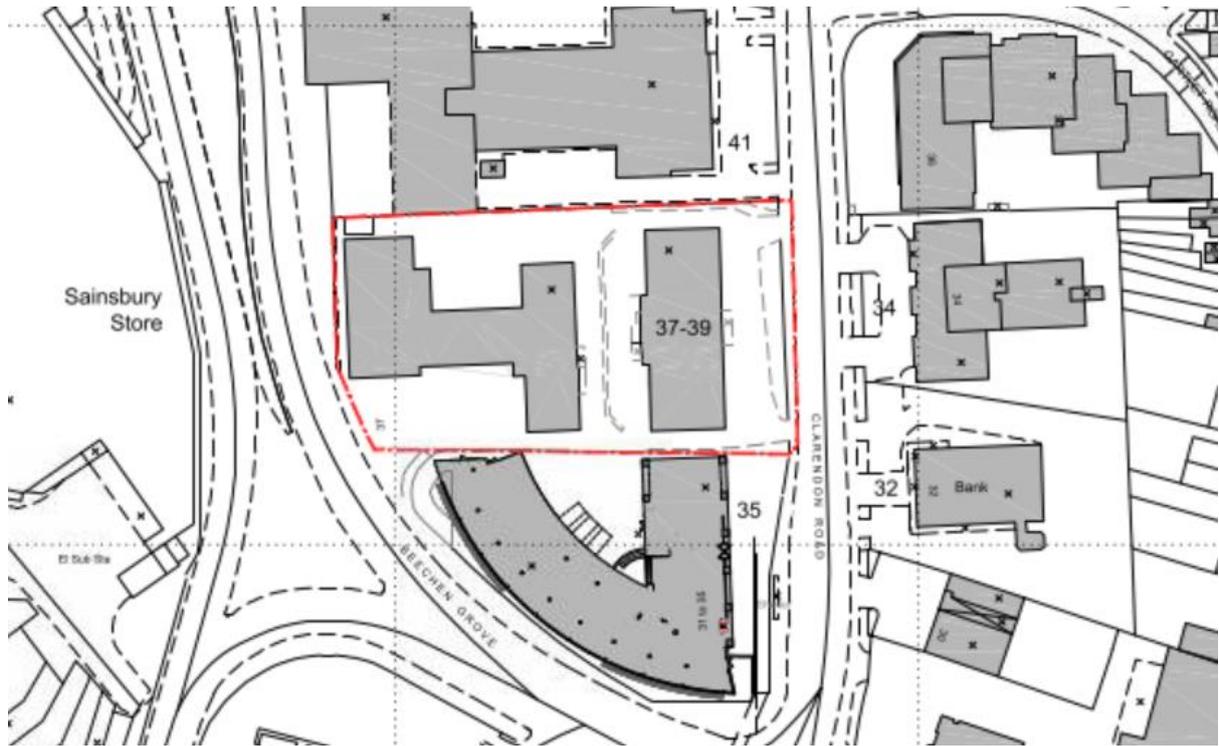
“Based on our assessment, we conclude that the maximum reasonable commuted sum payment towards affordable housing is £1.65m as suggested by the Applicant in addition to a CIL payment of £1.7m and a s106 contribution of £608,000. Further to this, given the viability and outputs of the sensitivity analysis we recommend that the requirement for a review mechanism (or additional payment) be dropped in return for the guaranteed sum of £1.65m.”

- 6.5 Under the terms of the current agreement, the viability review mechanism was due to be undertaken upon the completion of the sale of the 125th residential unit. Following approval of the viability review by the Council, the affordable housing contribution was to be paid to the Council subject to it not being less than £1,400,000 and not more than £6,156,313. With a predicted pre-construction and construction period of 32 months, it is anticipated that this payment would be made 3-4 years after the commencement of the development.
- 6.6 With the proposed removal of the viability review mechanism, the applicant has agreed to bring forward the timing of the affordable housing contribution, to now be made upon practical completion of the development. This would mean the payment is likely to be made at least 12 months earlier than before depending on the rate of sales.
- 6.7 The increase in the minimum payment from £1,400,000 to £1,650,000 (index-linked) and the payment being made upon practical completion of the development, rather than after the completion of the sale of the 125th unit and the required viability review, is considered to be a significant planning benefit and will contribute towards the timely delivery of much needed affordable housing within the borough. The compromise of the removal of the late stage viability review is that there will be no prospect of any additional affordable housing contribution arising from the review. However, the viability review undertaken and the sensitivity testing carried out indicates that this would be very unlikely, particularly in terms of achieving a significant uplift in the contribution. A further benefit arising is that this will facilitate the implementation of the development which will provide significant new office floorspace, supporting new jobs, and 154 residential units, which has not commenced in over 2 years and will expire on 1st May 2021. On balance, it is considered that the benefits of varying the Section 106 agreement will outweigh the dis-benefits and that the request should be granted.

