



**WATFORD  
BOROUGH  
COUNCIL**



# **DEVELOPMENT MANAGEMENT COMMITTEE**

**6 September 2022**

**7.00 pm**

**Room 201 & 202, Annexe, Town Hall,  
Watford**

## **Contact**

Barry Rennick  
[democraticservices@watford.gov.uk](mailto:democraticservices@watford.gov.uk)  
01923 278373

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# Committee Membership

Councillor P Jeffree (Chair)

Councillor R Martins (Vice-Chair)

Councillors N Bell, J Pattinson, A Saffery, G Saffery, R Smith, S Trebar and M Watkin

## Agenda

### Part A – Open to the Public

#### 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.

#### 1. **Apologies for absence**

#### 2. **Disclosure of interests**

#### 3. **Minutes**

The [minutes](#) of the meeting held on 26 July 2022 to be submitted and signed.

#### 4. **22/00484/FULM 50 Clarendon Road Watford WD17 1TX (Pages 5 - 62)**

#### 5. **22/00442/FUL - 18 Garston Drive, Watford, WD25 9LB (Pages 63 - 89)**

#### 6. **22/00727/VARM - 37-39 Clarendon Road, Watford (Pages 90 - 111)**

## **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>	Tuesday, 6th September 2022
<b>Application reference</b> <b>Site address</b>	22/00484/FULM 50 Clarendon Road Watford WD17 1TX
<b>Proposal</b>	Redevelopment of the site to provide a mixed use scheme including the provision of 247 build to rent residential units (Class C3) and 4,798sqm Class E floorspace in buildings ranging from 5 to 24 storeys with associated cycle parking, car parking, landscaping and amenity.
<b>Applicant</b>	Vedose Limited
<b>Agent</b>	Cerda Planning
<b>Type of Application</b>	Major Planning Permission
<b>Reason for committee Item</b>	Major Application
<b>Target decision date</b>	9 <sup>th</sup> September 2022
<b>Statutory publicity</b>	Watford Observer advertisement, neighbour letters and site notices
<b>Case officer</b>	Alice Reade, alice.reamde@watford.gov.uk
<b>Ward</b>	Central

## 1. Recommendation

Refuse Planning Permission for the reasons set out in Section 8 of the report.

## 2. Site and surroundings

- 2.1 The site is located on the western side of Clarendon Road at the junction with St Johns Road. It is approximately square in shape and has an area of 0.56 hectares. The site ground level slopes down from Clarendon Road to the boundary with the rear of Estcourt Road properties with a change of approximately 3m ground level between the west and east site boundaries.
- 2.2 The site currently contains a 4 storey office block with sub level parking with vehicle access from St Johns Road.
- 2.3 The site is located in the Town Centre SPA in the Core Strategy and within an allocated employment area (E7a) in the Watford District Plan 2000. There are parking restrictions, including Residential Control Parking Zone along the roads within the vicinity of the site. The site is not within a conservation area and there are no listed or locally listed buildings within or adjoining the site. The Estcourt Conservation Area is located immediately to the East of the site.

## 3. Summary of the proposal

### 3.1 **Proposal**

3.2 To demolish the existing office buildings on the site and erect a mixed-use, multi-storey development comprising:

- i) Multi storey building of basement, 5, 8, 17 and up to 24 storeys.
- ii) Providing 4798sqm of Class E floor space over 7 storeys (annotated for office use). Assumed as Net internal area
- iii) 247 dwellings for build to rent residential occupation
- iv) Internal amenity space for the residential use
- v) External amenity space within internal courtyard, east side gardens and 17<sup>th</sup> floor roof terrace
- vi) Basement access from St Johns Road to provide 79 car parking spaces
- vii) Provision of cycle storage and refuse storage for the development.

3.3 The dwelling provisions are stated as consisting of:

- 40 x 1 bed 1 person units
- 85 x 1 bed 2 person units
- 75 x 2 bed 3 person units
- 33 x 2 bed 4 person units
- 14 x 2 bed 4 person duplex units

3.4 The scheme includes 8.79% affordable housing based on a habitable room calculation. Of the 247 dwellings, 13 dwellings are offered as affordable housing proposed as discounted market rent. Comprising:

- 7no. 1 bed 2 person units and
- 6no. 2 bed 3 person units.

3.5 A viability report was submitted on 19<sup>th</sup> May 2022 to seek to support the proposed affordable housing provision being below policy requirements.

### 3.6 **Conclusion**

The proposed development has been considered with regard to the Development Plan and all other material planning considerations as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004. The Final Draft Local Plan 2018-2036, due for adoption in autumn 2022, is material to the consideration of this application.

