



**WATFORD  
BOROUGH  
COUNCIL**

# **DEVELOPMENT MANAGEMENT COMMITTEE**

**2 September 2020**

**7.00 pm**

**Virtual meeting**

## **Contact**

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# **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 29 July, 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. **20/00554/FULM - 54 Clarendon Road, Watford, WD17 1DU** (Pages 5 - 25)
5. **20/00510/FULM - Brightwell Court, Brightwell Road, Watford, WD18 0HP** (Pages 26 - 48)
6. **20/00717/GPDO - Watford North Railway Station, Bushey Mill Lane** (Pages 49 - 57)
7. **20/00541/VAR - 112-114, The Parade** (Pages 58 - 66)
8. **20/00509/FULM 3 Rhodes Way** (Pages 67 - 85)

## **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.

<b>Committee date</b>	Wednesday, 2 September 2020
<b>Application reference</b>	20/00554/FULM - 54 Clarendon Road, Watford, WD17 1DU
<b>Site address</b>	
<b>Proposal</b>	Refurbishment and extension of existing office building to include upgrade to facades and redesign of roof structure to accommodate new office (Class B1a) floor space; and the construction of a new five storey extension to the rear comprising a ground floor undercroft car park and four levels of office floor space (Class B1a), amenity space at podium and fourth floor level and associated cycle parking, landscaping, signage and roof plant.
<b>Applicant</b>	LF Canlife UK Property ACS C/o Canada Life Investments
<b>Agent</b>	Rolfe Judd Planning
<b>Type of Application</b>	Full Planning Permission
<b>Reason for committee Item</b>	Major Application
<b>Target decision date</b>	Thursday 3 September 2020
<b>Statutory publicity</b>	Watford Observer, Neighbour Letters and Site Notice
<b>Case officer</b>	Andrew Clarke, andrew.clarke@watford.gov.uk
<b>Ward</b>	Central

## 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 western side of Clarendon Road at the junction with St John's Road and has an area of 0.32 hectares. The site ground level slopes down from Clarendon Road to the rear where the site adjoins the boundaries with properties on St John's Road. An L shaped 4 / 5 storey office block with basement car parking occupies the site and addresses the junction. The building has an internal floor area of 4,160 square metres and is currently occupied by Regus.
- 2.2 The site is located in the Town Centre Special Policy Area (SPA) in the Core Strategy and within an allocated employment area (E7a) in the Watford District Plan 2000. Parking controls operate in 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. The Estcourt Conservation Area is located immediately to the east of the site.

### **3. Summary of the proposal**

#### **3.1 Proposal**

3.2 Planning permission is sought for the following developments:

- i) The addition of a 5 storey extension, incorporating a recessed element at roof level, to the northern part of the rear elevation extending along the northern boundary of the site forming a new northern wing to the building.
- ii) The removal of the existing curved roof elements from the existing building and the erection of an additional level of office accommodation at roof level (fourth floor).
- iii) The addition of a small extension on the southern wing of the building and the erection of a full height escape stair.
- iv) Various external changes including the enclosure of the corner tower element and a new double storey glazed entrance feature at the main entrance on Clarendon Road.
- v) The formation of a small raised podium area on the rear elevation for use as an amenity area for the occupiers of the building.

3.3 The internal floor area of the building would be increased by 1,976 square metres to a total of 6,136 square metres.

#### **3.4 Conclusion**

3.5 The proposed development would provide additional high quality office space on Clarendon Road which is policy compliant and is considered to respect the character and appearance of the area without having any unacceptable impact on the living conditions of neighbouring properties.

### **4. Relevant policies**

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

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

5.1 The existing building was granted planning permission in 1998 and records show that construction began soon after the permission was granted.

- 5.2 The agent sought pre-application advice. A meeting was held and a written response was provided to the agent on 1<sup>st</sup> November 2019.
- 5.3 Following the pre-application and prior to submission of this application, the agent posted 76 consultation letters to surrounding commercial and residential properties.

## **6. Main considerations**

- 6.1 The main issues to be considered in the determination of these applications are:
  - (a) Principle of the use
  - (b) Scale and design
  - (c) Impact on heritage assets
  - (d) Impacts on surrounding properties
  - (e) Transport, parking and servicing
  - (f) Environmental considerations
- 6.2 (a) Principle of the use  
The site is within the wider Town Centre SPA in the Core Strategy and within an allocated employment area (E7a) in the Watford District Plan 2000. In both cases, the policy focus and key objective is the retention and improvement of high quality office floor space within Class B1(a). In this policy context, the Council would support in principle the provision of an additional 1,976 square metres of office floor space (Class B1(a)) on the site, which represents an uplift of 47.5% on the existing floor space.
- 6.3 (b) Scale, design and layout  
Clarendon Road is characterised by a wide variety of office buildings spanning the past 50 years of differing scale, quality, design and materials. The general scale of buildings is 4-6 storeys although recent planning approvals have included office buildings of 11 and 12 storeys and a mixed-use building of 17 storeys (on the opposite corner at 50 Clarendon Road).
- 6.4 The proposed northern wing extension will extend beyond the rear elevation by 23.6 metres. This wing will alter the footprint of the building from “L” shaped to “C” shaped. This five storey extension would be finished in matching brickwork with expanses of glazing which would unify the extension with the existing refurbished building. This extension would be open at ground floor level, mounted on columns above the surface level car park.

- 6.5 The existing curved overhanging roofline would be removed. The enlarged fifth storey would be set back from the front elevation to form the new horizontal roofline. The overall height of the building would not be raised, although a new plant area would be higher but is well set back from the front elevation of the building. The proposed alterations and additions to the roof are considered to be appropriate in their scale and design ensuring a high quality appearance on this prominent location.
- 6.6 The proposed southern wing extension to form a fire escape staircase will extend beyond the rear elevation by approximately 4 metres, lengthening the façade of the building facing St John's Road. This 5 storey extension would be finished in matching brickwork and glazing. This enclosed staircase replaces the existing external spiral escape staircase located on the northern elevation of this wing.
- 6.7 The existing tower at the corner of the building of the building would be retained and remodelled. The circular shape of the tower would become square and the brick finish of this tower would be replaced by glazing. The proposed glazed entrance feature will project in front of the building façade and the general building line in Clarendon Road, though its proportions ensure the established building line is not eroded.
- 6.8 To the rear of the building a new podium would be introduced. The podium would be 1.4 metres above the ground floor level of the building which is 2.8 metres above the garden level of adjacent 16E St John's Road. The podium would be surrounded by 1.7 metre high screening in the form of planting. This podium space would act as a communal amenity area for users of the office building.
- 6.9 Overall the extensions and external alterations to the building have been well considered having regard to the scale, materiality, proportions and fenestration of the existing building. The works would give the building a more contemporary appearance from the street scene and will enhance the character and appearance of Clarendon Road.
- 6.10 (c) Impact on heritage assets  
The east (rear) boundary of the site forms the boundary of the Estcourt Conservation Area. This area is characterised by Victorian properties and although there is an adjoining boundary, there is a clear and established distinction between the scale and character of the Victorian streets and the larger scale office buildings of Clarendon Road. The development will remain visually distinct from the Conservation Area and will not create visual harm to its setting.

- 6.11 Opposite the site on Clarendon Road is the former Police Station and Magistrates Court building. This two storey brick building is locally listed. The development would cause no harm to the setting of this locally listed building.
- 6.12 (d) Impacts on surrounding properties
- 56 Clarendon Road*
- To the north of the site is the four storey office building at 56 Clarendon Road. This building is of a similar depth to the existing subject building. The proposed northern wing extension will be set in 3 metres from the common boundary, though the escape staircase will protrude further being 0.4 metres from the boundary.
- 6.13 Being located due south of this building, the northern wing extension will result in overshadowing and a loss of natural light to the rear elevation of the building. It will also give rise to a loss of outlook from the rear elevation. However, given the general relationship between office buildings within Clarendon Road and the fact that the building contains no residential accommodation, it is not considered that this harm would outweigh the benefits of additional high quality office accommodation being provided on the site.
- 6.14 *58 Clarendon Road*
- Number 58 Clarendon Road wraps around the rear of number 56 forming the eastern part of the northern boundary of the site. The part of the site adjoining the boundary is an open, ground level parking area. The proposal will have no adverse impacts on this property.
- 6.15 *16A St John's Road*
- To the east the site adjoins the side garden boundary of number 16A St John's Road. This is the only adjoining site within the Estcourt Conservation Area. This site is deep and contains a detached dwellinghouse. The rear elevation of the northern wing of the extension would face this common boundary at a distance of 29 metres at its closest point. The glazed windows in this rear elevation will have frosted glass up to a level of 1.8 metres above the internal floor levels. The proposed terrace at fourth floor level will be surrounded by a frosted glass balustrade which is 1.4 metres above floor level. Set 0.65 metres behind this balustrade is a secondary balustrade which further restricts any potential overlooking.
- 6.16 *16B, 16C, 16D and 16E St John's Road*

To the south east the site adjoins the rear garden boundaries of numbers 16B, 16C, 16D and 16E St John's Road. 16E also shares its side boundary with the site. These four properties are comprised of two semi-detached buildings.

- 6.17 Numbers 16B, 16C and 16D appear to be single dwellinghouses. Records from 2015 indicate that number 16E is in use as a small House in Multiple Occupation (Class C4) and that the outbuilding to the rear of the garden is used as a self-contained dwelling. The use of the outbuilding as a self-contained dwelling was granted lawful use in October 2017 (application reference: 17/01466/LDC) when the owner demonstrated that the outbuilding had been used as a self-contained dwelling for more than four years. The rear garden of 16E is shared by the occupants of the House in Multiple Occupation and the occupant(s) of the outbuilding. It should be noted that number 16E, is the closest property to the extensions proposed by this application.
- 6.18 The proposed new northern wing of the building would not extend beyond the line of the western side boundary of number 16E St John's Road. The angled southern façade of the northern wing would also have frosted glass up to a level of 1.8 metres above the internal floor levels. The proposed terrace at fourth floor level would also be surrounded by a frosted glass balustrade which is 1.4 metres above floor level, together with an additional secondary balustrade set in 0.65 metres behind this balustrade, which further restricts any potential overlooking.
- 6.19 The extension to the southern wing would have no windows facing the properties on St John's Road. This wing would have a terrace at fourth floor level which would have the same double balustrading as the northern wing. The existing windows in the end façade of the southern wing are obscure glazed. These windows would remain obscure glazed.
- 6.20 In order to further mitigate overlooking a 2.9 metre high trellis has been proposed along the common boundary of the site with the properties on St John's Road and three additional trees.
- 6.21 The proposed podium would be 2.8 metres above the ground level of number 16E St John's Road at a distance of 6 metres. The podium would be surrounded by 1.7 metre high screening in the form of mature planting grown off site. This can be secured by condition.
- 6.22 The position and orientation of the extensions to the building relative to the properties on St John's Road means that there would be no significant loss of sunlight or daylight to these properties. This is confirmed by the daylight sunlight report which has been submitted with the application.

- 6.23 The relationship between the tall office buildings on Clarendon Road and the adjoining two storey housing is sensitive and one that requires careful consideration in respect of new development proposals. In this case the applicant has made substantial amendments to the design throughout this application and the preceding pre-application to further mitigate any potential harm to the amenity of properties in St John's Road. The agent submitted updated drawings and an Overlooking Strategy on 29<sup>th</sup> July 2020. The Overlooking Strategy which outlines measures to mitigate loss of privacy forms an approved document within Condition 2.
- 6.24 Overall it is considered that the proposed mitigation measures in this application ensure that no significant harm would result to these adjoining neighbours, particularly 16E St John's Road which is the closest property to the extensions.
- 6.25 (e) Transport, parking and servicing  
The site is located on Clarendon Road, which provides a direct link between the town centre to the south and Watford Junction station to the north, and as a consequence is in a highly accessible and sustainable location.
- 6.26 The number of parking spaces would be reduced from 89 to 66. Of the 66 bays 13 would have active provision for charging of electric vehicles and the remaining 53 would have passive provision.
- 6.27 Cycle storage would be provided for 56 bikes within the car park at ground floor level sheltered by the northern wing extension. The existing building has no designated cycle storage.
- 6.28 Vehicle servicing to the building would remain unchanged through the north side of the building. The landscaping surrounding the building and the glazed entrance would make the building appear more inviting to pedestrians.
- 6.29 (f) Environmental considerations  
i) Biodiversity  
The Arboricultural Report outlines that there are 15 trees on site and 6 trees off site, close to the property boundary. The 6 off site trees are all to the north within 58 Clarendon Road.
- 6.30 Of the 15 trees on site, 2 whitebeam trees would be lost to make way for the northern wing. Two Norway maple trees which are close to the southern extension may have to be removed due to their proximity to the extension. The agent asserts that they will be retained if possible. The plans indicate that

a further 8 trees will be planted to compensate for the loss. Of these 8 trees, 2 would be to the front of the building, close to the junction.

- 6.31 The submitted Arboricultural Report outlines tree protection measures for retained trees on site. The land surrounding the building will be landscaped and planted screening would be used on the rear elevations. Appropriate hard and soft landscaping will be also secured by condition.

6.32 ii) Noise

The applicant has indicted that there would be a new plant room on the roof. The details of plant equipment have not been provided at this stage. In order to ensure no harm to neighbouring residential amenity a condition requiring details of the plant equipment and any noise mitigation measures can be imposed on the permission.

6.33 iii) Surface water drainage

The development site is located within Zone 1 on the Environment Agency's Indicative Flood Map with little or no risk of flooding from fluvial sources. The Flood Risk Management team at Herts County Council (LLFA) have been consulted twice on this proposal and have objected on both occasions, requiring further details. They have not, however, objected to the principle of the proposed drainage strategy. It is therefore considered appropriate to seek resolution of this matter by an appropriate pre-commencement condition.

## 7 Consultation responses received

### 7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment
Hertfordshire County Council (Growth & Infrastructure)	Responded. No comment.
Hertfordshire County Council (Highways Authority)	Suggested a condition for a construction management plan. Informatives also proposed to ensure free flow of highways.
Hertfordshire County Council (Lead Local Flood Authority)	Consulted and re-consulted with additional information as requested. Objection not removed. Pre-commencement condition proposed to resolve this matter.
Thames Water	Proposed a condition on piling.

## 7.2 Internal Consultees

Name of Internal Consultee	Comment
Arboricultural Officer	No objection subject to replacement trees and a condition for soft landscaping.
Waste and Recycling	Responded. No comment.

## 7.3 Interested Parties

Letters were sent to 89 properties in the surrounding area. Seven objections were received. The main comments are summarised below, the full letters are available to view online:

Comments	Officer response
Overdevelopment	The principal of additional office space on Clarendon Road is accepted, subject to wider planning considerations.
Daylight / Sunlight	The northern wing would not extend to the rear of any residential properties and is orientated to the north of these properties. The daylight and sunlight report notes that the loss of daylight and sunlight would be negligible. This matter is addressed in section 6(d) above.
Privacy / Outlook	The proposal includes a number of features which ensure users of the building would not overlook neighbouring residential uses. This matter is addressed in section 6(d) above.
Parking	Users of the office development would not be able to park within the surrounding controlled parking zone.
Impact of the adjacent Estcourt Conservation Area	The only adjacent property to the conservation area is number 16A St John's Road. The northern wing would be 29 metres from the boundary of the conservation area. This matter is addressed in section 6(c) above.
Consultation	An objector stated that they did not receive the consultation letter. The consultation letter was sent to this objector on 4 <sup>th</sup> June. The application was also advertised by site notice and published in the Watford Observer.

## **8 Recommendation**

### **Conditions**

#### **1. Three Years**

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

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

#### **2. Approved Drawings and Documents**

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

- 118010 - WGI - ZZ - ZZ - DR - A - 0001 Existing Site Plan
- 118010 - WGI - ZZ - B1 - DR - A - 0010 Existing Basement Plan
- 118010 - WGI - ZZ - GF - DR - A - 0011 Existing Ground Floor Plan
- 118010 - WGI - ZZ - 01 - DR - A - 0012 Existing First Floor Plan
- 118010 - WGI - ZZ - 02 - DR - A - 0013 Existing Second Floor Plan
- 118010 - WGI - ZZ - 03 - DR - A - 0014 Existing third Floor Plan
- 118010 - WGI - ZZ - 04 - DR - A - 0015 Existing Forth Floor Plan
- 118010 - WGI - ZZ - 05 - DR - A - 0016 Existing Roof Plan
- 118010 - WGI - ZZ - ZZ - DR - A - 0020 Existing Elevations 1 of 2
- 118010 - WGI - ZZ - ZZ - DR - A - 0021 Existing Elevations 2 of 2
- 118010 - WGI - ZZ - ZZ - DR - A - 1000 Location Plan
- 118010 - WGI - ZZ - ZZ - DR - A - 1001 – P6 Proposed Site Plan
- 118010 - WGI - ZZ - B1 - DR - A - 1100 – P2 Proposed Basement Plan
- 118010 - WGI - ZZ - GF - DR - A - 1101 – P6 Proposed Ground Floor Plan
- 118010 - WGI - ZZ - 01 - DR - A - 1102 – P3 Proposed First Floor Plan
- 118010 - WGI - ZZ - 02 - DR - A - 1103 – P3 Proposed Second Floor Plan
- 118010 - WGI - ZZ - 03 - DR - A - 1104 – P3 Proposed Third Floor Plan
- 118010 - WGI - ZZ - 04 - DR - A - 1105 – P4 Proposed Forth Floor Plan
- 118010 - WGI - ZZ - 05 - DR - A - 1106 – P3 Proposed Roof Plan
- 118010 - WGI - ZZ - ZZ - DR - A - 1200 – P5 Proposed Elevations 1 of 2
- 118010 - WGI - ZZ - ZZ - DR - A - 1201 – P5 Proposed Elevations 2 of 2
- 118010 - WGI - ZZ - ZZ - DR - A - 1202 – P2 Courtyard Elevations
- 118010 - WGI - ZZ - ZZ - DR - A - 1300 – P2 Proposed Sections

- Arboricultural Impact Assessment Report by Argenta. Dated: April 2020
  - BREEAM Pre Assessment by Verte Sustainability. Dated: May 2020
  - Sustainably Assessment by Verte Sustainability. Dated: April 2020
  - Transport Statement ref: 5808/001/001C by Robert West. Dated March 2020
  - Fire Strategy Technical Note by MLM Group. Dated: 31 March 2020
  - Building Services Energy Report by GDM. Dated: 07.05.2020
  - Stage 2 Daylight Sunlight Report ref: SA / P2019-0775 / DS02B. Rev: B. Dated: 14 May 2020
  - Overlooking Strategy by Watkins Grey. Dated: July 2020
- 
- Reason: For the avoidance of doubt and in the interests of proper planning.