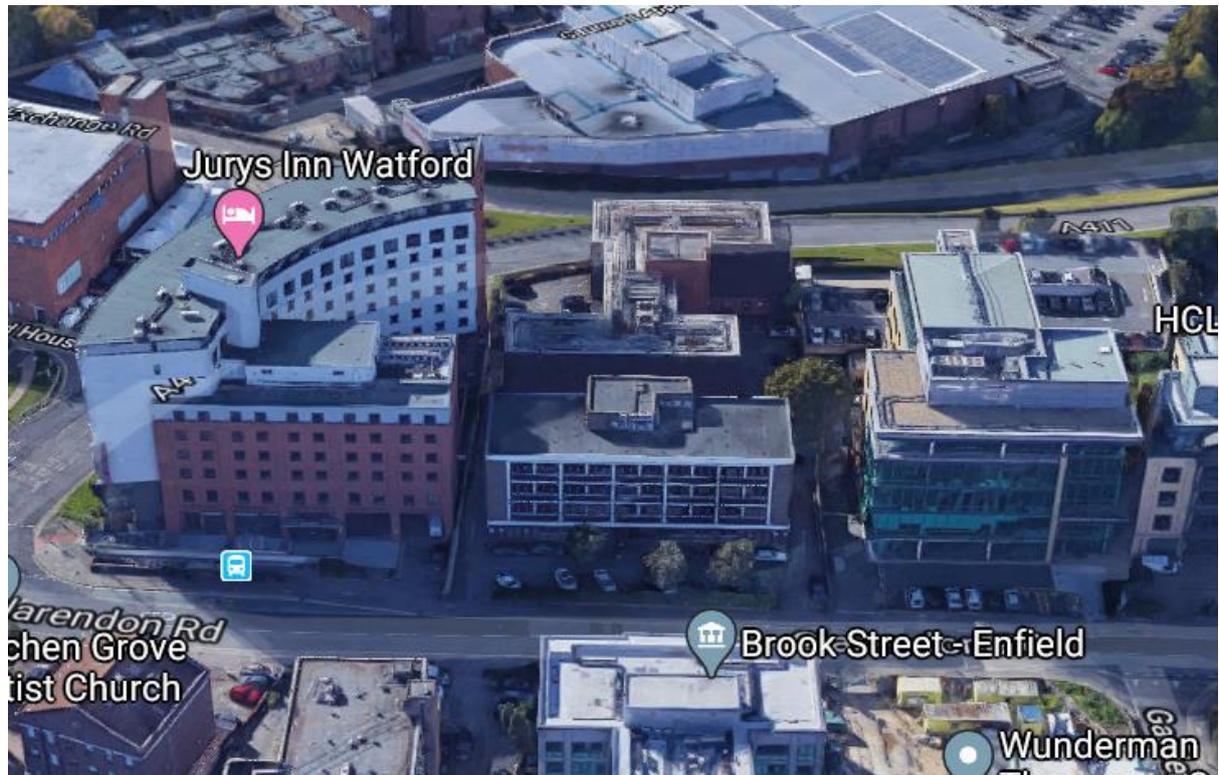
7. Recommendation

That the request to vary the Section 106 agreement of planning permission 17/00740/FULM be approved and the agreement be varied as follows:

- i) Clauses 3.6 and 3.8-3.13, which refer to the requirement for a viability review, be deleted.
- ii) Clause 3.7, which refers to a minimum affordable housing contribution of £1,400,000 to be paid following a viability review be varied to refer to a single payment to the Council of £1,650,000 (index-linked), to be paid on practical completion of the development.
- iii) All other associated clauses and definitions be varied accordingly.



Site Location Plan



Aerial view looking west (Google Earth)



East elevation facing Clarendon Road



West elevation facing Beechen Grove

Committee date	Wednesday, 29 July 2020
Application reference	20/00178/FULM - 147 York Way
Site address	
Proposal	Construction of 62 new dwellings (Block D and E1), including a 51 bed Flexicare scheme (changed from 'Extracare'), a hairdressers, community hub and associated external works. Amendment to planning application 15/00919/FULM.
Applicant	Mulalley And Company Limited
Agent	Mulalley And Company Limited
Type of Application	Full planning permission
Reason for committee Item	Major development
Target decision date	15 th May 2020
Statutory publicity	Public advertisement and site notices
Case officer	Paul Baxter, paul.baxter@watford.gov.uk
Ward	Meriden

1. Recommendation

Approve subject to subject to the completion of a planning obligation under section 106 of the Town and Country Planning Act 1990 and the conditions as set out in section 8 of this report.

2. Site and surroundings

2.1 The site is located at the junction of The Gossamers and York Way and comprises the land occupied by the existing Meriden local shopping parade and the site of the former Alterstart garage (now demolished). The main building on the site is 3 storeys with ground floor commercial units and 2 storeys of flats above. Also included is the parking area to the front of the parade and a former lock-up garage site to the rear. The site has an area of approximately 0.82 hectare.

2.2 The site forms part of a larger development area of 2.97 hectares within the central part of the Meriden estate, the subject of planning permission 15/00919/FULM for the redevelopment of 133 new dwellings. This permission is currently being implemented on site with 7 blocks of bungalows, houses and flats currently under construction, including a new parade of shops.

3. Summary of the proposal

3.1 **Proposal**

Planning permission 15/00919/FULM included a new building on the application site comprising Block D/E1 (linked together) with Block D comprising a 50 'Extracare' flats and a hairdressers and Block E1 comprising 9 general flats, a community hub and cafe. Block D/E1 cannot be built as approved due to their proximity to overhead power lines and the requirement from National Grid to increase the distance between the building and the line of the cables.

3.2 The proposed new building has been redesigned based upon the scale, design and materials of the approved building and incorporating various non-material amendments that have subsequently been approved. Block D now provides 51 'Flexicare' flats and a hairdressers and Block E1 provides 11 general flats and a community hub. Due to the slight reduction in the ground footprint of the building, the proposed café is no longer included.

3.3 'Flexicare' housing is a housing product described by the applicant as:

"Flexicare Housing is a positive lifestyle choice for older people that combines accommodation with care and support services. There are many different types of Flexicare accommodation available from small communities of apartments and bungalows to retirement villages. The facilities that we are constructing as part of the Meriden regeneration will include:

- *Self-contained adapted apartments and bungalows*
- *Provision of personal care and support services on a needs-assessed basis*
- *Reception and office accommodation*
- *Communal facilities and services, such as lounge, dining area and garden*

The eligibility criteria is yet to be finalised, but residents are usually:

- *Above a certain age: 55+*
- *Able to live safely on their own with some support"*

3.4 The overall layout of the site, the siting of the building in relation to The Gossamers, York Way and surrounding properties, the access arrangements from The Gossamers and York Way and car parking provision all remain unchanged.

3.5 **Conclusion**

The proposed changes to Block D/E1 have been necessitated to comply with the requirements of National Grid in relation to the clearance to the overhead power lines. The changes relate principally to Block E1, in terms of its width, depth and height but the overall scale, design and appearance of the building

has been retained. The opportunity has also been taken to add three additional units to the northern element of Block D. The proposed changes are considered acceptable and retain the character and appearance of the building and the wider development. All other aspects of the building remain unchanged. No additional adverse impacts to surrounding properties have been identified. The application is therefore recommended for approval.

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 The following planning history is relevant to the current application.

