

DEVELOPMENT MANAGEMENT COMMITTEE

6 JULY 2021

Present: Councillor P Jeffree (Chair)
Councillor R Martins (Vice-Chair)
Councillors S Johnson, A Khan, J Pattinson, A Saffery, R Smith,
S Trebar and M Watkin

Also present: Councillors Clarke-Taylor and Dychton
Peter Jeffery

Officers: Head of Planning and Development
Development Management Team Leader
Principal Planning Officer
Democratic Services Officer

Conduct of the meeting

Prior to the start of the meeting, the Chair explained the procedure for the meeting. The Chair also ensured that all participants were introduced.

6 APOLOGIES FOR ABSENCE

There was a change of membership for this meeting: Councillor Khan replaced Councillor Bell.

7 DISCLOSURE OF INTERESTS

Councillor Nigel Bell, having declared an interest in item 4 on the agenda prior to the meeting, was replaced by Councillor Asif Khan.

8 MINUTES

The minutes from the meeting on 8 June 2021 were approved and signed.

9 20/00671/FULM EXCHANGE HOUSE 60 EXCHANGE ROAD

The Principal Planning Officer delivered her report and the committee noted that an update sheet had been provided to them and also published to the wider public on the council's website.

The Chair then invited Mr Peter Jeffery, of Sphere 25 to address the committee.

Mr Jeffery explained that this application followed extensive consultation that had taken place since 2018. A great deal of hard work had been put into it to ensure that this was a worthy application. The High Street North and Cultural Hub plan identified this as a suitable brownfield site for development. It had been identified that complete redevelopment of this building was required.

Mr Jeffery went on to describe the design improvements that had been made to the original application. All these improvements had been made in consultation with council officers. However, even after these discussions, the process of improvement had continued with the Place Shaping Panel, which had produced a more sensitive design, with the taller elements of the design being reduced and the massing being reapportioned. He asserted that this reduced the visual impact, whilst retaining the important aspects of the design.

Mr Jeffery assured the members that the company was committed to affordable housing and had offered considerably more affordable housing than the viability report, which indicated that no affordable housing was viable. Mr Jeffery also identified that the scheme was more beneficial than the Prior Approval scheme approved as Permitted Development, which had 126 under-sized flats, none of which were affordable housing.

Mr Jeffery went on to list some of the other positive statistics of the scheme, such as the proportion of social rental units, the CPZ payments, the car club and the CIL contribution and commended the application to the committee.

The Chair thanked Mr Jeffery and invited Councillor Aga Dychton, a Ward Councillor for Central Ward to address the committee.

Councillor Dychton explained that she was speaking on behalf of the residents of Central Ward who were firmly against the proposed development which included a 16 storey tower block. She stated that the proposal would not be appropriate for the area and the significant massing and height would not be a notable addition to the skyline.

The councillor voiced her disagreement that the revised development avoided harm to the surrounding neighbourhood, with a consequential loss of light to nearby properties. She pointed out that the council's own policy stated that schemes should be of high quality and should respect and enhance the character of the area and again expressed her opinion that this development was not in accord with the policy goals.

The proposal would also impact on nearby Grade 1 and Grade 2 listed buildings, with the total loss of the locally listed Exchange House. The loss could only be justified if the replacement provided a significant architectural improvement.

Councillor Dychton acknowledged the importance of new housing, then summed up her arguments and urged the committee to refuse the application.

The Chair thanked Councillor Dychton and expressed his thoughts that the matter pivoted on the answers to four questions:

1. Was this the right location for a tall landmark building?
2. Was the height, scale and design appropriate to its context?
3. Did the design quality of the proposal and the benefit it brought in terms of homes and affordable housing, justify the total loss of a locally listed building, Exchange House?
4. Was the design, height and scale of the development appropriate in the setting of the Grade 1 listed building, Holy Rood Church and its adjacent Grade 2 listed buildings?

The Chair then passed the matter to the committee for debate.

There followed a lengthy debate about the issues around this proposal, with the following points being raised and where appropriate, answered by officers.

- The development was reduced from 21 to 16 storeys, but this only resulted in a reduction in flats from 263 to 261. This was because less sensitive areas of the development had increased in height.
- It was noted that some units had inadequate light levels, with the suggestion to utilise outside spaces to compensate and the feasibility of this was questioned. It was explained that the BRE refers to two different sources of light: daylight in the building (all units complied or exceeded) and direct sunlight (where only some north facing units do not meet that requirement within certain internal corners). But it was felt this was a better option than the prior approval scheme. There was still the issue of good light levels being associated with good levels of wellbeing and mental health.
- Concern about the suitability of a 16 storey building in this location was widely expressed, together with the possibility of this setting a precedent.
- There was general concern about the open play area being right next to the busy ring road. This was despite the green planting designed to provide some protection.