### 3. Brickwork

The external brickwork of the development shall match the colour, texture and style of the existing brickwork.

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

### 4. Hard Landscaping

No occupation of the extended building shall commence until a detailed hard landscaping scheme for the site, including site boundary treatments, paving, trellises and seating, has been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details. The detailed scheme shall be based upon drawing reference: 118010-WGI-ZZ-ZZ-DR-A-1001-P5.

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

### 5. Soft Landscaping

No occupation of the extended building shall commence until a detailed soft landscaping scheme for the site and a landscape management and maintenance plan, has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be based upon

drawing reference: 118010-WGI-ZZ-ZZ-DR-A-1001-P5. The approved soft landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

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

## 6. Construction Management Plan

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:

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

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

## 7. Flood Risk

No development works shall commence until the details of a surface water drainage scheme for the site have been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policy SD2 of the Watford Local Plan Core Strategy and Chapter 14 of the National Planning Policy Framework.

## 8. Piling

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and 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 significantly impact / cause failure of local underground sewerage utility infrastructure.

## 9. Plant Equipment

No plant or equipment that generates sound shall be installed to the development until full details and specifications of the equipment have been submitted to and approved in writing by the Local Planning Authority. The details shall include an assessment of the plant/equipment carried out by a suitably qualified and competent acoustic consultant to consider the potential impact on existing and future residents adjacent to the site. The details shall also include a specification of what design criteria need to be included to the specification of the plant and its mounting on the buildings, to minimise any potential disturbance. The assessment shall include any other appropriate noise mitigation measures. All plant and equipment shall be installed as approved and no plant or equipment shall be brought into operation until any approved mitigation measures have been installed.

Reason: To ensure the operation of plant and equipment does not give rise to noise disturbance or nuisance to existing and future residential occupiers.

## 10. Overlooking Strategy

No occupation of the extended building shall commence until the frosted glazing, balustrades and podium screening have been installed in accordance with the Overlooking Strategy, drafted by Watkins Grey, Dated July 2020. Once installed these features should be retained in perpetuity.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring residential premises pursuant to Policy UD1 (Delivering High Quality Design) of the Watford Local Plan (Core Strategy) 2006-2031.

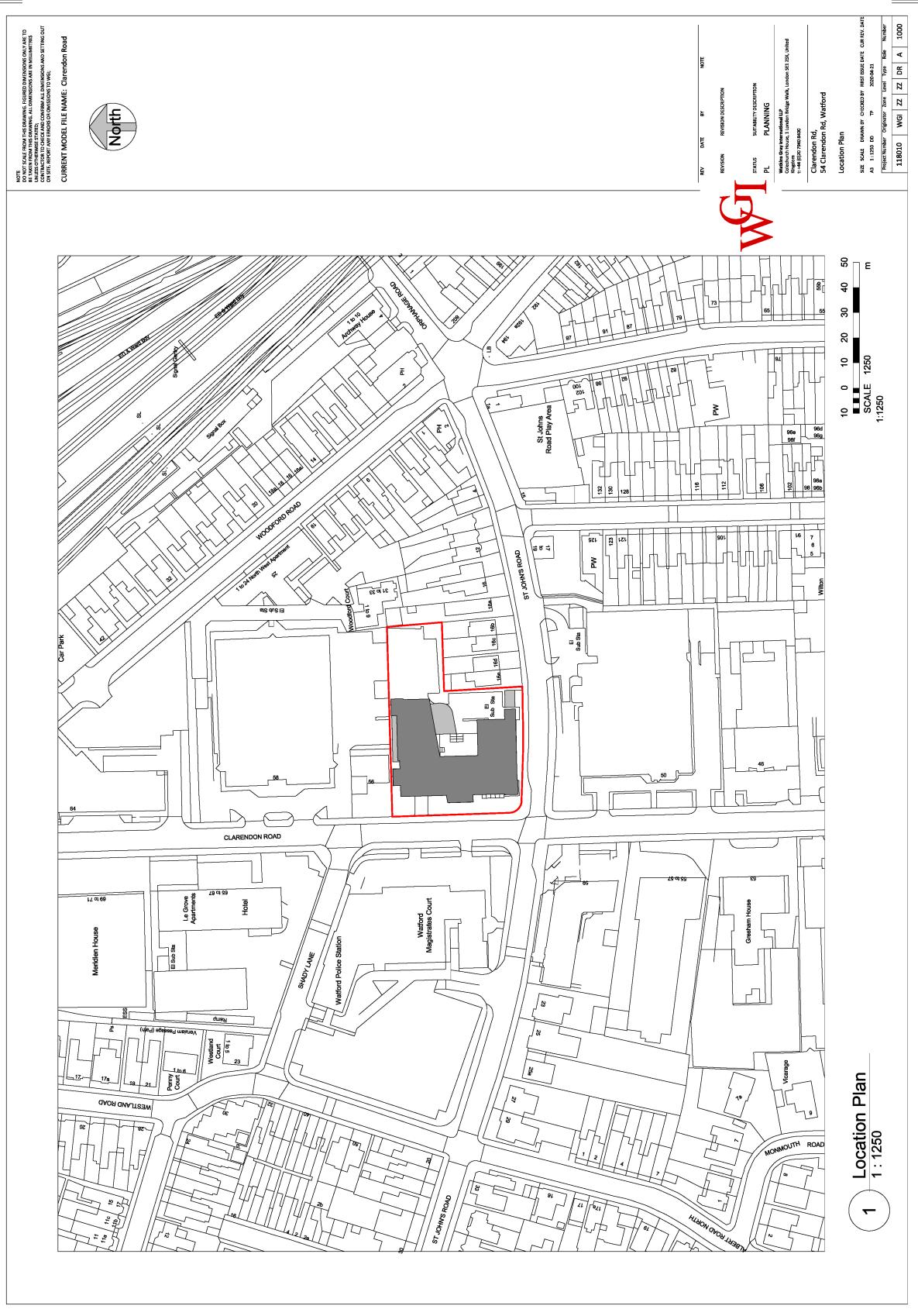
## 11. Obscure Glazing

Any replacement windows in the east facing elevation of the southern wing of the building, as shown in drawing number 118010-WGI-ZZ-ZZ-DR-A-1201-P5 shall be obscure glazed to the same height above finished floor level as the windows which they replace.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring residential premises pursuant to Policy UD1 (Delivering High Quality Design) of the Watford Local Plan (Core Strategy) 2006-2031.

## Informatics

1. IN907 – Positive and proactive statement
2. IN910 – Building Regulations
3. IN911 – Party Wall Act
4. IN912 – Hours of Construction
5. IN913 – Community Infrastructure Levy Liability