15/00919/FULM	Demolition of 10 bungalows, existing shopping parade comprising 10 commercial units and residential accommodation above (9 maisonettes and 2 flats), estate office, MOT service garage and 27 garages plus garages/stores behind the shopping parade. Construction of 133 new dwellings, including a 50 bed extra care scheme, new shops plus associated works to landscape, parking and service access roads.	Planning permission granted 05.02.2016
17/00108/DISCON	Details submitted for Condition 5 (Development Phasing Plan), Condition 6 (Environmental Management Plan), Condition 7 (Site Waste Management Plan), Condition 8 (Protective Fencing), and Condition 21 (Construction Traffic Management Plan) pursuant to planning permission	Approved 03.05.2018

	15/00919/FULM	
17/00410/DISCON	Details submitted for Condition 4 - Considerate Contractors registration certificate pursuant to planning permission 15/00919/FULM	Approved 16.05.2017
17/01202/NONMAT	Non-material amendment to planning permission 15/00919/FULM for various general alterations to the approved scheme.	Approved 02.10.2017
18/00549/DISCON	Details submitted to discharge condition 9 (materials) pursuant to planning permission 15/00919/FULM	Approved 25.07.2018
18/00909/NONMAT	Non material amendment to planning permission ref. 15/00919/FULM for various alterations to Block E1/D including reduction in ground floor height by 450mm, rationalisation of window sizes and composite windows and doors replaced with UPVC.	Approved 05.10.2018
18/01041/DISCON	Details submitted for condition 34 (Acoustic report associated to substation noise) pursuant to planning permission 15/00919/FULM	Approved 29.10.2018
19/00139/DISCON	Details submitted for Condition 28 (residential travel plan) pursuant to planning permission 15/00919/FULM	Approved 21.02.2019
19/00565/DISCON	Details submitted for Condition 23 (Soft landscaping - 3 bungalows in	Approved 16.08.2019

	Block A only) and Condition 24 (Hard landscaping - whole site) pursuant to planning permission ref. 15/00919/FULM	
20/00593/DISCON	Details submitted for Condition 12 (site contamination soil investigation), Condition 14 (contamination monitoring and maintenance plan) and Condition 17 (piling methods) pursuant to 15/00919/FULM	Pending consideration
20/00665/DISCON	Details submitted for Condition 23 (soft landscaping) pursuant to planning permission 15/00919/FULM	Pending consideration

6. Main considerations

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

- (a) Housing and other uses
- (b) Affordable housing provision
- (c) Scale, design and appearance
- (d) Impacts on neighbouring properties
- (e) Highways and parking

6.2 (a) Housing and other uses

The main change in the residential provision is the change in housing product from 'Extracare' to 'Flexicare'. There are a number of similar housing products designed to facilitate independent living for elderly people with different levels of care provided. The names given to the different products are often not exact or consistent but all provide some form of assisted or supported living for elderly people. The change in housing product will still provide supported independent living for the elderly but with a more flexible level of care available including allowing initial occupation without requiring care services. This has been requested by the applicant to best meet the needs

they have identified. There is no objection to this change and this is acceptable.

- 6.3 All of the units within Block D remain as 1 bedroom, 2 person units, as approved. The mix of units in Block E1 has changed as follows:

Unit type	Approved	Proposed
1 bed, 2 person	5	7
2 bed, 3 person	1	3
2 bed, 4 person	3	1
Total	9	11

Block E provides an overall increase of 2 units albeit with a loss of 2 no. 2 bed, 4 person units. However, the mix is still considered acceptable within the overall context of the development being undertaken.

- 6.4 The approved scheme included a new community hub (to replace the existing community room on the site), a café and a hairdresser (directly linked to Block D to provide a facility for the residents as well as the wider community. In the proposed scheme, the community hub and hairdresser have been retained but the café use has been lost. This is considered acceptable as there is opportunity for a café use within the new parade of shops currently under construction in Block E2/E3 on the opposite side of York Way.

- 6.5 (b) Affordable housing provision
Planning permission 15/00919/FULM was subject to a Section 106 unilateral undertaking to secure affordable housing across the development. This secured the following obligations from the applicant:

- (i) a minimum of 9 Units shall be provided as Social Rented Housing Units, with the Units selected for this tenure being at the discretion of the Applicant;
- (ii) a minimum of 80 Units shall be provided as Affordable Rented Housing Units, with the Units selected for this tenure being at the discretion of the Applicant;
- (iii) all remaining Units shall be provided as Social Rented Housing Units or as Affordable Rented Housing Units or as Private Rented Housing Units, with the Units selected for these tenures being at the discretion of the Applicant.

- 6.6 This overall level of provision remains acceptable with the minimum 89 affordable units comprising 65.4% of the total number of units now provided (including the increase of 3 units resulting from the current proposal).
- 6.7 (c) Scale, design and appearance
The overall scale, design and appearance of the building remains as approved under planning permission 15/00919/FULM and amended under non-material amendment 18/00909/NONMAT. The main changes to the building are:
- i) Block E1 - The part 3, part 4 storey element sited towards the York Way frontage and adjacent to 145, York Way has been reduced in width by 3m to achieve the required increased clearance from the overhead power lines. As a result, this part of the building has become narrower and is now set further back from York Way. In order to compensate for this loss of floorspace, the 3 storey element has been increased to 4 storeys and the roof form changed from a series of pitched roofs to a flat roof to match that of the approved 4 storey element.
- 6.8 These changes maintain the overall character and appearance of the building and are acceptable.
- 6.9 ii) Block D – The single storey block of 3 bungalows forming the northern element of the building has been increased to 2 storeys to provide 6 flats. The flat roof has been retained.
- 6.10 This element is now the same height and similar design, incorporating a flat roof, as the 2 storey western element of the building. The overall character and appearance of the building is retained and this is acceptable.
- 6.11 (d) Impacts on neighbouring properties
The site adjoins residential properties in York Way (specifically No. 145 adjoining the access road) and Bowmans Green to the west and residential properties in Bowmans Green and the Badger public house to the north. The main changes to the building to Block E1, sited alongside no. 145, York Way, and the increase in the approved bungalows forming the northern element of Block D, are assessed in terms of their potential additional impacts on surrounding properties.
- 6.12 (i) 145, York Way
The approved Block E1 was 4 storeys high closest to York Way stepping down to 3 storeys alongside the rear garden of No.145. This 3 storey element has now been increased to 4 storeys. Whilst this increase in height has the

potential to cause additional harm to the garden area of No.145, the building is now sited 3m further away from the side boundary of this property due to the requirement to achieve a greater clearance to the overhead power lines. As such, the building is now 22.8m away from the side garden boundary and is not considered to result in any additional impacts on No.145.