3.7 It has been found that the proposed development would offer planning benefits in the form of 247 new residential units on a sustainable, brownfield site. Although the development would not include a policy compliant housing mix or policy compliant affordable housing, the efficient use of land to boost the supply of housing within the borough is important and is attributed

significant weight in the planning balance. Moreover, the ‘presumption in favour of sustainable development’ of para 11 of the NPPF applies and permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

- 3.8 It is further noted that there other planning benefits of the scheme in the form of reduced car parking on the site and sustainability and biodiversity enhancements which also have some weight in the assessment.
- 3.9 The NPPF underpins the purpose of the planning system to contribute to the achievement of sustainable development which takes into account social progress, economic well-being and environmental protection (para 7). The NPPF therefore also affords significant weight on the need to support economic growth and productivity. Whilst the proposal would improve the quality of office provision on the site, this is outweighed by the net loss of office floorspace within the designated office area which would inhibit growth of employment opportunities and undermine its success and function as a primary employment area. Given the emphasis that the NPPF places on the need to support economic growth and activity, this is a matter that attracts significant weight.
- 3.10 The NPPF also states that high quality buildings and places are fundamental to what the planning and development process should achieve. The NPPF sets out key elements of good design and emphasises the need to create a high standard of amenity for future users (para 130). It states that development that is not well designed should be refused (para 134). The proposed building of up to 24storeys would be significantly dominant to the surrounding area by virtue of its width, height, scale and massing. It is not considered that justification has been provided to support the wider townscape and skyline impact of the tall building. It would therefore not contribute positively to the wider views and skyline of the town. The quality of the residential units within the development has been found to be very poor in respect of layout, aspect, size, sunlight, daylight, outlook, privacy, noise and external amenity area. The development also fails to create positive places around it including within the external communal areas and public realm. This proposal is therefore found to be of poor design that harms the character and appearance of the area and which would create poor quality places. These adverse impacts of poor design are afforded considerable weight in the assessment.
- 3.11 The proposed development has also been found to create ‘less than substantial’ harm to the setting of the Conservation Area and, when assessed in respect of para 202 of the NPPF, finds that this harm is not outweighed by

the wider benefits of the scheme. Para 199 of the NPPF says ‘great weight should be given to the asset’s conservation’. In this instance, the asset is the Estcourt Conservation Area. The adverse impacts to the heritage asset are therefore significant in the assessment.

- 3.12 As set out in the discussion in section 6 of this report the proposed development is considered to fail to accord with the Development Plan and the Final Draft Local Plan 2018 to 2036. The proposal would conflict with the development plan, when read as a whole. Material considerations, including the emerging Final Draft Local Plan and the Framework do not indicate that a decision should be made other than in accordance with the development plan.
- 3.13 Whilst there are considerations that weigh significantly in favour of this proposal, the adverse impacts of granting permission in respect of the loss of office space, poor design, poor residential amenity and heritage impact, would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The proposal would not therefore be sustainable development for which Paragraph 11 of the Framework indicates a presumption in favour. The officer recommendation is to refuse planning permission for the reasons set out in section 8.

#### **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.
- 4.2 Paragraph 11 d) of the NPPF 2019 establishes the ‘presumption in favour of sustainable development’ and the principles of the ‘tilted balance’ that apply where a local planning authority cannot demonstrate a 5 year housing supply or have failed to deliver at least 75% of their housing requirement as part of the Housing Delivery Test. Where the ‘tilted balance’ applies, decision makers should grant permission unless NPPF policies on protected areas or assets of particular importance provide a clear reason for refusing development or, any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, assessed against NPPF policies taken as a whole. The ‘tilted balance’ has the effect of shifting the weight in the planning balance away from local policies and towards the NPPF.



- 4.3 The Council scored below 75% in the most recent Housing Delivery Test results for 2021 and therefore the 'tilted balance' applies to the determination of this planning application.
- 4.4 Notwithstanding the above, Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Watford consists of the Watford Core Strategy 2006-2031 and the 'saved' policies of the Watford District Plan 2000.
- 4.5 Watford Borough Council has published its Final Draft Local Plan 2018 to 2036 for Formal Consultation (under Regulation 19) of the Town and Country (Local Development) (England) Regulations 2012. The formal publication ran for a period of 6 weeks between 18 January and 18 March 2021. Following a review of the comments received, submission of the plan was made in August 2021 with examination in January 2022. The examination was broadly positive with modifications made. Consultation on the Main Modifications ran from 9 June to 21 July 2022. Subject to the Inspectors consideration and review, A adoption is anticipated in autumn 2022. Due to the advance nature of The Final Draft Local Plan, this is afforded significant weight as a material planning consideration in the assessment of this application.