Site Location Plan



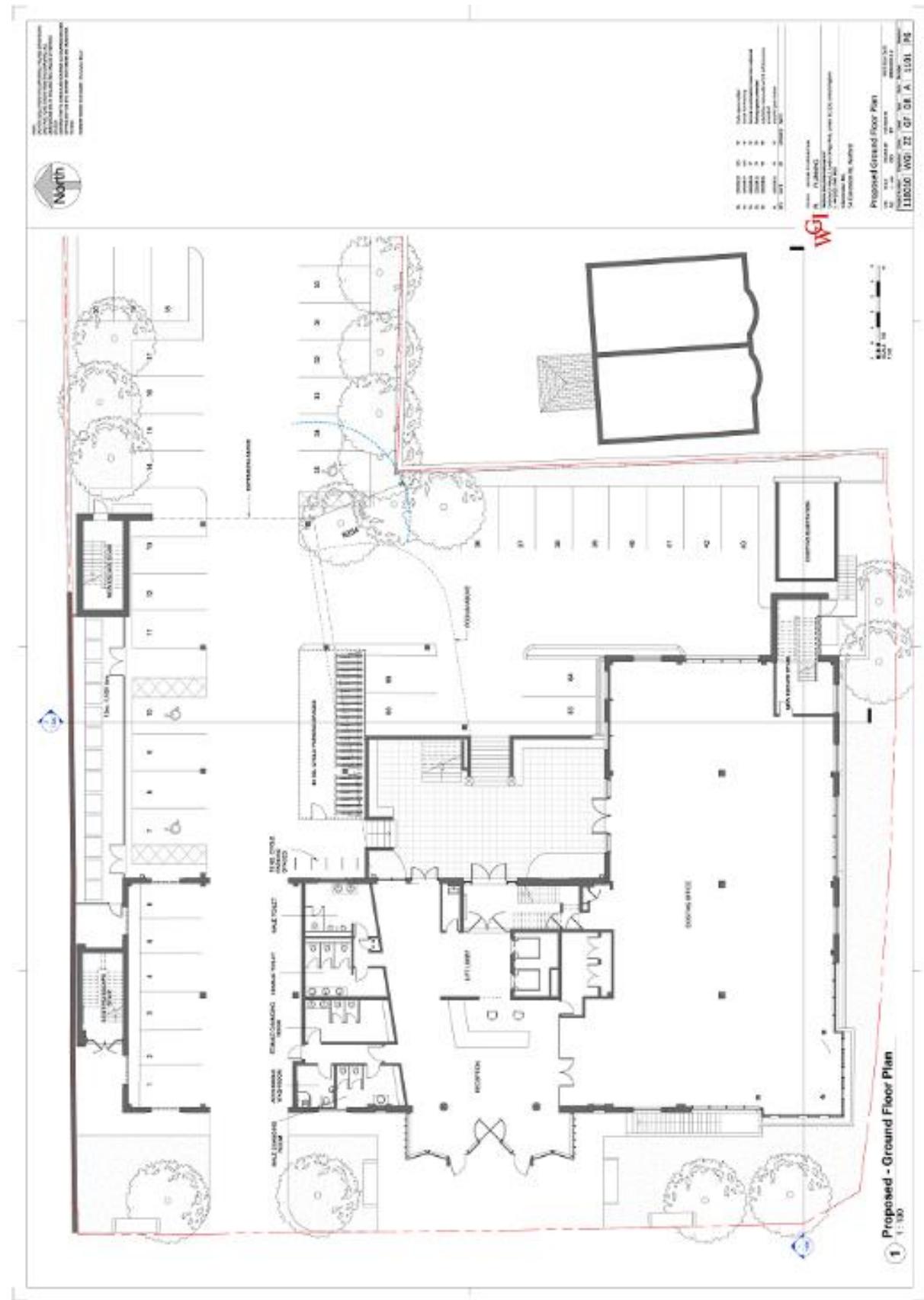
## Proposed Site Plan



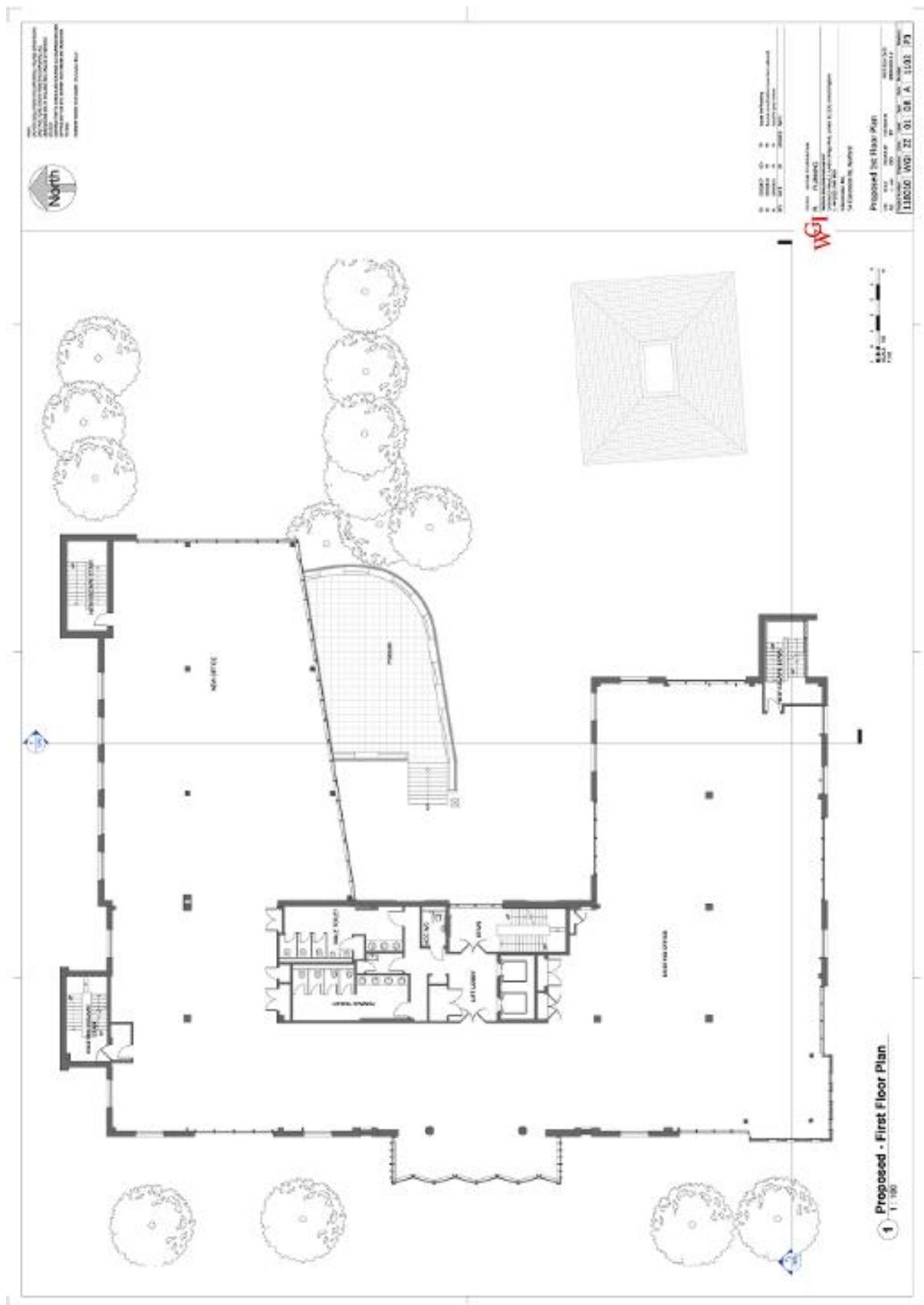
## South and West Elevations



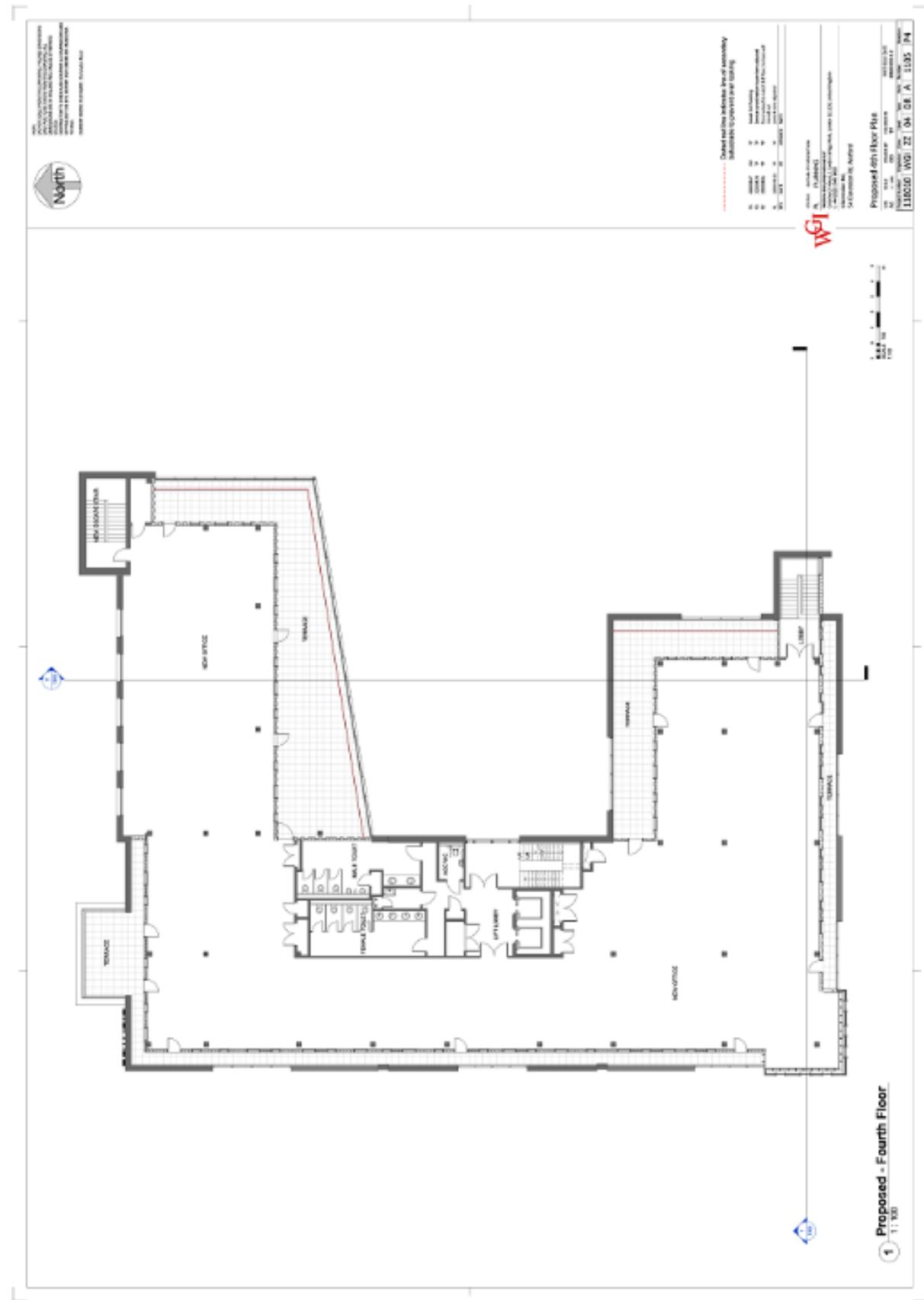
## North and East Elevations



## Proposed Ground Floor Plan



Proposed First Floor Plan



## Proposed Fourth Floor Plan

## Agenda Item 5

<b>Committee date</b>	Wednesday, 2 September 2020
<b>Application reference</b>	20/00510/FULM - Brightwell Court, Brightwell Road,
<b>Site address</b>	Watford, WD18 0HP
<b>Proposal</b>	Erection of four storey building comprising 13 dwellings (11 x 2 bed 4 person and 2 x 3 bed 3 person) with associated ancillary spaces, shared amenity space, car and cycle parking.
<b>Applicant</b>	Watford Community Housing
<b>Agent</b>	Rock Townsend
<b>Type of Application</b>	Full Planning Permission
<b>Reason for committee Item</b>	Major Application
<b>Target decision date</b>	Thursday 3 September 2020
<b>Statutory publicity</b>	Watford Observer, Neighbour Letters and Site Notice
<b>Case officer</b>	Andrew Clarke, andrew.clarke@watford.gov.uk
<b>Ward</b>	Vicarage

### 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 owned by Watford Borough Council and managed by Watford Community Housing. A three storey building which dates from the 1960's occupies the site. The existing building is comprised of nineteen studio flats and one x one bedroom warden's flat. To the rear of the building is hardstanding, four garages and an electricity substation. Prior approval has been granted to demolish the building and the garages.
- 2.2 The site is located 0.8 miles from Watford Town Centre at the junction of Brightwell Road and Hagden Lane. It is approximately rectangular in shape and 0.1 hectares in size. The site adjoins residential dwelling houses on Benskin Road, Brightwell Road and Hagden Lane. Harwoods recreation ground can be accessed from the opposite side of Hagden Lane.
- 2.3 The surroundings in Benskin Road, Brightwell Road and Hagden Lane are comprised of residential terraces with a Victorian character. Kelmcott Crescent to the west is typified by semi-detached houses of an early twentieth century design.

- 2.4 The site is not within a conservation area, contains no listed buildings and is not close to any listed buildings. The site is not subject to any specific planning designations. The site falls within the Environment Agency's flood zone 1, the zone with the lowest chance of flooding. The site is within a controlled parking zone.

### **3. Summary of the proposal**

#### **3.1 Proposal**

- 3.2 Planning permission is sought for the erection of a four storey building comprising thirteen dwellings with associated ancillary spaces, shared amenity space, car and cycle parking.
- 3.3 All thirteen dwellings would be affordable social rented homes and have two bedrooms. Eleven dwellings would suit occupancy by four persons, with two dwellings suiting occupancy by three persons. The three ground floor dwellings would have independent level access from Brightwell Road.
- 3.4 Internal refuse and cycle facilities are included at ground level. The land surrounding the building would be landscaped and four parking spaces would be provided utilising the existing access from Hagden Lane. The electricity substation would remain and access to it would be unchanged.

#### **3.5 Conclusion**

- 3.6 The proposed development provides thirteen high quality social rented residential units, in a contemporary building which is considered to respect the character and appearance of the area, without having any unacceptable impact on the living conditions of neighbouring properties in accordance with the policies and guidance specified above.

### **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 Prior approval was granted for the demolition of the existing building and the four garages on 11<sup>th</sup> June 2020. Planning Application reference: 20/00508/DEM.

## 6. Main considerations

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

- (a) Principle of the use
- (b) Scale and design
- (c) Quality of residential accommodation
- (d) Affordable housing provision
- (e) Impact on amenity of adjoining residential properties
- (f) Transport, parking and servicing
- (g) Environmental considerations

- 6.2 (a) Principle of the use

Brightwell Court has been used as supported housing for older people for the majority of its existence. In recent years it has been used as temporary accommodation. The layout of Brightwell Court does not suit the modern day requirements of either of these uses, with other developments within the surrounding area being more suitable. The redevelopment of this site which has residential use to provide thirteen high quality permanent social rented dwellings for households on Watford Borough Council's housing register, fulfilling a different social need is considered acceptable in principle.

- 6.3 (b) Scale, design and layout

The layout has evolved following an assessment of the context and a review of the site constraints and opportunities. The proposed building would be "L" shaped with building lines which are parallel with, albeit set back from the established building lines.

- 6.4 The building would be four storeys in height at the junction of Brightwell Road and Hagden Lane, stepping down to three storeys closer to the neighbouring two storey dwelling houses. This stepping would create a successful transition to the neighbouring two storey dwelling houses. At four storeys the building would be one storey taller than the existing 1960's building.

- 6.5 A landscaped communal garden and parking for four vehicles would be provided to the rear of the building. The existing vehicular entrance from Hagden Lane would be retained. Access to the electricity substation would not change.

- 6.6 Externally the building would have a contemporary appearance with the massing broken up into distinct blocks which use three different types of brick (grey, buff and light buff). The fenestrations appear balanced with recessed panels, cornices, solider brick courses at each level and deep window reveals which add quality and texture to the elevations. The three ground floor dwellings facing Brightwell Road have private street entrances which creates an active street frontage to the building at ground floor level. All other dwellings would be accessed via the communal main entrance on Hagden Lane, up the stairs and along open terraces to the rear of the building.
- 6.7 Cycle and Refuse stores have been provided internally at ground floor, adjacent to the main entrance. These stores meet the council's standards. A condition ensures these are available for use prior to occupation.
- 6.8 Appropriate external materials, design details, hard and soft landscaping will be secured by condition.
- 6.9 (c) Quality of residential accommodation  
Of the thirteen dwelling proposed eleven dwellings would suit occupancy by four persons, with two dwellings suiting occupancy by three persons. All dwellings would meet minimum space standards, and have a suitable layout. All of the dwellings would be at least dual aspect.
- 6.10 Watford's Residential Design Guide states that communal open space provided for the exclusive use of occupants of the development may be acceptable as long as its location, size and shape enable it to be enjoyed by the occupants. The communal garden would have benches, a tree and a variety of planting details of which will be secured by condition. At 225 square metres the communal rear garden is considered adequate for 13 dwellings. In addition to this provision, the ground floor units have further private amenity in the form of front gardens.
- 6.11 (d) Affordable housing provision  
Policy HS3 of the Core Strategy requires a 35% provision of affordable housing for all major developments, with this provision having a tenure split of 65% affordable rent, 20% social rent and 15% shared ownership.
- 6.12 This development would provide 100% social rented units providing a much needed resource for the households on the Council's housing register who are seeking housing assistance as they are homeless or living in inadequate housing, and who cannot find suitable and affordable housing on the private

market. The application is supported by Watford Borough Council's Housing service.

6.13 (e) Impact on amenity of adjoining residential properties

The applicant has provided daylight / sunlight information within the design and access statement. Visualisations depict sun paths and shadows at different times and dates throughout the year. Given the orientation of the site, the vast majority of the shadows would be cast over the rear communal amenity space. The additional height of the building would not give rise to any significant loss of daylight or sunlight to any of the adjoining properties on Benskin Road, Brightwell Road or Hagden Lane because it is only at the corner of the building.

6.14 Number 92 Brightwell Road, unlike the adjoining terrace has its front door to the side of the house facing the flank wall of the existing building. Adjacent to this to this front door, at ground floor level is a window. The outlook from this window would not change as the flank wall of the proposal is in the same position as the existing building.

6.15 Apart from the aforementioned window in 92 Brightwell Road, the proposed development would not cross the 45 degree line taken on plan view or the 25 degree line taken on elevational view from any neighbouring window on Benskin Road, Brightwell Road and Hagden Lane. The separation distances between the upper windows of the dwellings on Benskin Road and the north facing rear elevation of the building is 35 metres. The distance from the same rear elevation to the curtilage of the site is 20 metres. The prosed development would comply with the Daylight, Sunlight and Privacy guidance outlined in section 7.3 of Watford's Residential Design Guide.

6.16 The proposed side facing windows in units 7 and 11 which look out onto the flank wall of 92 Brightwell Road are stated to be obscure glazed. Given their position on the curtilage of the site this is considered appropriate. A condition is added to ensure these two windows are obscure glazed.

6.17 Overall, it is considered the proposed building will have no undue impacts in relation to daylight, outlook and privacy to the surrounding residential area.

6.18 (f) Transport, parking and servicing

The site is 0.9 mile walking distance from Watford High Street Overground Station and 1.4 miles from Watford Junction Station. Bus Stops adjacent to the site provide frequent services to Watford and the surrounding areas.

- 6.19 The site is within a controlled parking zone. In accordance with Policies T22 and T24 of the Watford District Plan occupants of the development will not be entitled to residential parking permits. This is also the case for the existing building.
- 6.20 The development contains a 20 square metre internal cycle store adjacent to the main entrance. This store would have 7 'Sheffield Stands' which could accommodate 14 bicycles which complies with policy T10 of the Watford District Plan.
- 6.21 The development also provides a 20 square metre internal refuse store adjacent to the vehicle entrance to the site. The refuse store is sufficient in size. Internalising the cycle and refuse stores is a positive feature, providing good, sheltered facilities which would not add clutter or introduce unfavourable odour to the communal amenity space.
- 6.22 (g) Environmental considerations
- i) Land contamination
- A preliminary investigation for land contamination has been submitted with the application. Watford's Environmental Health Officer has suggested the imposition of a condition requiring a scheme which deals with any contamination risk to be submitted to and approved prior to development.
- 6.23 ii) Surface water drainage
- The development site is located within Zone 1 on the Environment Agency's Indicative Flood Map with little or no risk of flooding from fluvial sources. The Flood Risk Management team at Herts County Council (LLFA) have been consulted twice on this proposal and have objected on both occasions. It is considered appropriate to seek resolution of this matter by condition
- 6.24 iii) Biodiversity
- There are no trees on the existing site. There is a hornbeam tree adjacent to the site on Brightwell Road. The roots and crown of this tree extend into the site, restricting potential development. Watford's Arboricultural Officer has agreed that the loss of this tree is considered acceptable to facilitate development, subject to the developer making a financial contribution towards the Watford's Bough Council's tree planting scheme. This would ensure no overall net loss of trees.
- 6.25 The plans depict an additional five trees within the site, two of which would be adjacent to Brightwell Road. These trees would vary in species and size with details being secured by condition.

No protected species or habitats were found on site.

## 7 Consultation responses received

### 7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment
Hertfordshire County Council (Growth & Infrastructure)	Responded. No comment.
Hertfordshire County Council (Highways Authority)	Suggested conditions for revised access details and completion of works prior to occupation. Informatives also proposed to ensure free flow of highways.
Hertfordshire County Council (Lead Local Flood Authority)	Sought additional information as to surface water drainage. Revised information sent, awaiting response. Condition added to resolve this matter.
Hertfordshire Constabulary Crime Prevention Design Service	Satisfied with the proposals.
Thames Water	Proposed a condition on piling.

### 7.2 Internal Consultees

Name of Internal Consultee	Comment
Arboricultural Officer	No objection subject to replacement trees and a condition for soft landscaping.
Environmental Health	Requested construction management plan and noise survey. Proposed condition for potential contamination.
Urban Design and Conservation	Satisfied following minor revisions to the design.
Housing	The Housing Service supports this application.
Waste and Recycling	Refuse requirements noted.

### 7.3 Interested Parties

Letters were sent to 46 properties in the surrounding area. 6 Responses were received. These comprised 5 objections and 1 neutral comment. The main comments are summarised below, the full letters are available to view online:

Comments	Officer response
Design / Height	The proposed building would have a high quality contemporary appearance finished in brick which assimilates with the surrounding area. The four storey height, stepping down to three storeys is considered acceptable.
Daylight / Sunlight	The officer considers that the information in relation to daylight / sunlight in the design and access statement is sufficient and that the additional loss of light relative to the existing building is not significant.
Privacy / Outlook	The separation distances significantly exceed the minimum separation distances outlined in the Residential Design Guide. The design of the building from the rear is acceptable.
Overdevelopment	The proposal would reduce the number of dwellings on site by 7. The massing is larger, though the proposal would not be considered an overdevelopment of the site.
Parking	Residents would not be eligible for parking permits within the controlled parking zone.

## 8 Recommendation

### Section 106 Heads of Terms

- i) To secure all 13 residential units as Affordable Housing.
- ii) 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.
- iii) To secure a financial payment to Watford Borough Council of £2,000 for the removal and replacement of trees.

### Conditions

1. Three Years

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

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

## 2. Approved Drawings and Documents

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

- BRI-XX-00-DR-A-00100 Revision: PL02
- BRI-XX-00-DR-A-00101 Revision: PL02
- BRI-XX-00-DR-A-00102 Revision: PL02
- BRI-00-XX-DR-A-00103 Revision: PL02
- BRI-XX-00-DR-A-00104 Revision: PL02
- BRI-XX-00-DR-A-00105 Revision: PL02
- BRI-XX-00-DR-A-00106 Revision: PL02
- BRI-XX-00-DR-A-00120 Revision: PL02
- BRI-XX-00-DR-A-00123 Revision: PL02
- BRI-XX-00-DR-A-00124 Revision: PL02
- BRI-XX-00-DR-A-00131 Revision: PL01
- Energy Statement by Waterstone Design. File ref: D2413/REPORTS. Dated: 18.05.2020.
- GroundandWater Desk Study Report. Report Reference: GWPR3648/DS/May 2020. Issue V1.01
- Preliminary Bat Roosting and Bird Nesting Assessment. Dated: April 2020
- Transport Statement by Transport Planning Associates. Dated: May 2020
- Tree Report and Survey. Report number: J 106. By: Johnathon Hazell.

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

## 3. Materials

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

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

#### 4. Hard Landscaping

No part of the development shall be occupied until a detailed hard landscaping scheme for the site, including site boundary treatments and external lighting has been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details. The detailed scheme shall be based upon drawing reference: BRI-XX-00-DR-A-00106 Revision: PL02.

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

#### 5. Soft Landscaping

No part of the development shall be occupied until a detailed soft landscaping scheme for the site and a landscape management and maintenance plan has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be based upon drawing reference: BRI-XX-00-DR-A-00106 Revision: PL02. The approved soft landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

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

#### 6. Internal Noise Levels

No development shall commence above ground level until a noise impact assessment has been submitted to and approved in writing by the Local Planning Authority. The assessment shall take into account all noise sources including road traffic noise. The assessment shall include a mitigation scheme for each of the residential dwellings and shall include

the details and specifications of the sound reduction performance of all glazed and non-glazed elements of the building facades. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure appropriate noise mitigation measures are built into the development to ensure good indoor ambient noise levels are achieved in accordance with BS 8233:2014 for the future occupiers of the dwellings.

## 7. Piling

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. 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 significantly impact / cause failure of local underground sewerage utility infrastructure.

## 8. Contamination Scheme

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

- i) A site investigation scheme, based on the Desk Study Report prepared by Ground & Water Limited (Report ref. GWPR3648/DS/May 2020), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.
- ii) The site investigation results and the detailed risk assessment referred to in (i) and, based on these, an options appraisal and remediation

strategy giving full details of the remediation measures required and how they are to be undertaken.

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

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

## 9. Remediation Verification

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

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

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

## 10. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 8, and where remediation is necessary a remediation scheme must be prepared in accordance with the

requirements of condition 8, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 9.

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

#### 11. Bin and Cycle Stores

No dwelling shall be occupied until the bin and cycle stores to serve the dwellings, as shown on the approved drawings, have been constructed and made available for use. These facilities shall be retained as approved at all times and shall be used for no other purpose.

Reason: To ensure that adequate facilities exist for residents of the proposed development, in accordance with Policies SE7 and T10 of the Watford District Plan 2000.