6.13 (ii) 30-44 (evens), Bowmans Green

The approved Block D was 2 storeys high adjacent to the rear garden boundaries of these properties, separated by the access road running around the rear of the building. This element of the building remains unchanged in the current proposal and no additional impacts will arise.

6.14 (iii) 64, Bowmans Green and the Badger public house

The approved Block D was single storey adjacent to the rear garden boundary of No.64 and the side boundary of the Badger public house, separated by the access road running around the rear of the building. This element of the building has now been increased to 2 storeys. In respect of No.64, the two storey element is sited 13m from the rear garden boundary at its closest point and 28m from the single storey rear extension of the property. These distances exceed the guideline distances (11m and 27.5m respectively) in the Residential Design Guide and are acceptable. As such, the proposal will have no additional adverse impacts on this property. With regard to the badger public house, the building overlooks the rear covered storage area and will have no adverse impact on this property.

6.15 (e) Highways and parking

The site is served by 2 vehicular access points, one from The Gossamers at the north-eastern corner of the site and one from York Way at the western corner of the site. These remain as previously approved. As part of the original approval, a raised shared surface carriageway was proposed extending along the frontage of the site on The Gossamers to the junction with York Way and along the York Way frontage east to the junction with Meriden Way. However, subsequent to the granting of planning permission 15/00919/FULM, various road safety audits were carried out by Herts. County Council as the Highway Authority and further consultations undertaken with the local residents association and individual residents. As a result, it was agreed with the County Council that the proposed shared surface carriageway would not be implemented as part of the development and a normal carriageway would be provided. All of the highways works agreed with the County Council are currently the subject of a draft Section 278 Highways Agreement with the County Council which is close to being completed. Once completed, the highway works will be undertaken across the development area as each phase of the development is completed.

6.16 The parking provision across the development area was agreed following an extensive parking survey carried out as part of application 15/00919/FULM. The agreed provision for block D/E1 is to be retained. Although 3 additional flats are provided as part of the current proposal (one 'Flexicare' and 2 general) it is not possible to provide any additional parking. However, it is not considered that this would result in any significant additional parking issues in the context of the wider development.

7. Consultation responses received

7.1 Statutory consultees and other organisations

Consultee	Comments
Environmental Agency	Requested standard land contamination conditions be imposed.
Thames Water	No objection.
Herts County Council Lead Local Flood Authority	Requested the approved surface water drainage strategy be updated to current standards. This has been done and forwarded to the LLFA. Their formal comments will be reported to the meeting.
Herts County Council Developer Services	Requested fire hydrant provision.

7.2 Internal Consultees

Consultee	Comments
Environmental Health	Requested standard land contamination conditions be imposed.
Waste and recycling	Commented on the access arrangements to the rear of the site for refuse collection.

7.3 Interested parties

Letters were sent to 394 properties in the surrounding area. A response has been received from 1 property. This does not relate specifically to the current application but to the timing of the proposed relocation of the existing commercial uses to the new commercial units in Block E2/E3. This is a timing and management issue for Watford Community Housing.

8. Recommendation

That planning permission be granted, subject to the completion of a planning obligation under section 106 of the Town and Country Planning Act 1990 as set out below, and subject to the following conditions:

Section 106 Heads of Terms

- i) To secure the provision of fire hydrants as required to serve the development.
- ii) To secure a minimum of 89 dwellings as affordable housing comprising 9 social rented and 80 affordable rented units. The remaining 44 dwellings to be provided as social rented, affordable rented or private rented units.

Conditions

1. The development to which this permission relates shall be begun within a period of 3 years commencing on the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall only be constructed in accordance with the following approved drawings, unless otherwise agreed in writing by the Local Planning Authority:

SW-M437-AD-D7000B, D7001B, D7002B, D7003B, D7004B, D7005B, D7006B, D7007B

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

3. No development shall commence until an Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of contractors' parking, arrangements for the delivery and storage of materials, any temporary access/egress points to adjoining highways, measures to mitigate noise and dust, and wheel washing facilities. The Plan as approved shall be implemented throughout the demolition/construction period.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties and prevent obstruction of the adjoining

highway during the time that the development is being constructed, pursuant to Policies T4 and SE22 of the Watford District Plan 2000.

4. No development shall commence until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority for. This Plan shall include demolition and construction works. The Plan as approved shall be implemented throughout the demolition/construction period.

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

5. No construction works shall commence to Block D until an acoustic report, assessing any noise impacts on the proposed dwellings from the adjacent existing electricity sub-station located on the northern boundary of the site and proposing any necessary mitigation measures, has been submitted to and approved in writing by the Local Planning Authority. No dwelling in this block shall be occupied until any respective mitigation measures have been installed in full. These measures shall be retained at all times.

Reason: To ensure acceptable internal noise levels are achieved for the future occupiers of the proposed flats.

6. No 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), shall take place until a scheme that includes the following components 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:

- 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 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 express written consent of the local planning authority. The scheme shall be implemented as approved.

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. 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.

7. 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. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

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. 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.

8. No development should take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the Local Planning Authority, shall be 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. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

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. 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.

9. 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 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.

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. 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.

10. 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. 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.

11. Piling or any other foundation designs using penetrative methods shall not be 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 groundwater. The development shall be carried out in accordance with the approved 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.

12. The development shall only be implemented in accordance with the external materials approved under ref. 18/00549/DISCON:

Main facing brick - Wienerberger Westminster Yellow Multi
Detail brick - Wienerberger Staffordshire Smooth Brown
Redland Plain roof tile - Charcoal Grey
Redland Mockbond Mini Stonewold roof tile - Charcoal Grey
Thermowood D Pine timber cladding (Vincent Timber)
Eurocell Eurologik uPVC window and door system - Slate Grey
GAP Homeline uPVC fascias and soffits - Black
FloPlast uPVC rainwater goods - Black

Drawing no. SW-M437-AD-B7000 A (Block B elevations illustrating intended use of materials)

Drawing no. SW-M437-AD-E7000 A (Block E elevations illustrating intended use of 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.