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

- 5.1 Full planning permission was granted on 12<sup>th</sup> March 2018 for the re-development of the site to provide a mixed use scheme including 100 residential units (Class C3), circa 5,945sq.m (GIA) Grade A office floorspace (Class B1a) and ancillary flexible use unit (Class A1/A3/B1(a)) at ground floor level, with associated cycle parking, car parking and landscaping. (Reference 17/01433/FULM). The development up to 17 storeys (61m maximum height) was approved to include 33 units of affordable housing with a policy compliant tenure mix and representing 41% of the development based on habitable room calculation.
- 5.2 The implementation of that permission is considered to have occurred with discharge of pre-commencement conditions and operational works carried out at the site although this commencement has not been confirmed by way of a Lawful Development Certificate.
- 5.3 The applicant has since sought pre-application advice on a revised scheme for the mixed use redevelopment of the site including circa. 256 residential units (Class C3) and office space (References 21/01390/PREAP6 and

22/00034/PREAP6). A series of 5 preapplication meetings were held with 5 subsequent advice notes provided by the Council to the applicant of:

- 7<sup>th</sup> October 2021
- 10<sup>th</sup> November 2021
- 24<sup>th</sup> November 2021
- 3<sup>rd</sup> December 2021
- 11<sup>th</sup> February 2022.

5.4 The advice provided by officers included that:

- There are significant differences between the scale and nature of the current proposals compared to the approved scheme and a new full planning permission would be required
- The emerging Local Plan supports office led mixed-use development in principle subject to detailed matters
- Layout, height and massing are supported in principle within the parameters of the previously approved scheme
- Developments would be assessed in respect of emerging local plan as this gains weight, including emerging policy QD6.5 which seek outstanding design and public benefits from tall building developments
- There should be no net loss of office floorspace from the existing provision
- Office character should be maintained onto Clarendon Road frontage
- Dwellings must be of high quality, meeting internal space standards, offering maximum dual aspect units, providing sufficient external amenity space and supported by relevant technical assessments
- Development should create active frontage and positive relationship to public realm
- Detailed façade design was of concern and subsequently improved.

5.5 Earlier iterations of the scheme were reviewed by the Watford Place Shaping Panel on 14<sup>th</sup> December 2021 under a full review with a subsequent Chairs Review on 1<sup>st</sup> March 2022. The report from these reviews are appending to this report. In summary, the comments from the design review panels included that:

- Layout, height and massing are supported in principle within the parameters of the previously approved scheme
- The pre-cast concrete façade and materiality is considered to be well resolved
- St Johns Road streetscape and public realm is poor
- Internal design is poor in respect of overloaded, narrow corridors, high proportion of north facing single aspect units and low proportion of dual aspect units
- Lack of private amenity space to each dwelling is of concern
- Size and quality of external communal space is of concern

- The outstanding architectural qualities and public benefit required to justify the height have not been demonstrated
- Further information required including in respect of roofscape strategy, sunlight and daylight, biodiversity net gain and sustainability benefits.

5.6 The pre-application advice process was in respect of a scheme which was presented to officers and panel as having the same height and massing as the approved scheme. Initial schemes were presented to the Council which included a net loss of office floor space. This was subsequently amended and later schemes were presented as having no net loss of office space from the existing building. Professional views were provided by officers and the panel on the basis of these points. The application now submitted is materially different for the following reasons:

- The proposed development includes a net loss of net office floor area compared to the existing building
- The proposed development is 3 storeys (8m) taller on the corner tower
- The scale drawings show the massing, width and height of other elements of the building are substantially larger than the approved building.

## **6. Main considerations**

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

- (a) Principle of mixed use development
- (b) Office provision
- (c) Layout, scale and design
- (d) Impacts on heritage assets
- (e) Quality of residential accommodation
- (f) Affordable housing provision
- (g) Impacts on surrounding properties
- (h) Transport, access, parking and servicing
- (i) Environmental considerations

### **6.2 (a) Principle of mixed use development**

The Watford Local Core Strategy policy SS1, Spatial Strategy, sets out the Core Strategy targets of 6,500 additional homes and 7,000 additional jobs between 2006 and 2031, along with other supporting services and facilities. Core Strategy policy HS1, housing supply, states that provision will be made for a minimum of 6,500 dwellings over the plan period (2006-2031) with an average 260 dwellings per year. This target is expected to be superseded by the Final Draft Local Plan and is expected to be significantly higher, to circa 780 dwellings per year. The deliverability of allocated sites and any resulting need

for additional residential allocations will be kept under review, taking account of windfall sites which come forward. In allocating sites for residential development, priority will be given to sites which will best contribute to building sustainable communities and support the town's regeneration initiatives taking into account the Special Policy Areas of the spatial strategy.