#### 12. Aerials and Satellite Dishes

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

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

#### 13. Communications Equipment

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

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

#### **14. Flat Roofs are not amenity space**

No part of the flat roof of the development hereby permitted shall be used as a terrace, balcony or other open amenity space.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring premises pursuant to Policy UD1 (Delivering High Quality Design) of the Watford Local Plan (Core Strategy) 2006-2031, and in accordance with the principles of good design that are set out in the Residential Design Guide.

#### **15. Obscure Glazing**

The north east side windows at first and second floor levels in the dwellings labelled 'Flat 7' and 'Flat 11' shall be installed and retained with obscure-glazing, and shall be non-opening other than in parts of the windows which are more than 1.7 metres above the floor of the room in which the window is installed.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring premises pursuant to Policy UD1 (Delivering High Quality Design) of the Watford Local Plan (Core Strategy) 2006-2031 and the Residential Design Guide (Sept 2016).

#### **16. Surface Water Drainage Scheme**

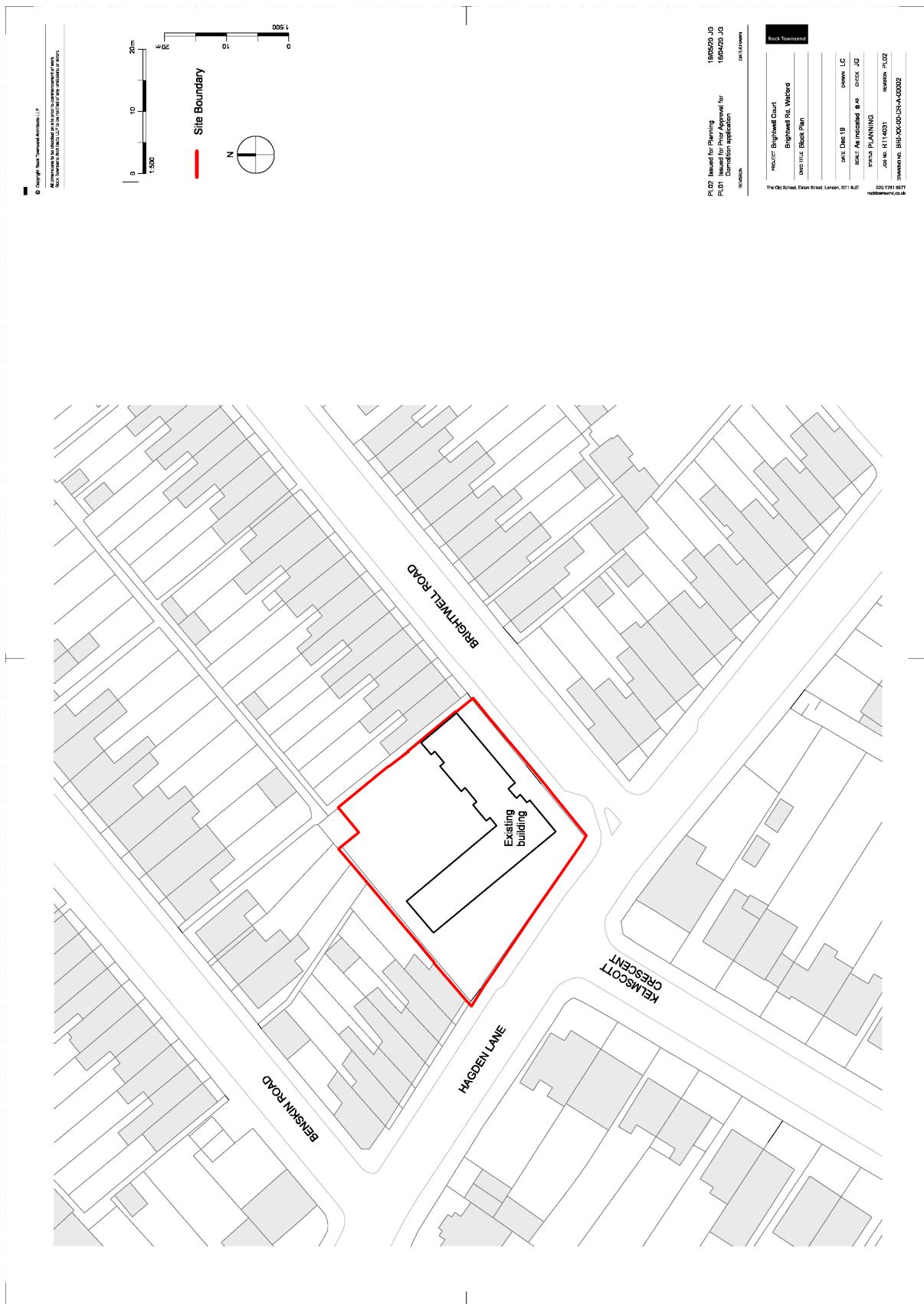
No drainage works shall commence until the details of a surface water drainage scheme for the site have been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policy SD2 of the Watford Local Plan Core Strategy and Chapter 14 of the National Planning Policy Framework.

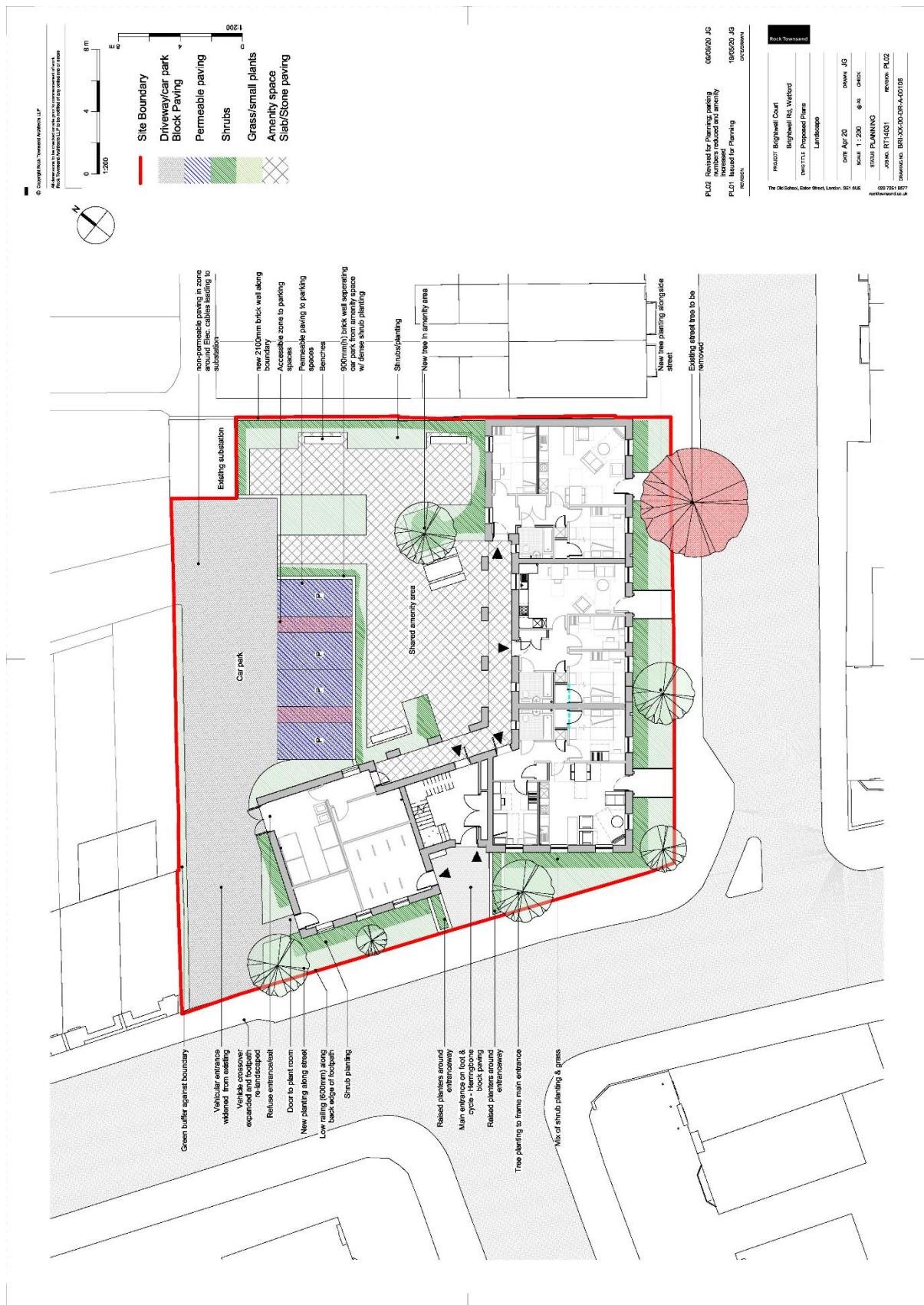
#### **Informatics**

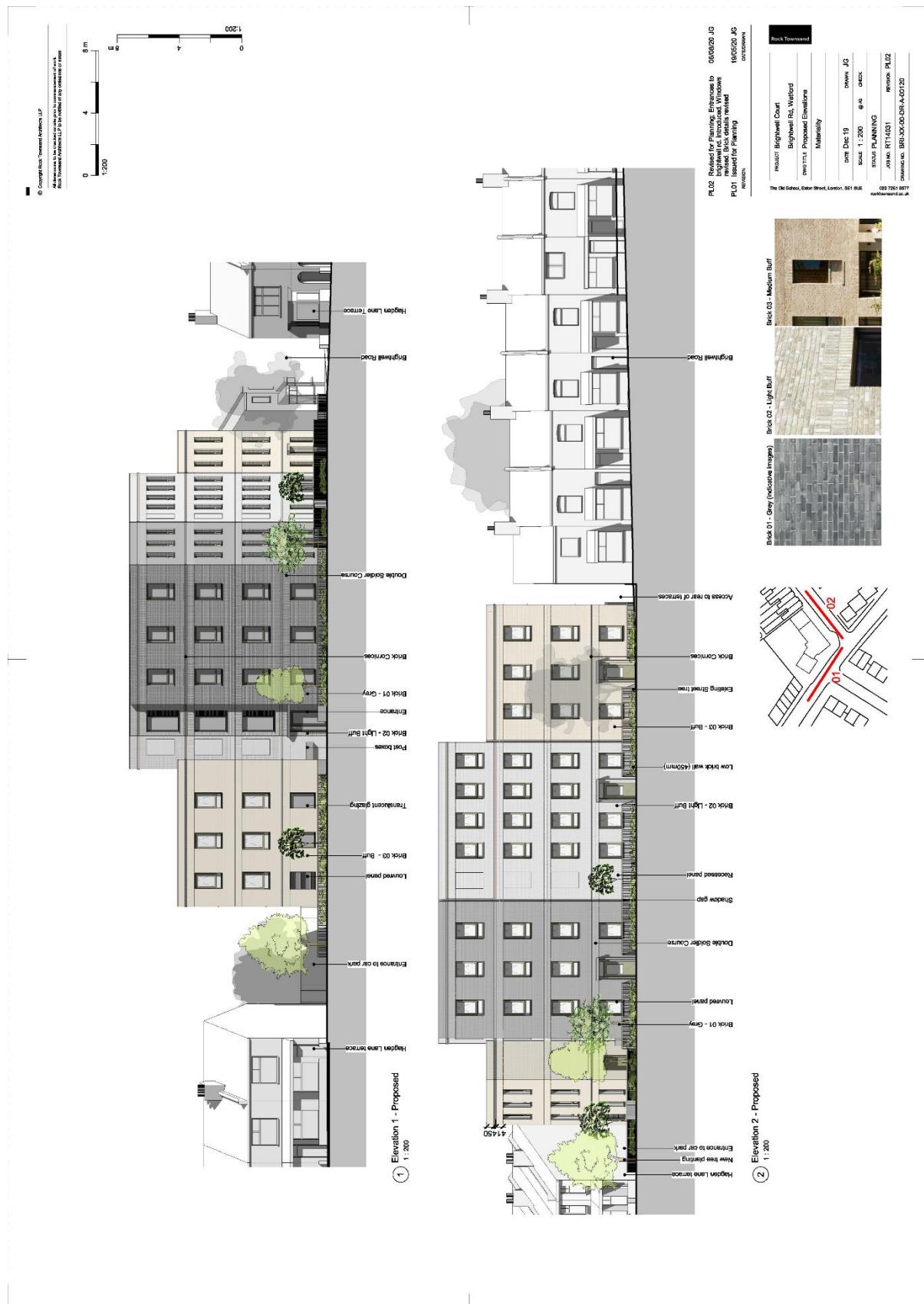
1. IN907 – Positive and proactive statement
2. IN909 – Street naming and numbering
3. IN910 – Building Regulations
4. IN911 – Party Wall Act
5. IN912 – Hours of Construction

6. IN913 – Community Infrastructure Levy Liability
7. IN914 – Section 106 Agreement/Undertaking
8. IN915 – Highway Works – HCC agreement required