13. No dwelling shall be occupied until details of a lighting scheme for the development have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be installed as approved.

Reason: To meet the needs for safety and security for users of the site and to ensure no adverse impacts on the adjoining public highways or adjoining properties, in accordance with Policy SE23 of the Watford District Plan 2000.

14. No impact piling shall take place within the site 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 the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in 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.

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

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

16. The development shall only be implemented in accordance with the hard landscaping scheme approved under ref. 19/00565/DISCON:

Drawing no. SW-M437-AD-L7000 Rev.D

-Permeable surface - Forterra 200x100x80mm Aquaflo block paving - Colour: charcoal grey. Colour: autumn yellow for parking bay demarcation.

-Village green/playspace path- Geveko Angular buff resin bonded gravel.

-Market square block paving (vehicular)- Tobermore Sienna 240x160x80 - Colour: graphite. Demarcation - Colour: silver

- Market square block paving (pedestrian)- Tobermore Sienna 240x160x80 - Colour: sandstone.
- New mews & driveway block paving - Formpave Royal Forest 200x100x80mm - Colour: red brindle
- Road crossing paving- Marshalls 400x400 tactile blister standard red.
- Flao pavino - Marshalls 450x450x50 Saxon Textured - charcoal

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.

17. No individual dwelling, as identified on the approved drawings, shall be occupied until the respective refuse and recycling facilities and cycle storage facilities to serve the dwellings, as shown on the approved drawings, have been constructed. These facilities shall be retained as approved at all times.

Reason: In the interests of the visual appearance of the site and to ensure that adequate facilities exist for residents of the proposed development, in accordance with Policy SE7 of the Watford District Plan 2000.

18. No individual dwelling, as identified on the approved drawings, shall be occupied until the respective vehicle parking accommodation, as shown on the approved drawings has been provided and made available for use. This parking accommodation shall be permanently retained and shall not be used for any other purpose than the parking of vehicles of occupants of the development or visitors to the site.

Reason: To ensure that the development makes adequate provision for the parking of vehicles of the future occupiers of the development and their visitors in the interests of highway safety and to accord with Policies T22 and T24 of the Watford District Plan 2000.

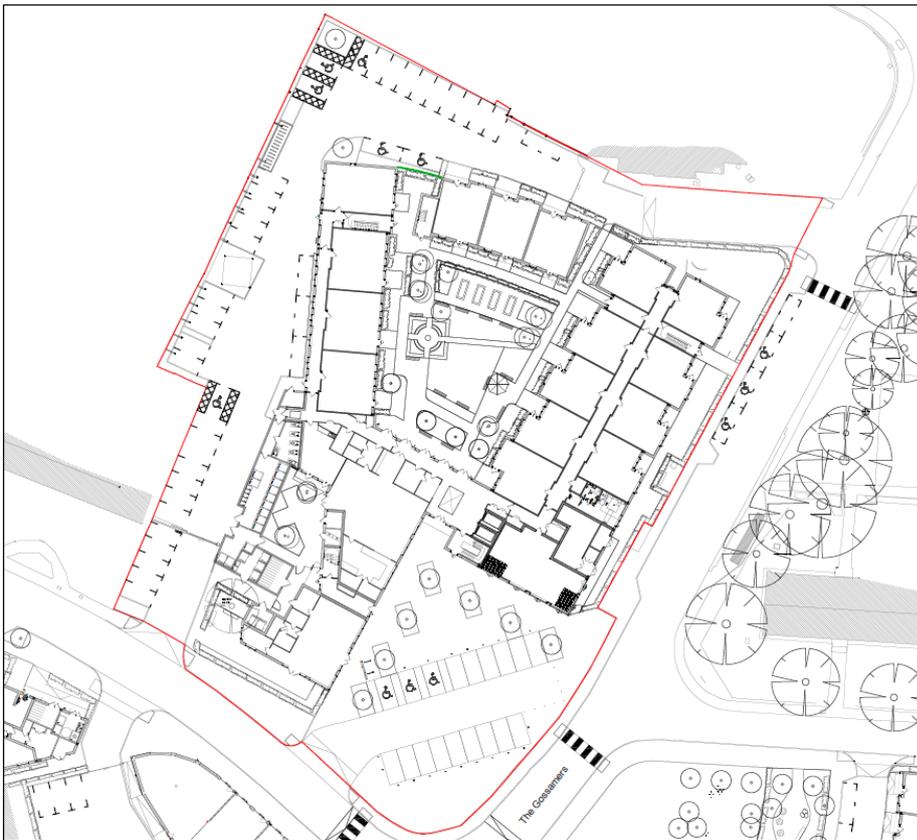
Informatives

1. IN907 Consideration of the proposal in a positive and proactive manner.
2. IN910 Building Regulations.
3. IN911 Party Wall Act.
4. IN912 Hours of construction.
5. IN913 CIL Liability.
6. IN909 Street naming and numbering.