- There was concern over the amount of affordable housing that appeared to be less than the Council's policy and possibly less than the 20% stated. It was explained that the 20% affordable housing calculation was based on the habitable room provision and not the unit number. The viability study gave a zero level of affordable housing, so 20% offer was beneficial to meet Watford's housing needs.
- The limited parking offering was discussed and the question as to its practicality was posed. It was pointed out that this was a town centre development, with easy access to a variety of public transport. Additionally this was Watford Borough Council's policy on sustainability and there was cycle storage and a car club (although it was noted this was only three cars).
- It was felt that this was not really a landmark building and the scale, height and design were not seen as appropriate.
- The Chair's four questions were addressed by Councillor Watkin:
 - Was this the right location for a landmark tall building? Not in this context and with its position to surrounding buildings.
 - Was the height, scale and design appropriate to its context? The mix of accommodation seemed fine and some of the design was good. But its location was flawed in that it was next to a busy road and the outside space next to that road might be unpopular with the future residents.
 - Did the design quality of the proposal and the benefit it brought in terms of homes and affordable housing, justify the total loss of a locally listed building, Exchange House? It did not justify the destruction.
 - Was the design, height and scale of the development appropriate in the setting of the Grade 1 listed building, Holy Rood Church and its adjacent Grade 2 listed buildings? The effect on the view of Holy Rood church would be significantly affected and the town would lose something special.

The Chair summed up by saying that there seemed to be a consensus around concerns about the height and impact of the scheme, although there had been some complimentary comments about the design.

Councillor Johnson moved that the application be refused.

RESOLVED –

That the application be refused for the following reasons.

1. Design

The scale, height and design of the proposed development fails to respond appropriately to the character of the local area and would be an unsympathetic neighbour to nearby buildings. By virtue of its scale and height, the development would have an unduly dominant nature in the townscape and adverse impact on the character of the local area. This harm would significantly and demonstrably outweigh the benefits of the development when assessed against paragraphs 11 (d) (ii), 127 and 130 of the NPPF. The proposed development fails to meet the requirements of policies UD1 of the Watford Local Plan Core Strategy, paragraph 7.3.4 of the Watford Residential Design Guide and guidance of the 'Skyline – Watford's Approach to Taller Buildings SPD' March 2016.

2. Setting of Listed Building and Loss of Locally Listed Building

The dominant nature of the proposed development, in terms of its height, scale and architectural design, would cause less than substantial harm to the setting and significance of the Grade I Listed Holyrood Church and its Grade II Listed companion buildings including Holy Rood House, Former Holy Rood RC School and the Former Convent of Saint Vincent, and would result in the demolition of Exchange House a Locally Listed Building. The less than substantial harm to the designated heritage assets and the total loss of the non-designated heritage asset would outweigh the public benefit of the proposed development, when assessed against paragraphs 127, 130, 192, 196, 197 and 200 of the NPPF and fails to meet the requirements of policies UD1 and UD2 of the Watford Local Plan Core Strategy and 'saved' policy U15 of the Watford District Plan 2000.

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21/00753/VARM 8 OXHEY ROAD, WATFORD, WD19 4QE

The Principal Planning Officer delivered her report.

The Chair then invited Councillor Clarke-Taylor, the Ward Councillor for Oxhey Ward to address the committee.

Councillor Clarke-Taylor explained that she had conducted a site visit with residents and was speaking on their behalf. She thanked the officer for her recommendation to refuse and pointed out that the hard landscaping was highly inappropriate for the area; it was hard and cold and would have an adverse visual impact on residents. The area, in contrast, was characterised by soft and impeccable green gardens.

The tall fences were overbearing and residents had suggested that neat hedging would be far more suited to the area. The lack of trees was also noticeable because of its stark contrast to the surrounding area. Trees subject to Tree Preservation Orders had been removed to make way for the building and the applicant was proposing not to replace them, despite a condition to do so. She

went on to describe the issues in more detail and also commented on the importance of retaining as much biodiversity and green space as possible, in a borough that was so built up. The councillor summed up and urged the committee to align with the officer's recommendation and refuse the application.

The Chair thanked Councillor Clarke-Taylor and invited comment from the committee.

There was general assent that the application was flawed and unsuitable for the area, but a question was raised as to the consequence of refusal. If refused, it was queried whether the hard landscaping currently would be allowed to remain in place.

The Head of Planning and Development explained that the matter had been reported for enforcement and therefore was subject to a current enforcement investigation. Accordingly, it would be inappropriate to comment further.

The Chair moved the officer's recommendation to refuse section 73 application for the variation of condition 8 of planning permission 19/01411/VAR.

RESOLVED –

That the application be refused as the proposed landscaping scheme would be of a poor quality that would not positively contribute towards the character and appearance of the site, the development or the surrounding area and would not provide good amenity for residents. The scheme fails to include appropriate tree planting to replace trees lost to allow for the development, it has poor boundary treatments, inadequate ground cover and planting and insufficient detail in respect of hedging planting. As such, the landscaping scheme would fail to accord with policy UD1 of the Watford Local Plan Core Strategy and saved policy SE37 of the Watford District Plan.

Chair

The Meeting started at 7.00 pm
and finished at 8.25 pm