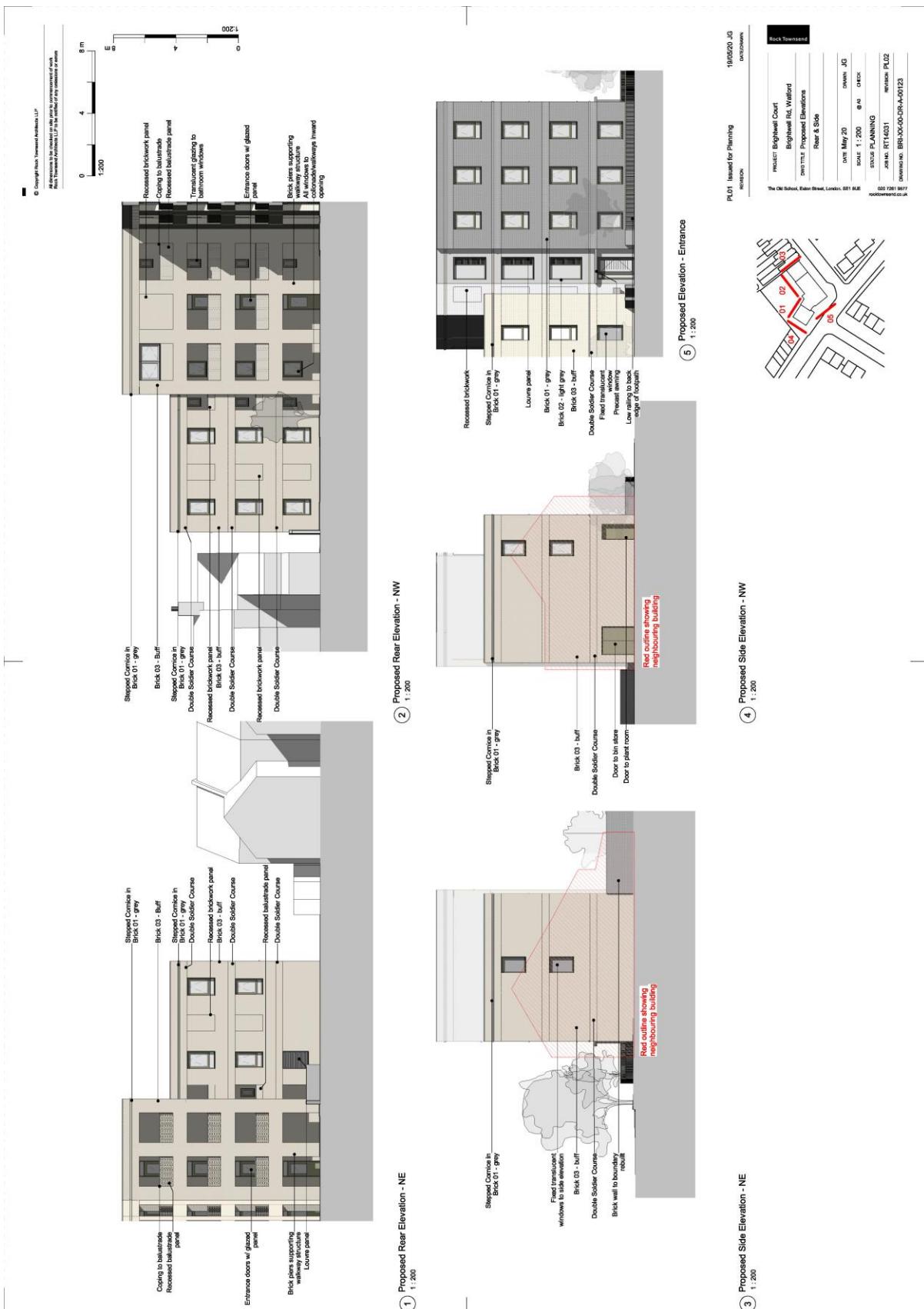


Site Location Plan





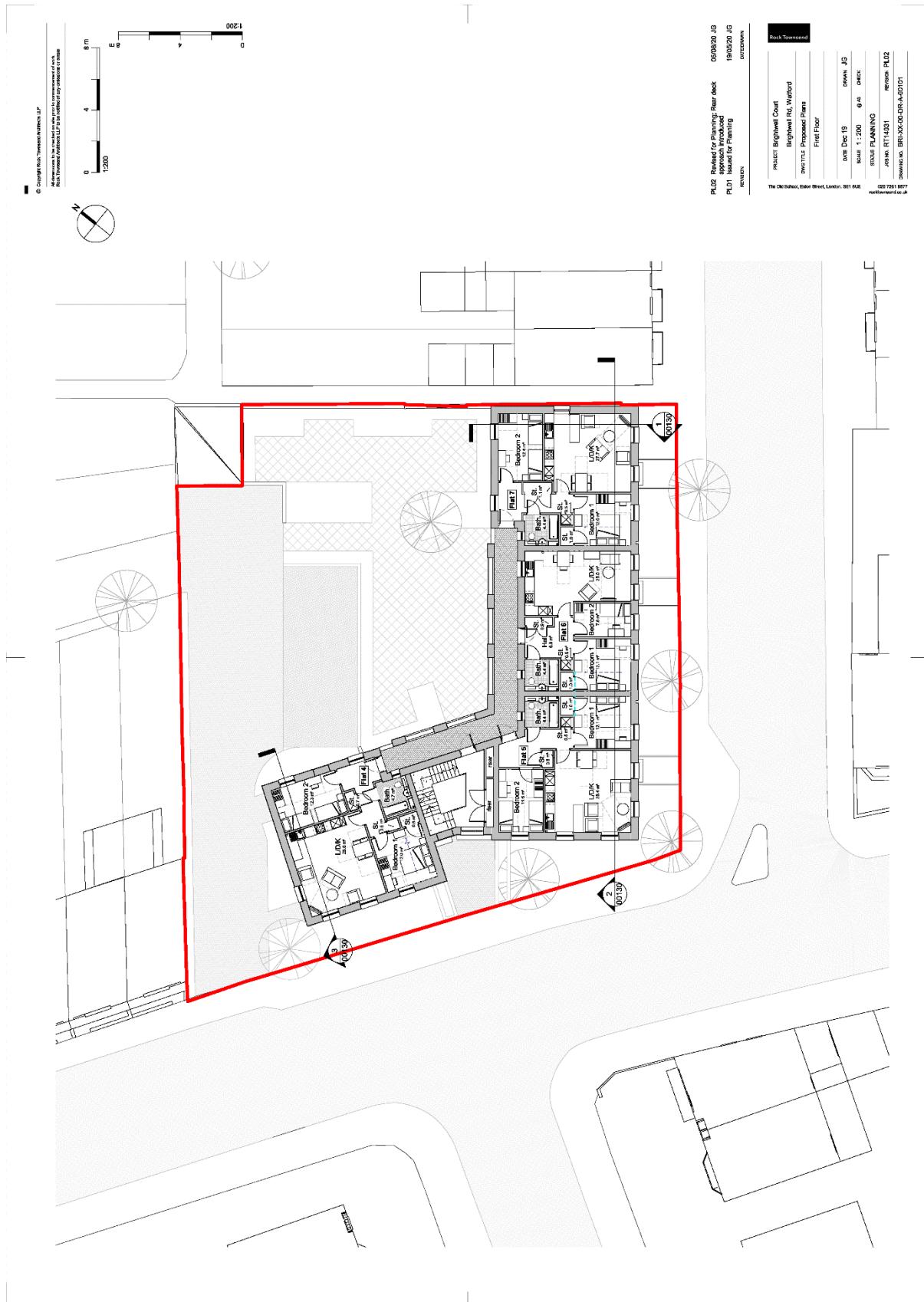
## Street Elevations



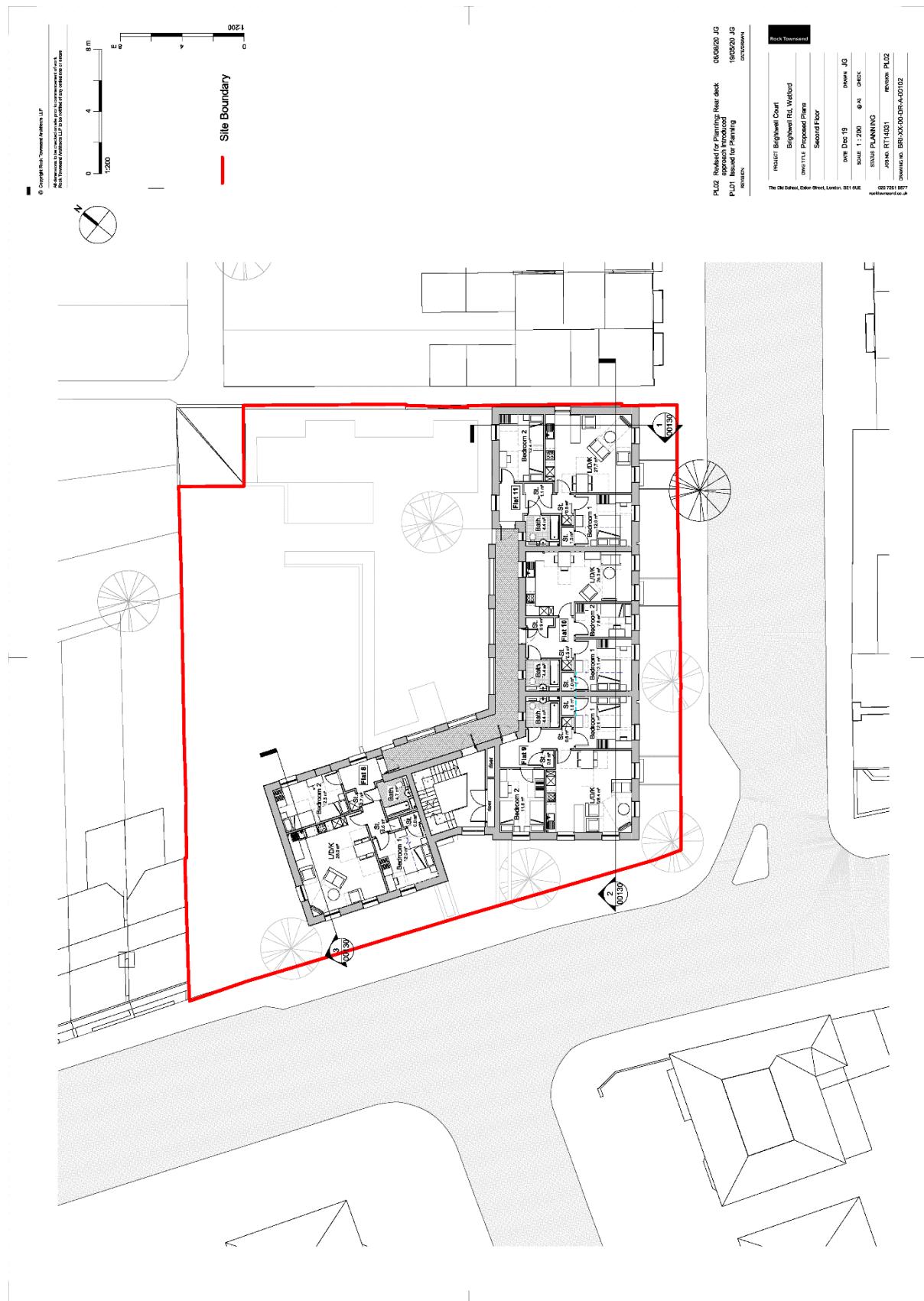
## Rear and Side Elevations



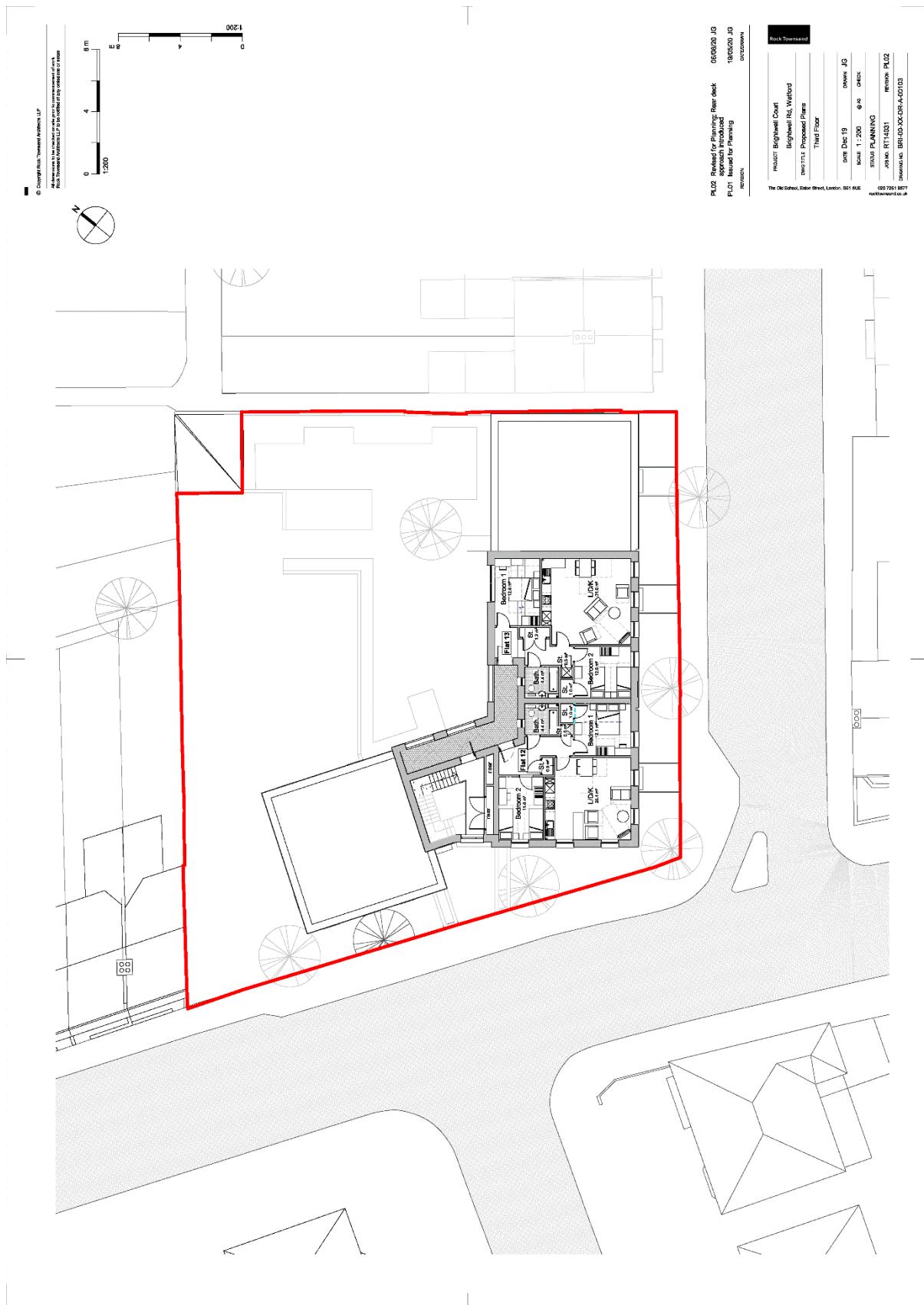
## Proposed Ground Floor Plan



Proposed First Floor Plan



## Proposed Second Floor Plan



**Proposed Third Floor Plan**

<b>Committee date</b>	Wednesday, 2 September 2020
<b>Application reference</b>	20/00717/GPDO - Watford North Railway Station, Bushey
<b>Site address</b>	Mill Lane
<b>Proposal</b>	Application for the prior approval of the siting and appearance for a new 20m high monopole mast for a 5G (fifth generation) communications system, 1 no. 600mm dish, the installation of 4 no. cabinets and ancillary works thereto.
<b>Applicant</b>	Cornerstone and Telefonica
<b>Agent</b>	Waldon Telecom
<b>Type of Application</b>	Prior Approval
<b>Reason for committee Item</b>	Number of objections
<b>Target decision date</b>	8 <sup>th</sup> September 2020
<b>Statutory publicity</b>	Public advertisement and site notice
<b>Case officer</b>	Paul Baxter, paul.baxter@watford.gov.uk
<b>Ward</b>	Tudor

## 1. Recommendation

That prior approval be granted as set out in Section 8 of this report.

## 2. Site and surroundings

- 2.1 The site is located at Watford North Station on the southern side of Bushey Mill Lane between its junctions with Southfield Avenue to the east and Sandown Road to the west. The station comprises a platform and small waiting shelter for passengers. There is an existing 12m high 'pitchfork' style mast (the omni antennas extend to 14.2m high) sited beyond the end of the platform, 7m from the highway and adjacent to the rear boundary of 2, Southfield Avenue. Two storey houses in Southfield Avenue adjoin the station site to the east with gardens over 20m long. To the north and west are single storey and two storey commercial buildings within the Greycaine Road and Sandown Road industrial areas respectively.
  
- 2.2 The proposed mast is to be sited in a small area of vacant land between the end of the platform and the existing mast.

### **3. Summary of the proposal**

#### **3.1 Proposal**

Application for the prior approval of the siting and appearance for a new 20m high monopole mast for a 5G (fifth generation) communications system, 1 no. 600mm dish, the installation of 4 no. cabinets and ancillary works thereto, to be sited 4.3m to the south-west of the existing mast. Application made pursuant to Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

- 3.2 The proposed mast will replace the existing 12m high ‘pitch-fork’ style mast which provides only 2G services to the surrounding area.

#### **3.3 Conclusion**

The site is an existing telecommunications site, hosting a 12m high mast which provides only 2G services. The proposed 20m high mast will provide all services including 5G, which accounts for the height of the mast. The visual impact of the mast is mitigated through its slender design and grey colour. As such, it is not considered to have a harmful impact on the character and appearance of the surrounding area or on the outlook from nearby houses.

### **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 existing 12m high ‘pitch-fork’ style mast was erected prior to 1998 as permitted development.

11/00401/GPDO - To determine whether prior approval is required for the siting and appearance of a replacement 14.8m high telecommunications mast. Prior approval granted May 2011. This was not implemented.

15/00095/GPDO - Application for prior approval for the siting and appearance of a new 15m high telecommunications mast with shroud to replace the existing 12m high pole mast. Prior approval granted March 2015. This was not implemented.

## **6. Main considerations**

- 6.1 The only issue to be considered in the determination of this application is the siting and appearance of the proposed mast.
- 6.2 Chapter 10 of the NPPF sets out the Government's policy regarding high quality communications. The following paragraphs set out the approach LPAs should take to applications:

*112. Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution).*

*113. The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.*

- 6.3 High speed, high capacity, digital technology is seen as essential to the future growth and economic prosperity of the country, increased social inclusion and a sustainable society and is advocated and promoted by various Government departments.
- 6.4 With regard to health considerations, the NPPF is clear that this is not a matter for local planning authorities:

*116. Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.*

- 6.5 The proposed mast will accord with the International Commission guidelines for public exposure.
- 6.6 The applicant has submitted a supporting statement with the application and also details of the operation of 5G networks.

*"5G operates across multiple spectrums and therefore requires additional antennas and new equipment cabinets. The signals that are broadcast are more prone to the shadowing effect of adjacent buildings or structures, and the effect of tree canopies reducing the broadcast range and effectiveness of the antennas. Consequently, the height of the 5G antennas needs to be sited to avoid such obstacles and this in part dictates the height of the new streetworks monopoles."*

*"The higher frequencies that 5G will use can provide more bandwidth and thus greater capacity but the signal will not travel as far as those of previous generations. The implications to the built environment will be that more infrastructure is needed with a significant increase in capital required. In order to meet future demands for connectivity the new installations will have to be designed to optimise the network and thus provide a public benefit in addition to the existing telecoms generations and frequencies used. Additional structures and ancillary equipment on existing sites will also be complemented by new sites and it is anticipated that in high demand areas such as city centres further new installations will be required."*

- 6.7 The proposed mast is to be sited 4.3m to the south-west of the existing mast, closer to the station platform and further away from Bushey Mill Lane. It will also be sited adjacent to an existing row of conifer trees. The appearance of the mast will be different from the existing mast, as the dual stacked antennas within a shroud will replace the existing 'pitch-fork' style omni antennas. In order to provide full service coverage for 2G, 3G, 4G and 5G services, significantly larger antennas than the existing are required (which only provide 2G services for a single operator). The sharing of the mast, with stacked antennas, is also common (other operators also now have shared network infrastructure) and will overcome the need to have two masts on this site or within the immediate locality.
- 6.8 The appearance of the mast is similar to many other masts within the Borough, including residential areas, albeit is taller at 20m compared to the 12-15m of existing 4G masts. The appearance is very similar to the previously approved but not implemented 15m mast on this site. Masts of this nature are now a common part of the urban infrastructure of the town. The immediate

locality is mixed in character with two storey dwellings to the east and large scale commercial buildings to the north and west. In this context, the appearance of the mast is considered acceptable.

- 6.9 The siting of the mast will adjoin the rear garden boundaries of properties in Southfield Avenue (nos. 2 and 4). These gardens are 21m long. The mast will be visible from the rear windows of these properties and within the Bushey Mill Lane streetscene and will appear more visually prominent than the existing mast (or previously approved 15m high mast). However, its visual prominence will be mitigated to a degree by its slender profile and being painted a light grey colour. Masts of a similar scale and appearance are also found in many other residential and mixed areas across the Borough. Overall, it is not considered that the siting and appearance of the mast will have any significant adverse impact on the outlook or amenities of the occupiers of properties in Southfield Avenue or on the character and appearance of the wider locality.

## 7. Consultation responses received

### 7.1 Statutory consultees and other organisations

Consultee	Comments
Network Rail	The site is very close to the existing operational railway - the proposed equipment will need to be reviewed and agreed with Network Rail to ensure that it does not impact GSM-R as a permanent arrangement. No works to commence on-site until the upgrade has been agreed with Network Rail Asset Protection team.

### 7.2 Internal Consultees

None required.