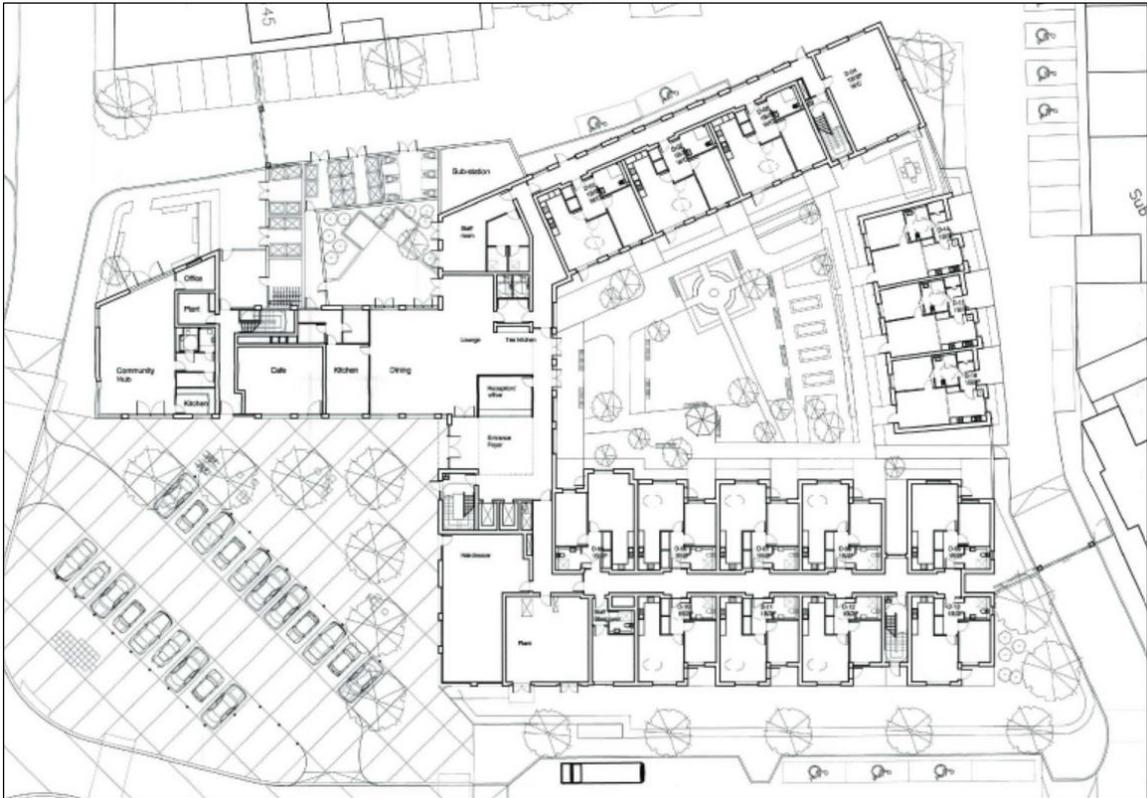
7. IN914 Section 106 Agreement/Undertaking.
8. IN915 - Highway Works - HCC agreement required.