### 7.3 Interested parties

Letters were sent to 33 properties in the surrounding area. Responses have been received from 8 properties. The main comments are summarised below, the full letters are available to view online:

Comments	Officer response
Proposed mast should be located in the industrial area. Will ruin the residential area. Not in keeping with the area.	This is an existing telecommunications site and a network of masts are required to give full coverage. There is no objection in principle to a new mast on this site.
Do not want a larger mast for health reasons.	The proposed mast would comply with International Commission guidelines for public exposure in accordance with policy set out in the NPPF.
Mast will appear tall and overbearing.	The mast is slender in appearance and similar to many other masts across the borough.

## 8. Recommendation

That prior approval be granted subject to the following conditions:

### Conditions

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

Reason: To comply with the requirements of Schedule 2, Part 16, Class A, paragraph A.3(11)(a) the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

2. The mast and shroud shall be coloured light grey (unless otherwise agreed in writing by the Local Planning Authority) and shall be retained as such at all times.

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

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

100A, 200B, 201B, 300A, 301B

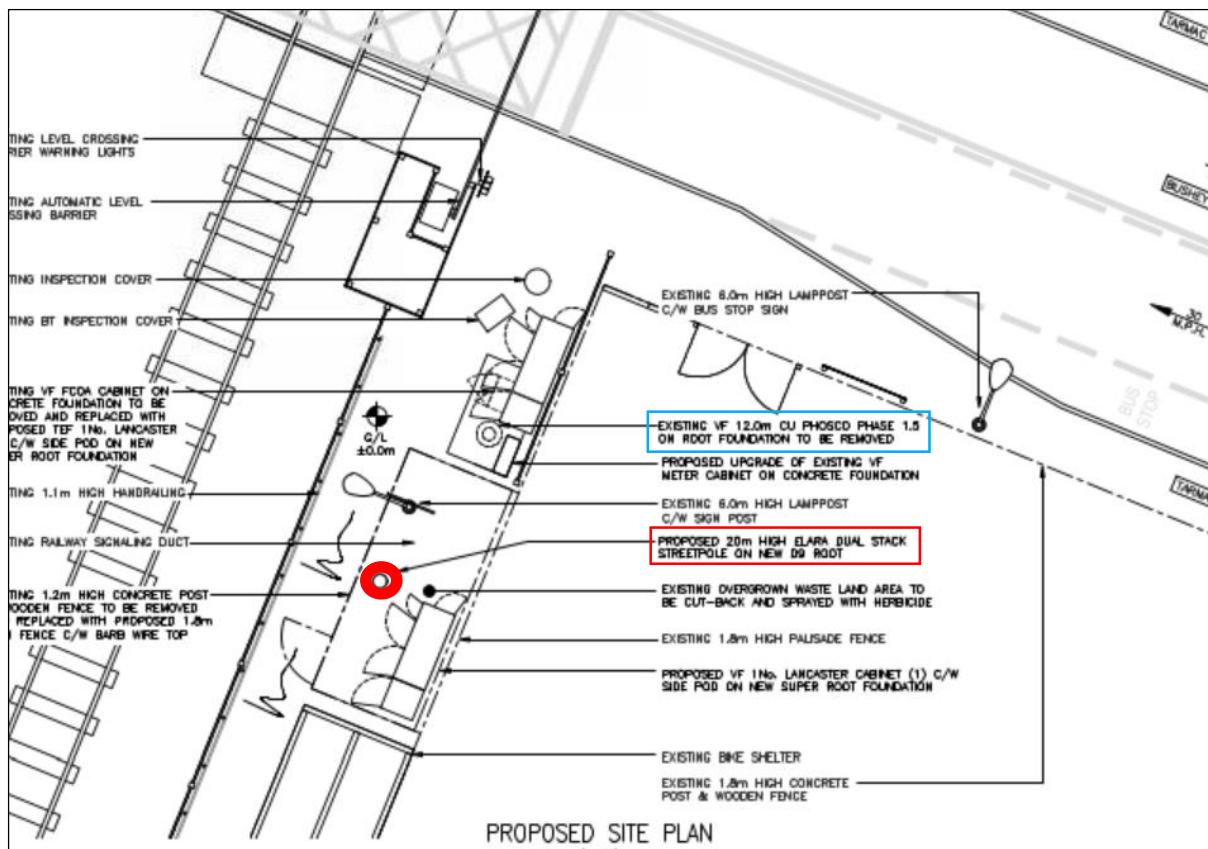
Reason: For the avoidance of doubt and in the interests of proper planning.



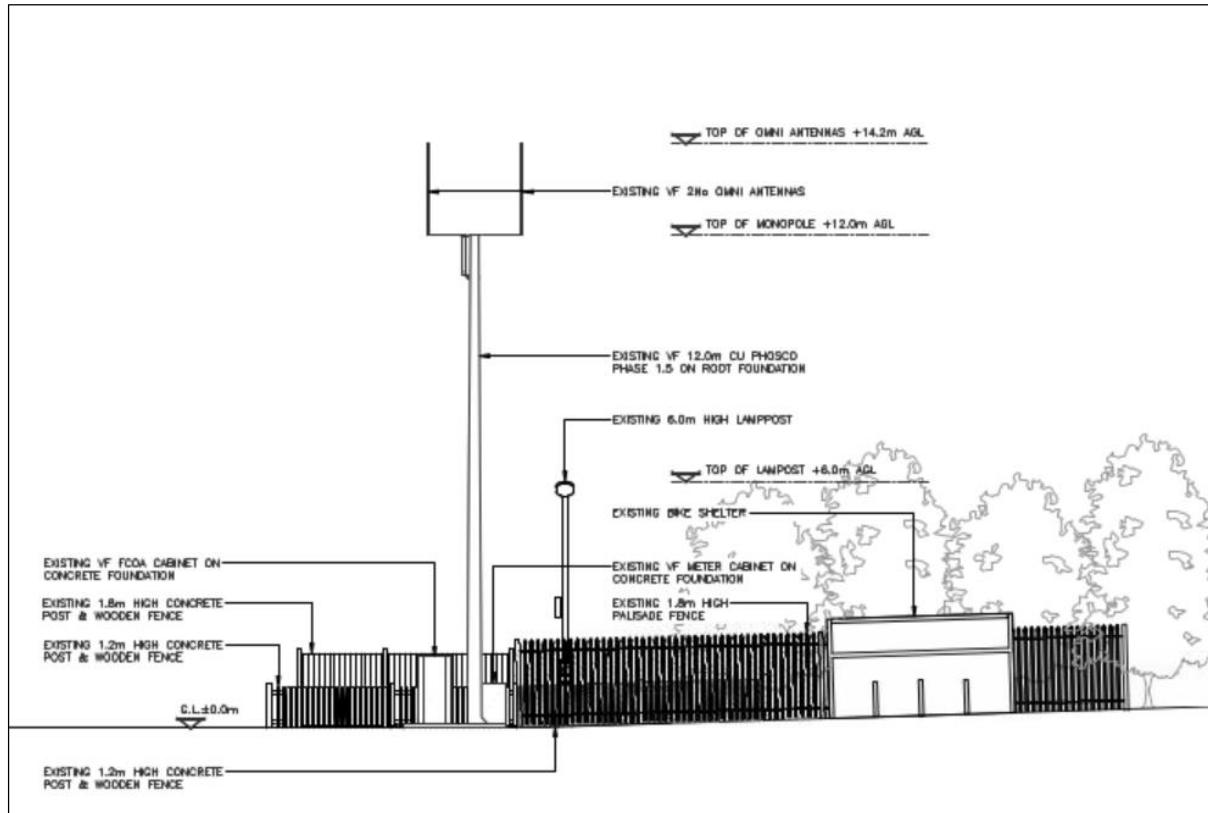
Site location plan



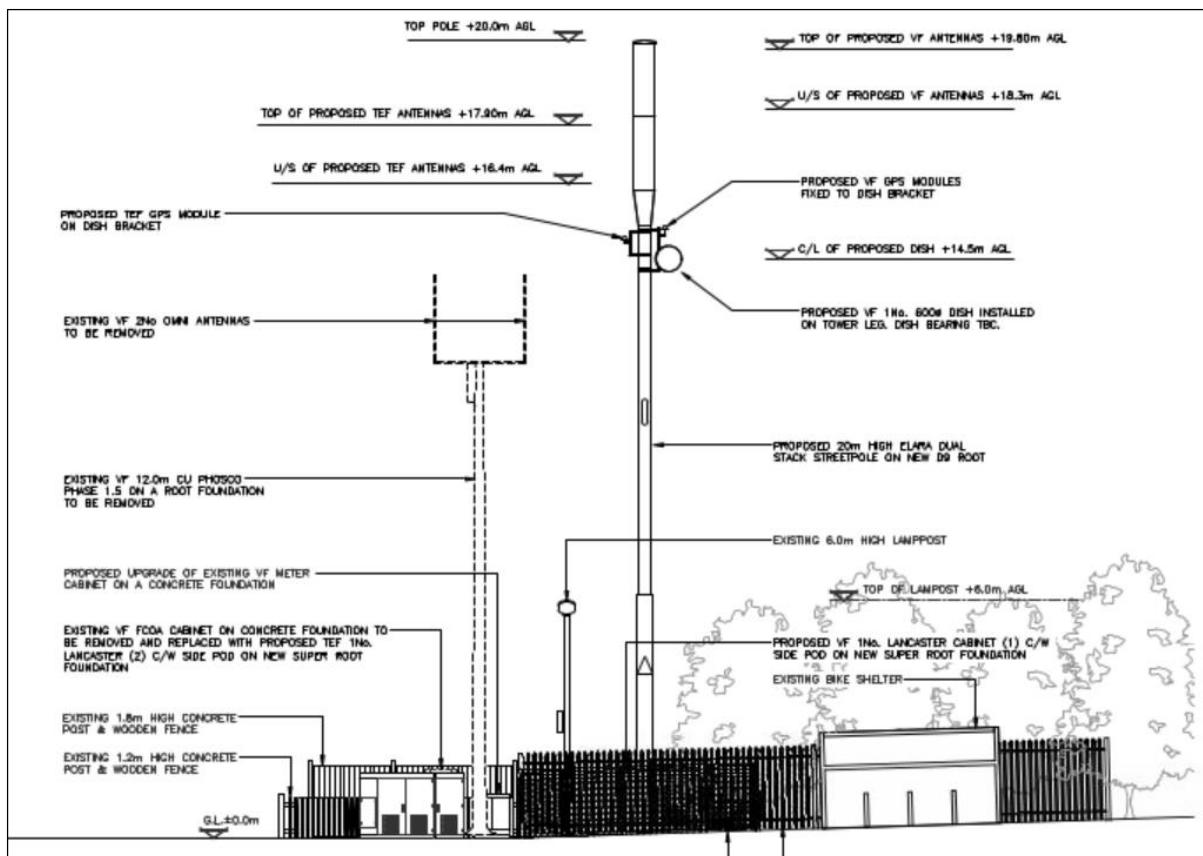
Existing site photograph looking east (Google)



Site plan



Existing site elevation



Proposed site elevation

## Agenda Item 7

<b>Committee date</b>	Wednesday, 02 September 2020
<b>Application reference</b>	20/00541/VAR - 112-114, The Parade
<b>Site address</b>	
<b>Proposal</b>	Variation of Condition 2 (approved drawings - internal layouts and roof) and modification of the Section 106 Unilateral Undertaking (to change the affordable housing provision) of planning permission 14/00954/FULM for the retention of ground floor Class A4 uses (drinking establishments) and the extension and conversion of the upper floors to provide 15 residential flats.
<b>Applicant</b>	Aimrok Developments Ltd
<b>Agent</b>	HGH Consulting
<b>Type of Application</b>	Full planning application
<b>Reason for committee Item</b>	Major development
<b>Target decision date</b>	31 <sup>st</sup> August 2020
<b>Statutory publicity</b>	Public advertisement and site notice
<b>Case officer</b>	Paul Baxter, paul.baxter@watford.gov.uk
<b>Ward</b>	Central

### 1. Recommendation

Approve subject to conditions as set out in section 8 of this report.

### 2. Site and surroundings

- 2.1 The site is located on the south-western side of The Parade adjoining Faircross House and facing the pond. The redevelopment of the site under planning permission 14/00954/FULM for the retention of two ground floor commercial units and the provision of 15 new residential flats above has recently been completed.
- 2.2 The site falls within the Civic Core Conservation Area and the Secondary Retail Frontage of the town centre.

### 3. Summary of the proposal

#### 3.1 Proposal

The redevelopment of the site has recently been completed. Although undertaken pursuant to planning permission 14/00954/FULM, the configuration, floor areas and internal layout of the 15 flats do not accord with the approved drawings. The approved drawings show 15 x 1 bedroom, 2

person flats. As constructed, the 15 flats comprise a mix of 6 x 1 bedroom and 9 x 2 bedroom flats with the majority being below the minimum internal floorspace standards for the size and number of bedrooms proposed. The purpose of this application is to seek the approval of further amendments to the internal floor layouts for the 15 flats within the overall configuration and floor area of each flat as constructed.

- 3.2 The application also seeks to vary the Section 106 unilateral undertaking of planning permission 14/00954/FULM. This included the following planning obligation in respect of the provision of affordable housing:

- (e) No Open Market Housing Units shall be occupied on the Land until the Owner has entered into a legally binding agreement in respect of the Affordable Housing Units to grant a lease or leases to a Registered Provider for a term of not less than 125 years or has entered into a legally binding agreement to transfer to a Registered Provider such part of the Land as shall be required in respect of the Affordable Housing Units.

The affordable housing units were to be five 1 bedroom, 2 person units on the first floor for affordable rent tenure.

- 3.3 The application seeks to vary the mix and size of the affordable housing units to reflect the proposed new flat configurations on the first floor. In the event the affordable housing units are not acquired by a Registered Provider within a period of 6 months, a commuted sum of £1,078,816 would be paid to the Council in lieu of this on-site provision.
- 3.4 Changes are also proposed to the size of the roof garden area and the location of bin and cycle stores at ground level.

### 3.5 Conclusion

The revised floor plan layouts for the flats on the first, second and third floors are acceptable and will meet or exceed the minimum internal floorspace standards. The payment of a commuted sum of £1,078,816 in the event that the 5 Affordable Housing units are not acquired by a Registered Provider is also supported.

## 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 14/00954/FULM - Retention of ground floor Class A4 uses (drinking establishments) and the extension and conversion of the upper floors to provide 15 residential flats. Planning permission granted 7<sup>th</sup> June 2016.
- 17/01743/NONMAT - Non-material amendment to planning permission ref. 14/00954/FULM for alterations to the wording of Condition 6 (noise mitigation measures). Application granted 29<sup>th</sup> January 2018.
- 18/01587/NONMAT - Non-Material amendment to planning permission 14/00954/FULM for minor amendments made to the external facade, increase in roof height and increase to rear stair core. Application granted 26<sup>th</sup> February 2019.
- 19/00249/NONMAT - Non-material amendment to delete Condition 6 (noise mitigation measures to ground floor units) from planning permission ref. 14/00954/FULM. Application granted 24<sup>th</sup> April 2019.
- 19/00250/COU - Change of use of 2 ground floor units from Class A4 (Drinking Establishments) use to a flexible use for either Class A1 (Shops) or Class A2 (Financial and Professional Services). Planning permission granted 23<sup>rd</sup> April 2019.
- 19/01243/FUL - Installation of new glazed double door with sidelights (rear elevation). Planning permission granted 23<sup>rd</sup> December 2019.

## **6. Main considerations**

- 6.1 The application proposes a number of changes The main issues to be considered in the determination of these applications are:
- (a) Quality of accommodation
  - (b) Affordable housing provision
  - (c) Amenity space provision
  - (d) Bin and cycle storage

6.2 (a) Quality of accommodation

The approved flats were all 1 bedroom, 2 person units and all met or exceeded the minimum floorarea of 50sqm (varying from 51.4-58.9sqm) with the exception of one flat at 49.1sqm.

6.3 The amended flats as now proposed are as follows:

Flat Number	Size	Floorarea (sqm)	Compliant
First floor Flat 01	1 bed, 2 person	52.6	Yes
First floor Flat 02	1 bed, 2 person	56.8	Yes
First floor Flat 03	1 bed, 2 person	57.2	Yes
First floor Flat 04	1 bed, 1 person	46.8	Yes
First floor Flat 05	2 bed, 3 person	60.4	No (-0.6sqm)
Second floor Flat 01	1 bed, 2 person	52.3	Yes
Second floor Flat 02	1 bed, 2 person	57.3	Yes
Second floor Flat 03	1 bed, 2 person	56.7	Yes
Second floor Flat 04	1 bed, 1 person	46.8	Yes
Second floor Flat 05	2 bed, 3 person	60.4	No (-0.6sqm)
Third floor Flat 01	1 bed, 1 person	42.8	Yes
Third floor Flat 02	1 bed, 1 person	44.5	Yes
Third floor Flat 03	1 bed, 2 person	50.1	Yes
Third floor Flat 04	1 bed, 1 person	41.8	Yes
Third floor Flat 05	1 bed, 2 person	51.7	Yes

Flats 05 on the first and second floors are only very slightly below the minimum floor area by 0.6sqm which, whilst not ideal, is unlikely to cause any detrimental harm to the living conditions of future residents.

6.4 All of the flats would have good levels of outlook, natural light and privacy. The position of windows has not changed.

6.5 (b) Affordable housing provision

The Section 106 unilateral undertaking requires the five 1 bedroom flats on the first floor to be affordable rented units, sold or leased to a Registered Provider before the occupation of any of the Open Market Housing Units. Evidence has been submitted to show that 13 Registered Providers were contacted in 2018 regarding acquiring the affordable units but no offers were received. A number of providers did not respond while others stated that they had no interest in acquiring these units. It is not entirely clear what the reasons were. These providers have recently been contacted again in 2020 and again no positive responses have been received.