Site Location Plan



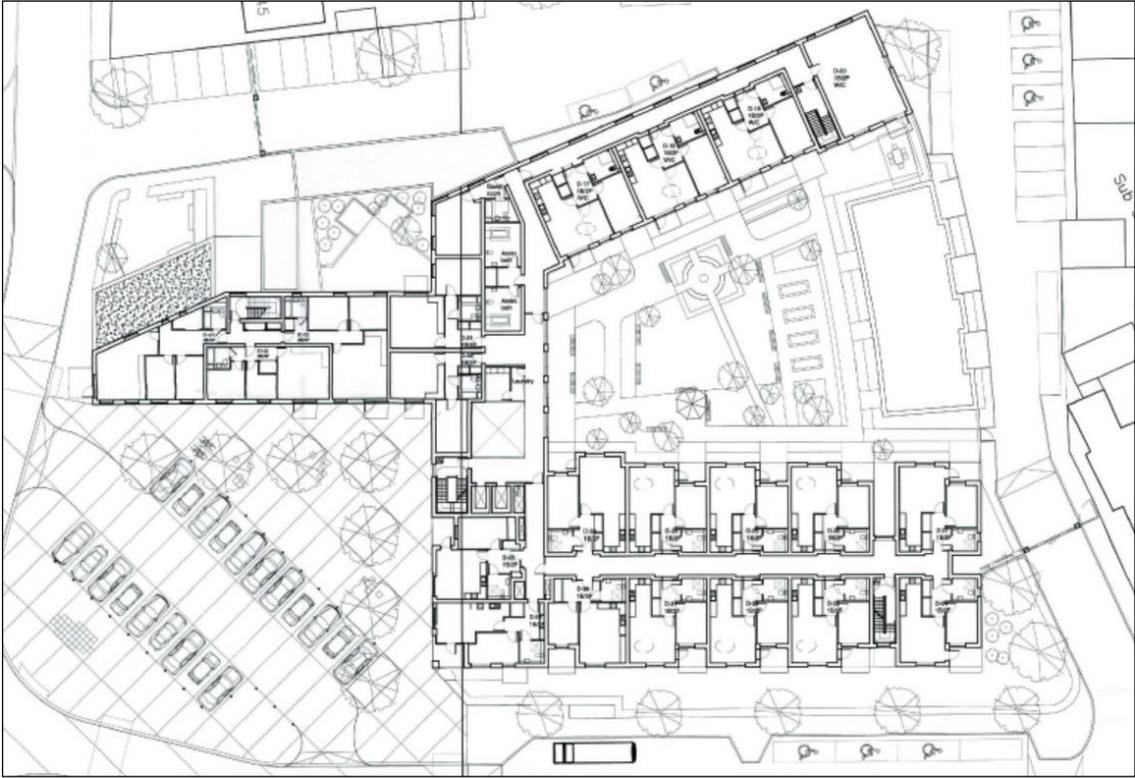
Proposed site layout



Approved ground floor plan



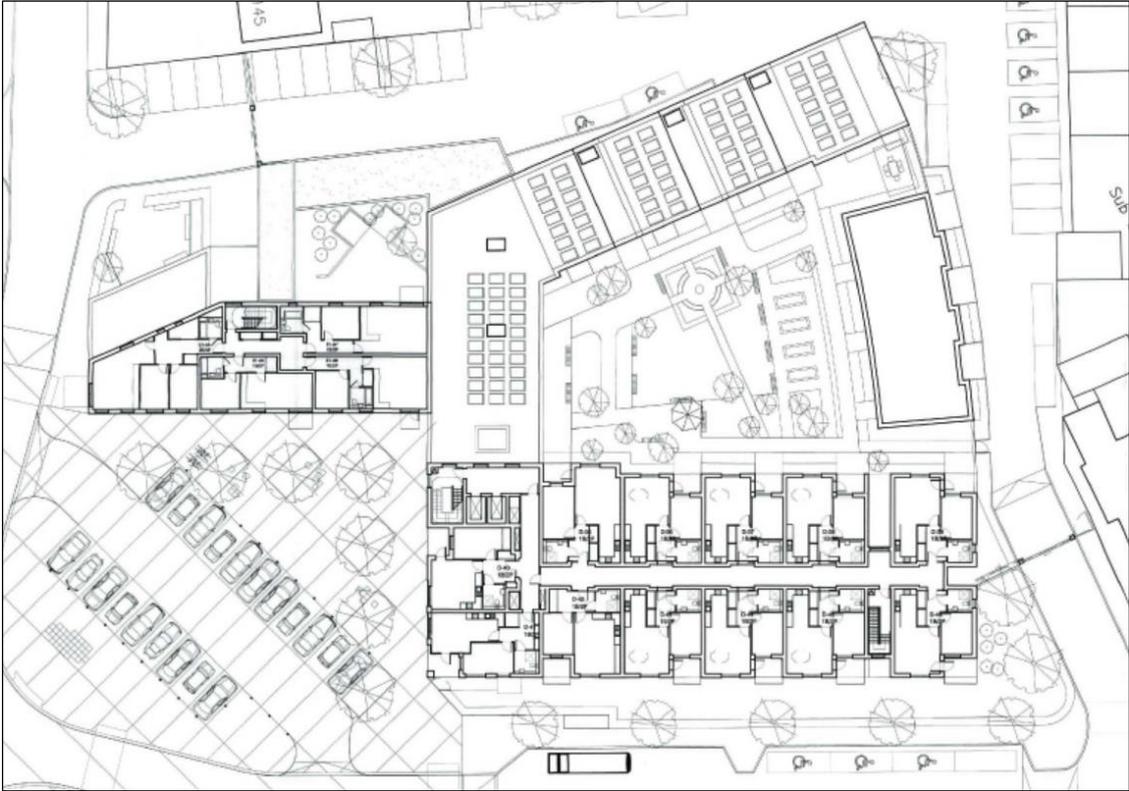
Proposed ground floor plan



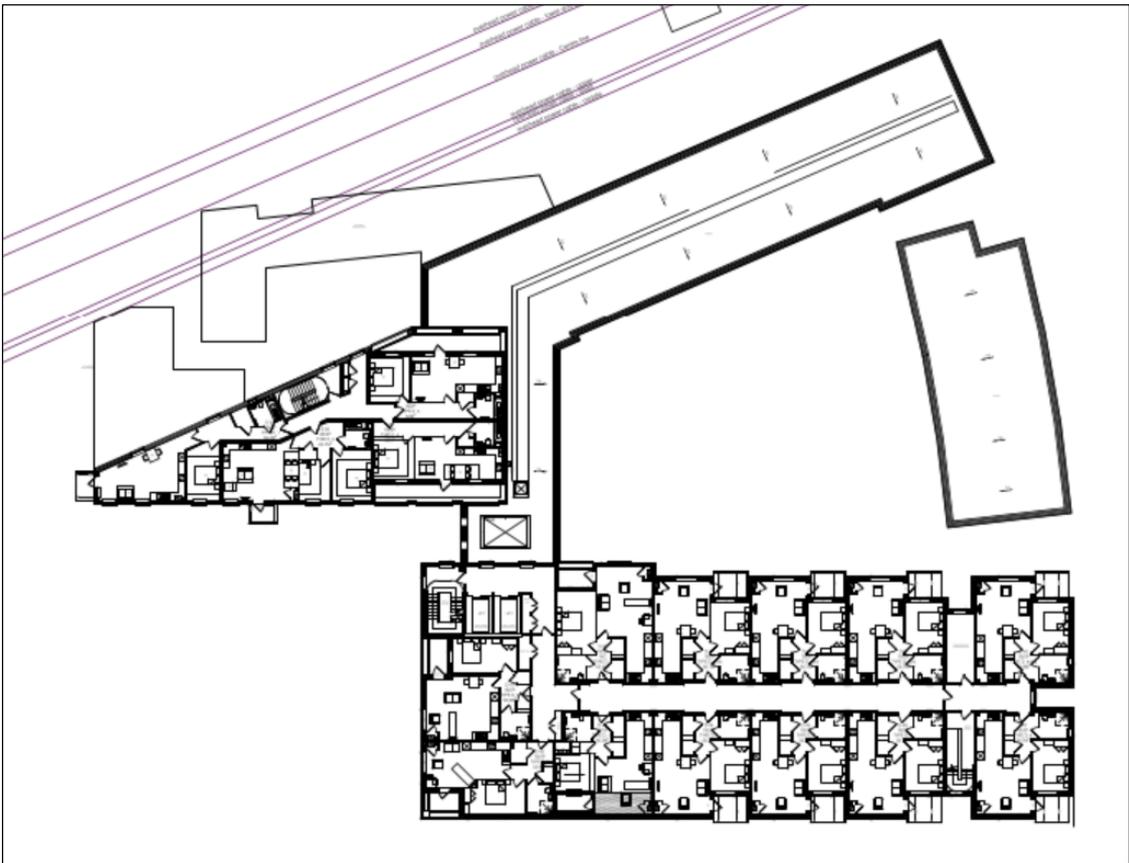
Approved first floor plan



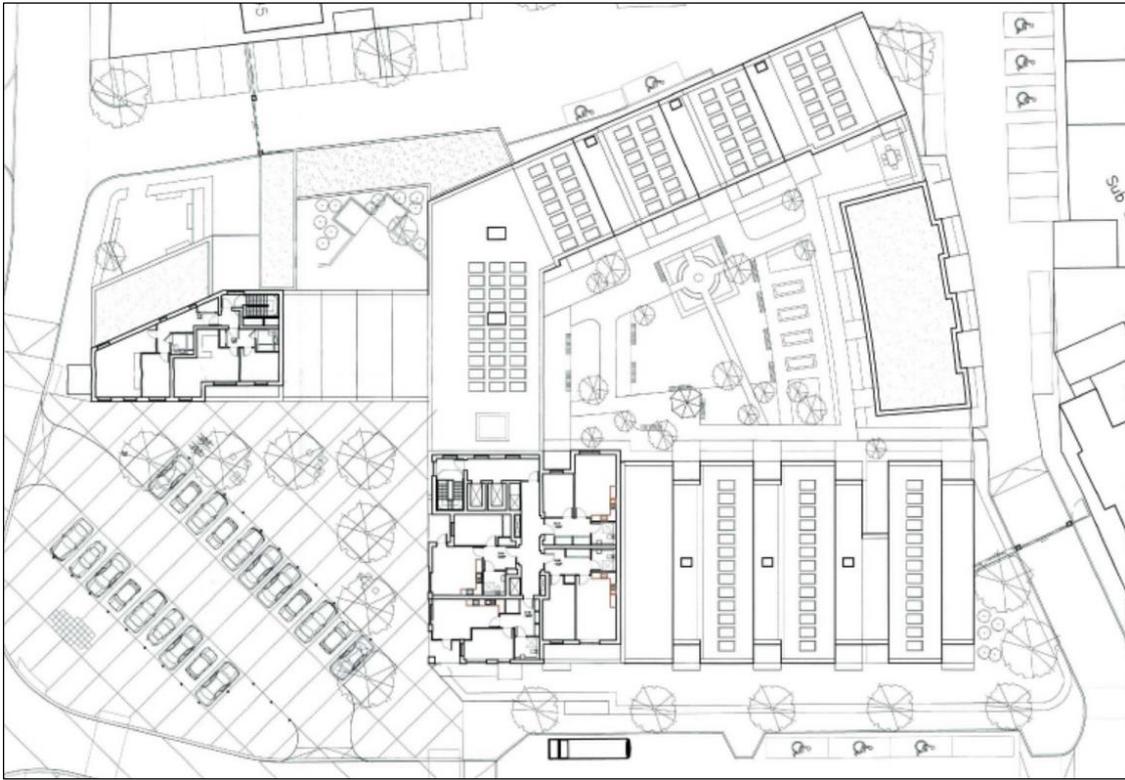
Proposed first floor plan



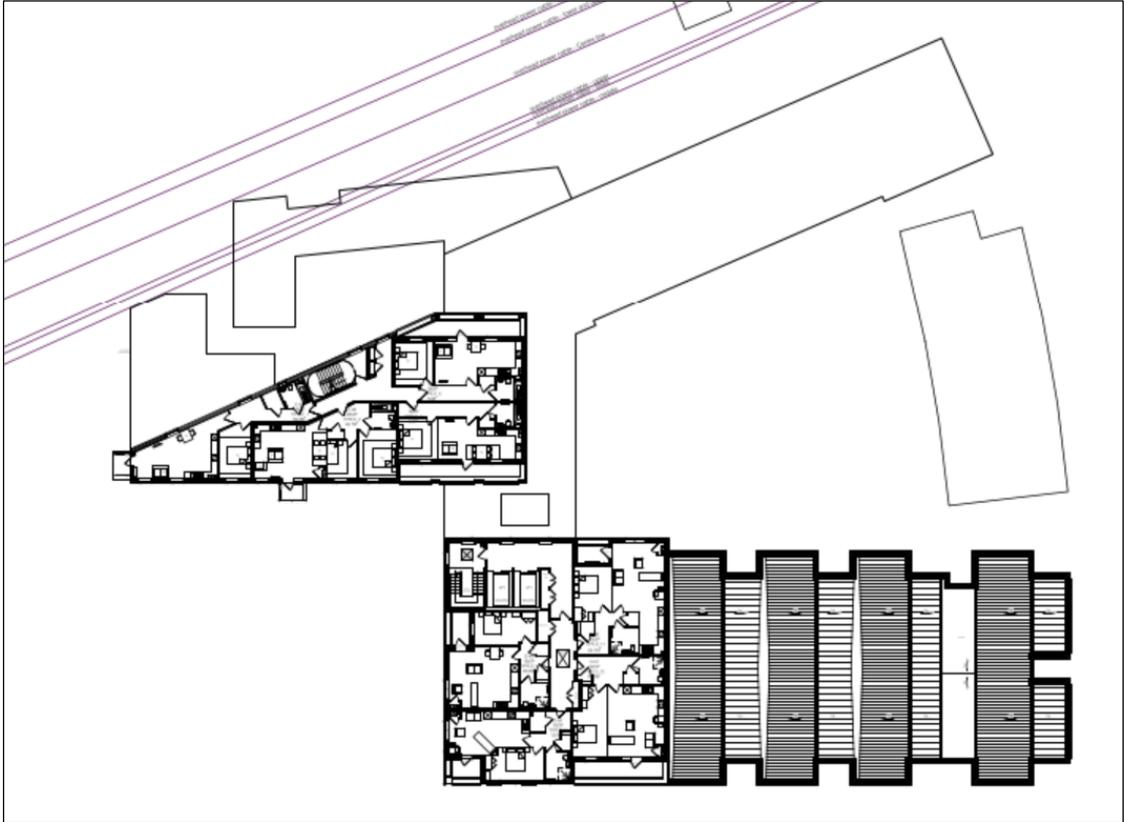
Approved second floor plan



Proposed second floor plan



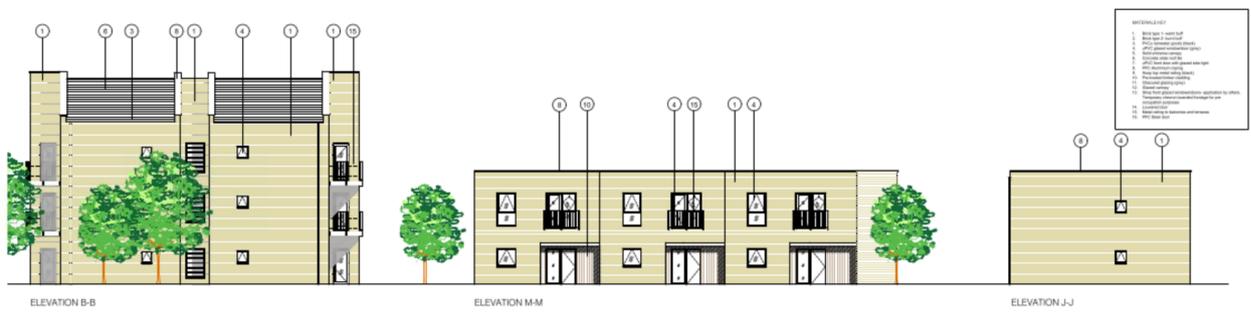
Approved third floor plan



Proposed third floor plan



Approved Block D north elevation



Proposed Block D north elevation



Approved Block E1 east elevation to Market Square



MARKET SQUARE ELEVATION E-E

Proposed Block E1 east elevation to Market Square



REAR ELEVATION B-B

Approved Block E1 west elevation (facing 145, York Way)



ELEVATION G-G

Proposed Block E1 west elevation (facing 145, York Way)



YORK WAY ELEVATION C-C

Approved Block E1 south elevation to York Way



YORK WAY ELEVATION F-F

Proposed Block E1 south elevation to York Way