- 6.6 In the event that the applicant is still unable to secure a Registered Provider to acquire these units, the only other option is for a commuted sum to be paid to the Council in lieu of the provision of these units. Based on the Council's adopted supplementary planning document on commuted sums for affordable housing, the commuted sum in this case would be £1,078,816.
- 6.7 The applicant has proposed the following trigger mechanisms for the payment of the commuted sum to the Council:
- No more than 9 units of Open Market Housing units can be occupied before the Owner has entered into a legally binding agreement with a Registered Provider in respect of the Affordable Housing units or paid the commuted sum referred to below;
  - In the event of no legally binding agreement with a Registered Provider within a period of 6 months from the grant of planning permission, a commuted sum of £1,078,816 shall be paid to the Council in lieu of the on-site provision of 5 Affordable Housing units;
  - On payment of the agreed commuted sum the remaining Open Market Housing units can be occupied and the 5 Affordable Housing units can be transferred to Open Market Housing units and thus occupied.
- 6.8 These requirements can be secured through a new Section 106 unilateral undertaking in the event of planning permission being granted.
- 6.9 (c) Amenity space provision  
The approved scheme provided amenity space at roof level of 152sqm. As constructed, this area has been reduced to 35sqm. This is regrettable as the flats do not have individual balconies. However, the site adjoins the pedestrianised public realm on The Parade which includes the pond and public seating and is a short walk from Cassiobury Park. Given the town centre location of the site and its accessibility to a wide range of services, it is not considered that the reduction in the roof amenity area is unduly harmful to the overall amenity of the flats.
- 6.10 (d) Bin and cycle storage  
The bin and cycle stores are located at the rear of the site within a small open yard area. Although the siting has changed within this area, this is acceptable.
- 7. Consultation responses received**
- 7.1 Statutory consultees and other organisations**  
None required.

## **7.2 Internal Consultees**

The Housing team support the payment of the commuted sum if the affordable housing units cannot be delivered on-site.

## **7.3 Interested parties**

Letters were sent to 37 properties in the surrounding area. No responses have been received.

## **8. Recommendation**

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

### **Section 106 Heads of Terms**

- i) To secure 5 units on the first floor of the development to be Affordable Housing units for affordable rent comprising 4 x 1 bedroom and 1 x 2 bedroom units;
- ii) No more than 9 units of Open Market Housing units to be occupied before the Owner has entered into a legally binding agreement with a Registered Provider in respect of the Affordable Housing units or paid the commuted sum referred to below;
- iii) In the event the Affordable Housing units are not acquired by a Registered Provider within a period of 6 months, a commuted sum of £1,078,816 to be paid to the Council;
- iv) On payment of the commuted sum to the Council, the Affordable Housing units to be sold as Open Market units.

### **Conditions**

1. No dwelling shall be occupied until the internal works to the flats on the first, second and third floors have been carried out in full in accordance with the approved drawings.

Reason: To ensure the proposed flats meet the required minimum internal floorspace standards and provide an acceptable level of amenity for future occupiers.

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

594-CDA-A-00-DR-A-05-0100 Revision 04  
594-CDA-A-01-DR-A-05-0101 Revision 07  
594-CDA-A-02-DR-A-05-0102 Revision 07  
594-CDA-A-03-DR-A-05-0103 Revision 07  
594-CDA-A-04-DR-A-05-0104 Revision 01

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

3. No dwelling or commercial unit shall be occupied until the cycle and bin stores have been provided in accordance with the approved drawings.

Reason: To ensure adequate provision is made for the future occupiers of the building.



Site location plan



Proposed first floor plan



Proposed second floor plan



Proposed third floor plan

<b>Committee date</b>	Wednesday, 2 September 2020
<b>Application reference</b>	20/00509/FULM 3 Rhodes Way, Watford WD24 4YW
<b>Site address</b>	
<b>Proposal</b>	Erection of replacement commercial laundry (Use Class B1C) with associated office and ancillary works
<b>Applicant</b>	CL2017 Ltd
<b>Agent</b>	Contour Planning Services Ltd
<b>Type of Application</b>	Major Full Planning Permission
<b>Reason for committee Item</b>	Major Full Planning Permission
<b>Target decision date</b>	25 <sup>th</sup> August 2020 Extended by agreement to 3 <sup>rd</sup> September 2020
<b>Statutory publicity</b>	Site Notice and paper advert with overall expiry of 6 <sup>th</sup> June 2020
<b>Case officer</b>	Alice Reade, alice.reade@watford.gov.uk
<b>Ward</b>	Tudor

## 1. Recommendation

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

## 2. Site and surroundings

- 2.1 The existing site contains the fire damaged building of the former Laundry premises (Use Class B1 (c). GIA of 2500sqm. The site is located within the Colonial Way Employment Area.
- 2.2 The site is not within a Conservation Area and does not encompass any Listed Buildings.
- 2.3 The site has a notable ground level change to adjacent sites including an 8m drop down to the site from the residential properties to the south west.
- 2.4 Due to the previous uses of the site and the fire there are potential contaminants on site.

## 3 Summary of the proposal

### 3.1 Proposal

- 3.2 Demolition of the existing fire damaged laundry building of 2500sqm (Use

Class B1(c)) and replacement with a commercial laundry with ancillary office. Proposed floor area totalling 4802sqm of Use Class B1(c) space.

- 3.3 Building to comprise 2 internal storeys of production/warehouse space with external height of 15m. External materials to comprise a grey masonry plinth, white cladding, glazing and metal detailing.

#### 3.4 Conclusion

- 3.5 The proposal would make more efficient use of employment land creating a purpose built laundry building. As such, the proposed development is fully in accordance with the policy and objectives for the designated employment area.

- 3.6 The development would provide sufficient on-site parking and would not create adverse impact to highway safety or adverse harm to the amenities of residential occupiers to the south west of the site.

#### 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

<u>App Number</u>	<u>Proposal</u>	<u>Status</u>	<u>Decision Date</u>
11/00374/FUL	Change of use from Storage/Distribution (class B8) back to Light Industrial (Class B1 C ) as building was originally.	CPP	01.06.2011
19/00532/FUL	Part demolition and rebuild of existing laundry and office premises	CPP	10.01.2020
20/00054/PREA PP	Pre-application enquiry for demolition of fire damaged building and associated office and erection of replacement commercial laundry with associated works.	Advice provided	05.03.2020

20/00262/DEM	Prior approval for the demolition of existing fire damaged warehouse and associated 2 storey office building down to existing slab level.	Prior approval not required	20.03.2020
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## 6. Main considerations

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

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

### 6.2 (a) Principle of use

The use of the premises as light industrial (Use Class B1(c)) is unchanged from the existing and remains suitable for the site and employment area designation.

6.3 The proposed development will increase the existing employment floorspace on the site by 92% from 2500m<sup>2</sup> to 4802m<sup>2</sup>. This increase of quantum and quality of light industrial floorspace within the employment area is compliant with the employment designation policy of the area and is fully supported in principle.

### 6.4 (b) Design, scale and layout

6.5 The Business Park includes predominantly 2 and 3 storey buildings of varying commercial uses and designs. The proposed development would be of a scale and design suitable and in keeping with this context. The materiality and detailing of the building will create a suitably finished building for the context.

### 6.6 (c) Access, parking and traffic generation

#### i) Access

The existing access arrangement to the site would not be altered. The site would include an enlarged parking and servicing area at the north side of the building. Arrangement will allow for vehicles to continue to enter and leave the site in forward gear.

- 6.7 ii) *Parking*  
The application proposes to increase the on-site parking provision from 11 vehicles to 15 car parking spaces and 6 light goods/operational vehicles.
- 6.8 The Watford District Plan 2000 identifies the site within Zone 4 of the Car and Cycle Parking Zone Map. As set by ‘saved’ Policy T22 and Appendix 2 of the plan, the maximum parking provision for the proposed development, based on floor areas proposed, would be 135 car parking spaces. The proposed provision for 21 vehicles spaces would be well below the maximum guidance and would not create excessive journeys to the site. Proposed bike storage facilities would also facilitate non-car travel options.
- 6.9 iii) *Servicing and deliveries*  
The redevelopment and intensification of use on the site would see increased operational vehicle journeys to and from the site. As detailed in the transport assessment, this would not be materially harmful to the highway.
- 6.10 (d) Impact on neighbouring properties
- Although the site is within an employment area, dwellings of Norbury Avenue back on to the south-west of the site. The development will see a notably taller building on site from the existing, however, due to the relative distance, orientation and ground level changes in the area, the building would not create harm to the dwellings. Specifically, the site is on ground level approximately 8m below the dwellings meaning that only approximately half of the building height would be above ground level relative to the dwellings. The building is also a minimum of 8.5m from the boundary to the dwellings and is positioned to the north east from these dwellings. As such the building would not create unreasonable loss of light or outlook to the rear of the dwellings.
- 6.11 The south and west elevations of the building do not include any glazing and so would not create overlooking to the neighbouring residential properties.
- 6.12 The premises has been in use as a laundry following the 2011 permission. The replacement building would approximately double the floor space of the previous laundry and allow an intensification of use at the premises. However, the use, machinery and associated noise from this use would not have changed. The site layout also remains in retaining the access, delivery and servicing areas for the building on the north-eastern side of the building. This area therefore remains as being on the opposite side of the building to the residential properties at a significantly lower ground level and behind an 8m

high retaining wall. As such, it is not considered that the development would create any new or notably increased noise impact. A condition preventing excess noise, as was applied to the 2011 permission is again recommended for this permission.

6.13 (e) Environmental matters

*i) Contamination*

The site's previous uses and the fire result in the potential for land contamination. A Phase 1 assessment has been submitted. The Environment Agency (EA) and Council Environmental Health officers recommended conditions to prevent contamination issues which are added. Noted that there is some overlap between the conditions however as the EA and Council's Contamination officer are concerned with different contamination issues, this is appropriate for some duplication.

*ii) Surface water drainage strategy*

The Lead Local Flood Authority (LLFA) lodged an objection advising that they required further details to support the development. This detail has been provided by the applicant and the Lead Local Flood Authority have been reconsulted. Their response will be provided in the update sheet prior to the committee meeting. In any case, it is envisaged that this matter can be overcome by way of a suitably word condition if the LLFA are still not satisfied with the level of detail provided.

*iii) Waste and recycling*

Appropriate waste and recycling is included in the scheme and swept path analysis shows that this will be accessible to bin lorries.

*iv) Trees and landscaping*

The site includes 2 groups of relatively young trees which have a limited amenity value and which are not protected. The loss of these trees is therefore acceptable to allow the development. Three replacement trees are shown at the front entrance of the site however a landscaping scheme is required by condition to secure appropriate replacement trees and soft landscaping.

## 7. Consultation responses received

### 7.1 Statutory consultees and other organisations

Consultee	Comment Summary	Officer Response
Environmental Agency	Initial objection due to lack of information.	Noted and conditions added.

	However, this was provided and EA withdrew their objection subject to conditions.	
Hertfordshire Lead Local Flood Authority (LLFA)	Initial objection in respect of lack of surface water drainage strategy.	New information has been received and sent to the flood team. We are awaiting response and this will be provided in the update sheet for the meeting.
HCC Highways	No objection subject to conditions.	Noted and conditions added. Additional details were provided in respect of highway condition 1 (Construction management). Highways have been reconsulted in respect of this however a response from Highways has not been received at the time of writing this report and the condition remains recommended.
HCC Growth and Infrastructure	Response provided with no comments.	Noted
Thames Water Utilities	No comments received	
Crime Prevention	No objection	

## 7.2 Internal Consultees

Consultee	Comment Summary	Officer Response
Environmental Health	Odour details are acceptable. Noise to neighbours – there could be further details. Internal noise to office workers could be an issue Fire protection measures suggested.	Noted and discussed in the main body of the report.
WBC Contamination	No objections subject to conditions.	Noted and conditions added.
Economic Development Manager	No comments	

### 7.3 Interested parties

Letters were sent to 25 properties in the surrounding area including the Norbury Avenue properties which back onto the site. No objections have been received.

## 8. Recommendation

### Conditions

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

### Conditions

#### 1. Time Limit

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

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

#### 2. Drawing numbers

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

18019-TP-001

18019-TP-002

18019-TP-003

18019-TP-004

18019-TP-005

18019-TP-006

18019-TP-007

18019-TP-008 Rev A

18019-TP-009

18019-TP-010 Rev A

18019-TP-011 Rev A

18019-TP-012

18019-TP-013

18019-TP-014

18019-TP-015

18019-TP-016  
18019- Materials finishes  
18019-SK-025 Rev B

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

3. Materials

The external surfaces of the development shall be finished in the materials as specified on approved drawings and in document '18019- Materials finishes' unless otherwise agreed in writing by the Local Planning Authority.

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

4. Highways Condition 1- Construction Management Plan

Prior to the commencement of the site works the applicant shall submit a construction management plan setting out details of any demolition works, removal of materials from site, parking for all contractors, sub-contractors, visitors and delivery vehicles and storage of materials to be approved in writing by the Local Planning Authority in consultation with the Highway Authority and those measures approved shall be maintained available for use at all times during the period of site works.

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

5. Highways Condition 2- Travel Plan

Three Months prior to full use of the permitted development, a detailed Travel Plan for the site, based upon the Hertfordshire County Council document "Hertfordshire Travel Plan Guidance" and applicant's framework Travel Plan, shall be submitted and approved in writing by the local planning authority in consultation with the Highway Authority. The approved Travel Plan shall always be implemented.

**Reason:** To ensure that sustainable travel options associated with the development are promoted and maximised with the policies of Hertfordshire Local Transport Plan adopted in 2018.

## **6. EA Condition 1 – Remediation**

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A site investigation scheme, based on (the submitted report: Phase 1 Contamination Assessment (MLM, reference: 777853-MLM-ZZ-XX-RP-J-0001, 08/07/2019) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
2. The results of the site investigation and the detailed risk assessment referred to in (1) 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.
3. 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 (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

### **Reasons:**

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

## **7. EA Condition 2 – Verification**

Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

**Reasons:**

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

8. EA Condition 3 – Monitoring and maintenance

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

**Reasons:**

- To ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 170 of the National Planning Policy Framework.
- To prevent deterioration and promote recovery of water quality within the Mid Chilterns WFD groundwater body.

9. EA Condition 4 – Unexpected contamination

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

**Reasons:**

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

- To prevent deterioration and promote recovery of water quality within the Mid Chilterns WFD groundwater body.

10. **EA Condition 5 – Drainage systems**

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

**Reasons:**

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

11. **EA Condition 6 – Piling**

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

**Reasons**

To ensure that the proposed Piling, deep foundations or other intrusive groundworks (investigation boreholes/tunnel shafts/ground source heating and cooling systems) using does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework.

12. **EA Condition 7 – Boreholes**

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

**Reasons:**

- To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 109 of the National Planning Policy Framework.
- To prevent deterioration and promote recovery of water quality within the Mid Chilterns WFD groundwater body.
- To ensure that a sufficient monitoring network is maintained to allow for the completion any monitoring required to demonstrate as part of any verification plan, to demonstrate “betterment” or that no deterioration has occurred.

13. **EH Contamination 1 – Remediation**

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

- i) A site investigation scheme, based on the Phase 1 Contamination Assessment prepared by MLM Consulting Engineers Limited (Report ref. 777853-MLM-ZZ-XX-RP-J-0001), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.
- ii) The site investigation results and the detailed risk assessment (i) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iii) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (ii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to

controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

14. EH Contamination 2- Verification

Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented. The above must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

15. EH Contamination 3- Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 1, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 1.

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

16. Noise

Noise emitted from operations within the site, measured as a Rating Level in accordance with BS4142 'Method for rating industrial noise affecting mixed residential and industrial areas' at the boundaries of the nearby residential premises, shall not exceed the background LA90 noise level that would otherwise prevail in the absence of noise from the site by more than 5dB(A).

**Reason:** To ensure that the proposed development does not materially prejudice the amenity of the surrounding premises in accordance with Policy SE22 of the Watford District Plan 2000.

17. Cycle storage

Prior to occupation of the new development, secure and weatherproof cycle storage shall be installed in the site in accordance with approved drawing 18019-TP-005.

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

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

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

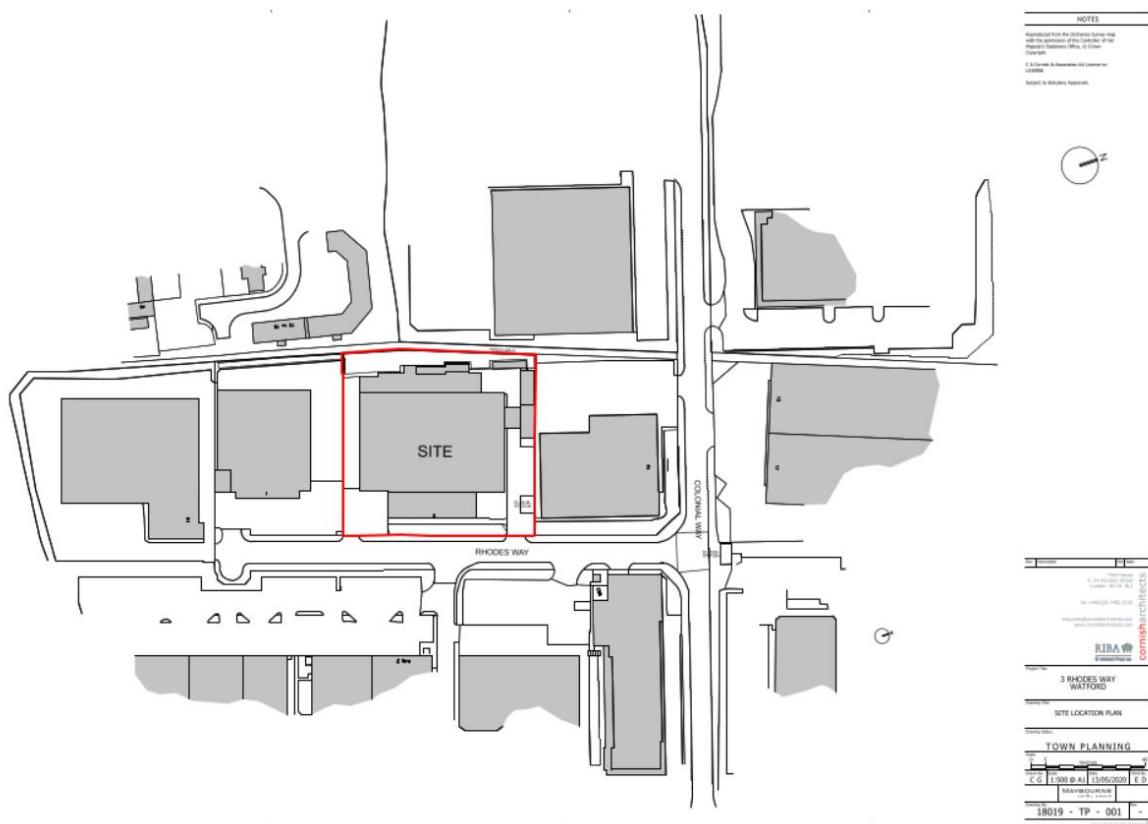
Informatics

IN907 Consideration of proposal in a positive and proactive manner

IN910 Building Regulations

IN912 Hours of Construction

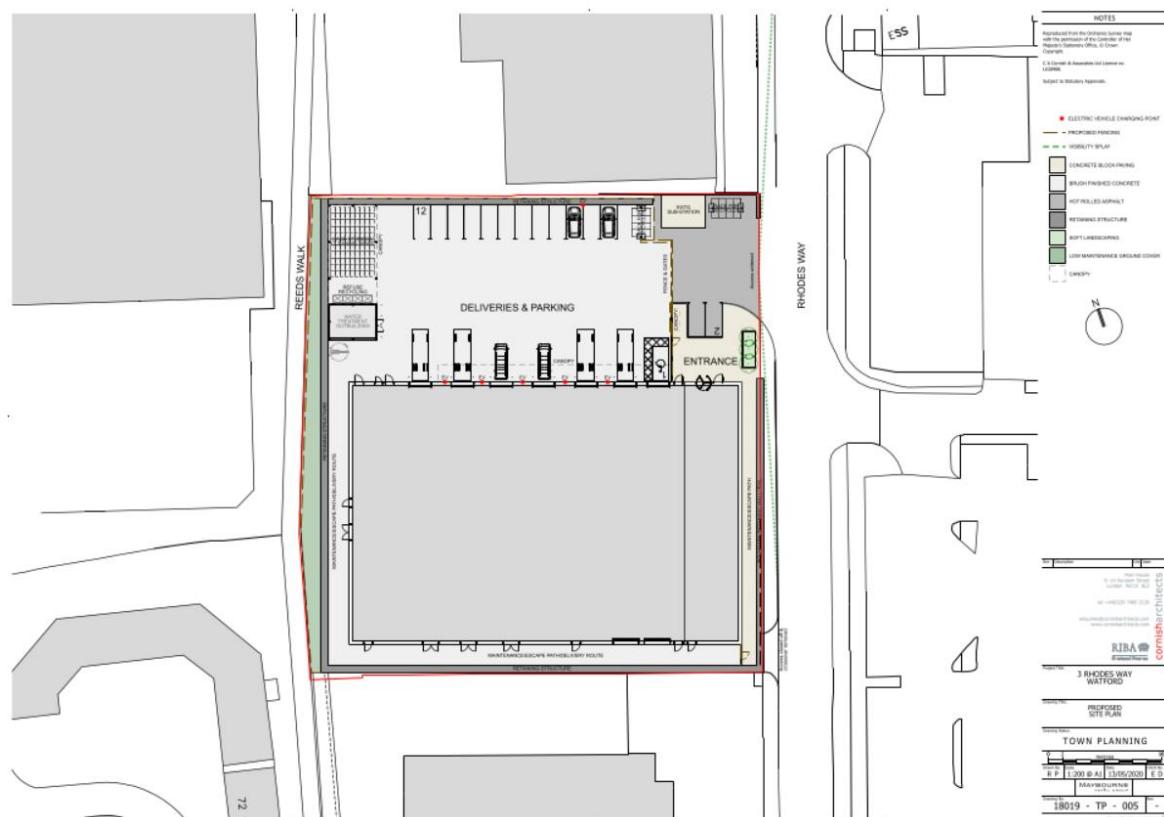
## Site Location Plan



## Existing Site Plan

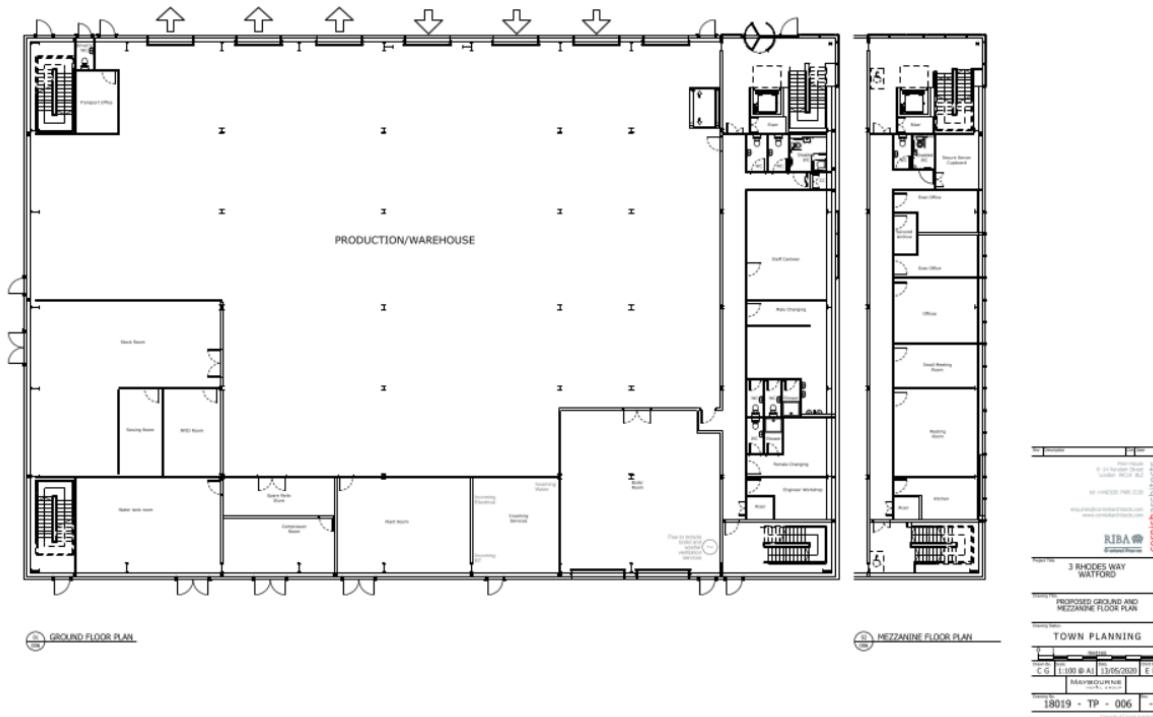


## Proposed Site Plan



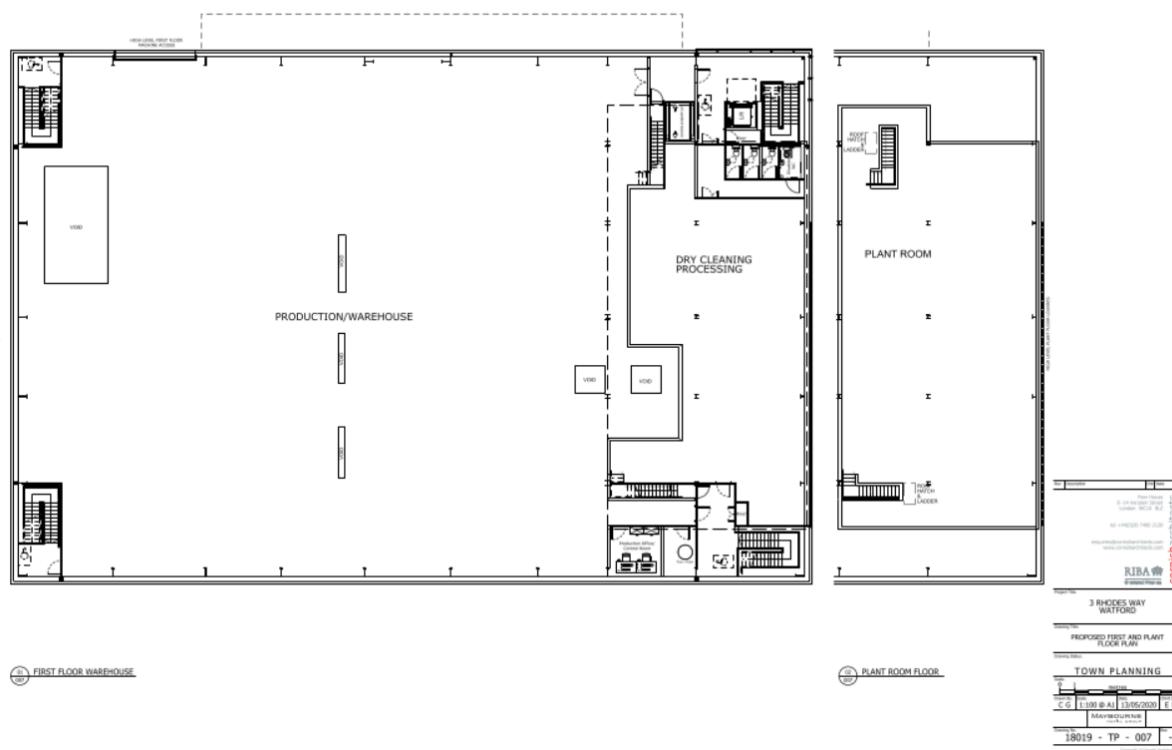
## Proposed Ground Floor

NOTES  
Subject to Statutory Approvals.

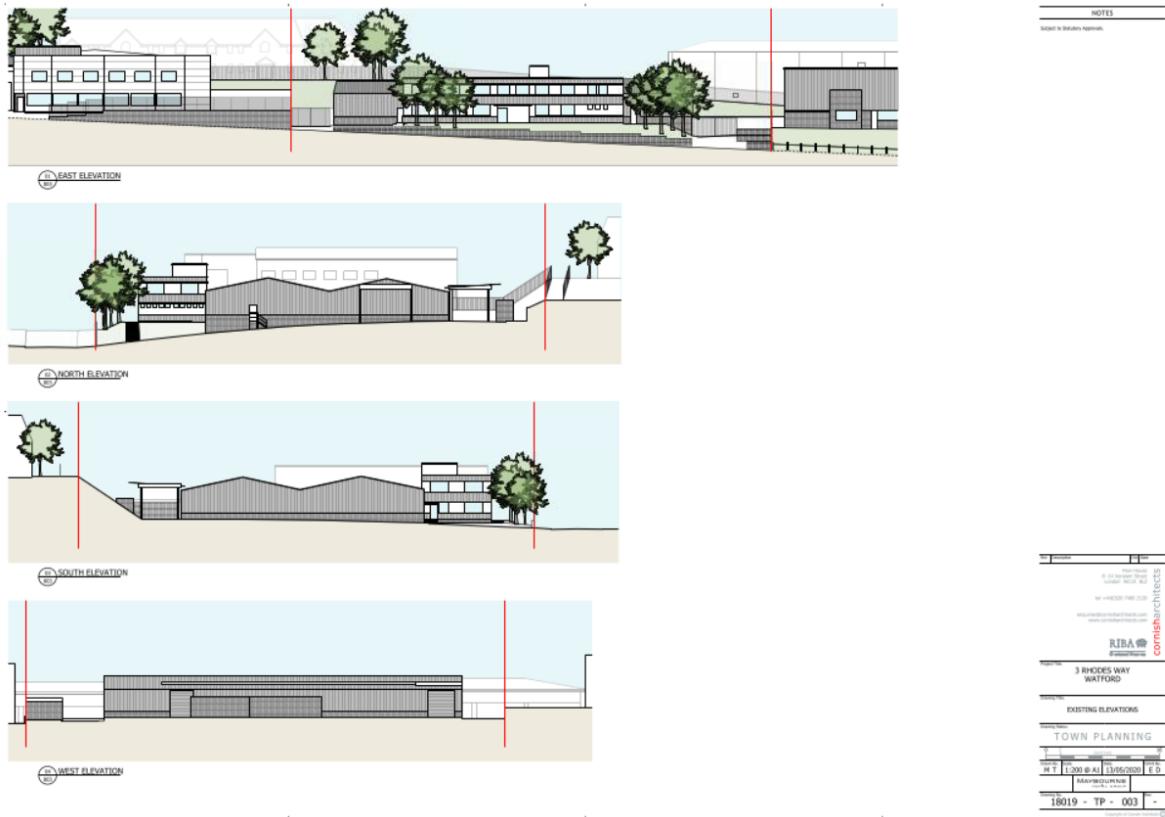


## Proposed first floor

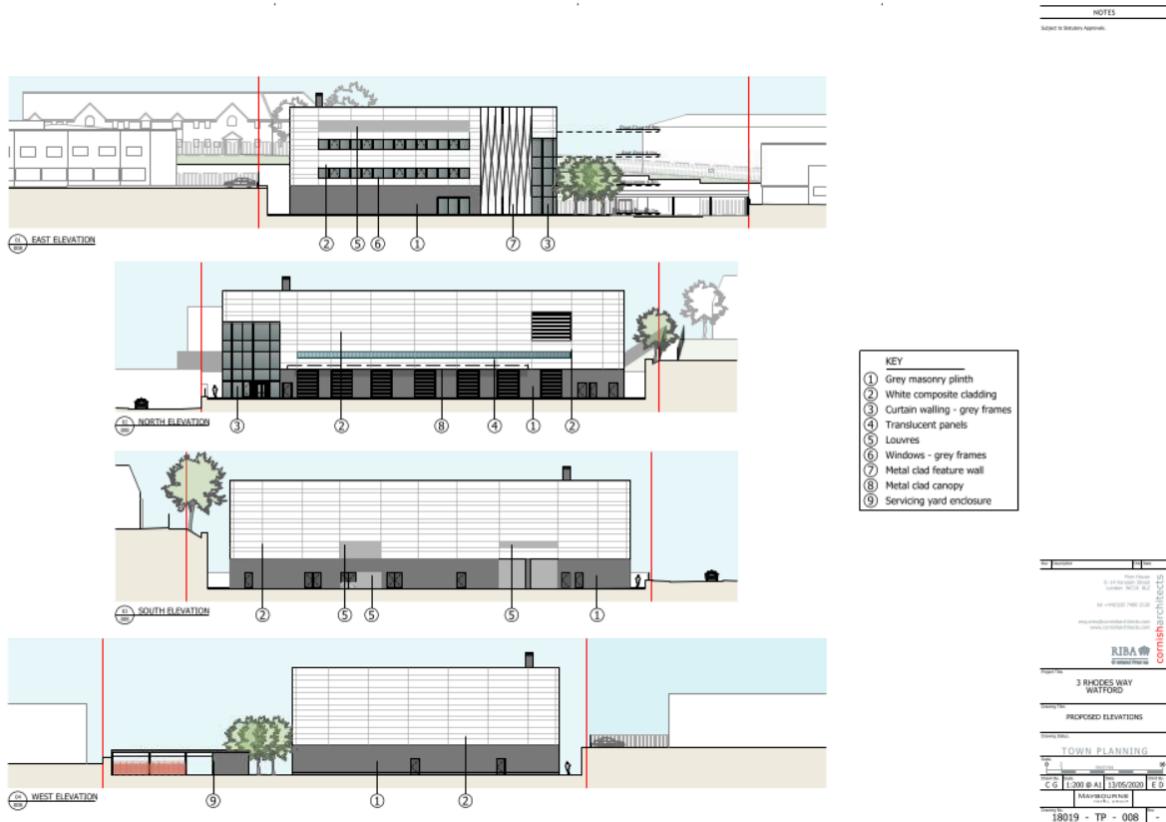
NOTES  
Subject to Statutory Approvals.



## Existing elevations



## Proposed elevations



## Streetscene



NOTES  
Subject to Statutory Approvals.

Project Title: 3 RHODES WAY WATFORD  
Drawing Ref: 18019 - TP - 010  
Drawing Date: 13/05/2020  
Drawing No: 18019 - TP - 010  
Drawing Type: TOWN PLANNING  
Scale: 1:2000 (A3)  
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## Perspective view



NOTES  
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Project Title: 3 RHODES WAY WATFORD  
Drawing Ref: 18019 - TP - 011  
Drawing Date: 13/05/2020  
Drawing No: 18019 - TP - 011  
Drawing Type: TOWN PLANNING  
Scale: 1:2000 (A3)  
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