- 6.3 The Watford Local Plan Core Strategy includes this site as being within Special Policy Area 1. This policy area incorporates the town centre as a whole and seeks to strengthen and consolidate Watford's position as a regional centre with a more balanced provision of town centre facilities and infrastructure, including retail, leisure, entertainment and other town centre uses and access improvements.
- 6.4 The Watford Core Strategy policy EMP2, Employment Land, states that employment allocations and special policy areas will accommodate a mix of employment generating uses, with the focus for Clarendon Road being on B1a office use (now Class E office use).
- 6.5 'Saved' Policy E1 of the Watford District Plan 2000 states that only office development would be acceptable within the designated employment area of Clarendon Road to maintain its primary office function. This has however been previously considered alongside policy HS1 and SPA1 of the Watford Local Plan Core Strategy which seeks residential development on suitable windfall sites. Subsequently, office led mixed use developments have been granted planning permission in Clarendon Road where there has been uplift in office provision and other planning benefits.
- 6.6 The emerging Final Draft Local Plan also includes emerging policy EM4.3, Office Development, which states that mixed-use development, including residential, will be supported where there is no net loss of office floorspace and a predominantly commercial frontage is maintained on to Clarendon Road.
- 6.7 The Final Draft Watford Local Plan includes this site within the Watford Gateway Core Strategic Development Area. Emerging policy CDA2.1, Watford Gateway Strategic Development Area, states that the area will see coordinated change around Watford Junction Railway Station and the Clarendon Road area, creating a mixed-use urban quarter of high-quality design and place making. This includes that existing employment floorspace will be protected, proposals for redevelopment of employment floorspace will be supported where there is no net loss of employment floorspace and the proposed use will not undermine existing uses.

- 6.8 Mixed Use development of the site, to feature office led development, with residential dwellings, is therefore considered to be acceptable in principle subject to no net loss of office floor space and subject to detailed policy compliance.
- 6.9 The existing 1980's building on site is of limited architectural merit. Its demolition to allow for the comprehensive redevelopment to create a mixed use scheme is acceptable in principle, subject to the detailed matters and normal considerations set out in planning policy.
- 6.10 (b) Office provision  
Para 81 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity. Para 83 states that specific locational requirements of different sectors should be considered, including making provision for clusters or networks for industry.
- 6.11 The Local Plan and Emerging Local Plan identify Clarendon Road as Watford's primary office district which has a sub-regional draw. Being within the Watford Gateway Strategic Development Area of the Final Draft Local Plan, (Emerging policy CDA2.1), this is set to be an area that will experience transformative change during the plan period. Potential exists to redevelop sites within the Clarendon Road office area and intensify land use to ensure that office growth requirements are met pursuant to the identified need for employment floorspace. Office led development in this area also offers to intensify the office cluster to help sustain Clarendon Road as an eminent and distinctive office location. Residential uses will also be supported in the area, to create a vibrant, mixed-use quarter. However, any mixed-use development should be office led to ensure that the quarter retains its key office function.
- 6.12 In pursuing these objectives for Clarendon Road, Emerging Policy EM4.3 Office Development states that mixed-use development, including residential, will be supported where there is no net loss of office floor space and a predominantly commercial frontage is maintained on to Clarendon Road. It states that proposals that would incur a net loss of office floor space will be resisted unless specified evidence and justification are provided.
- 6.13 It is noted that in requiring no net loss of office floor space, emerging policies CDA2.1 and EM4.3 do not specify if the office floor space should be measured as net or gross internal area. It is, however, noted that modern purpose built office facilities are likely to offer a more efficient internal layout and as such, it is therefore considered more relevant to compare the net change to the

useable and lettable floor space which is included as the net internal floor area figures.

- 6.14 The submission documents have provided a range of figures in respect of the net and gross internal floor area of the existing building and the net and gross internal floor areas of the proposed building. The officers and applicant team have been unable to reach consensus in respect of the correct floorspace figures. The submitted proposed plans show 4,798sqm of net office space is proposed. The plans submitted of the existing building show circa 6430sqm of gross internal floor area however these plans are not of sufficient detail or clarity to measure the existing net internal floor space. The applicant has submitted a viability report which has been undertaken by independent consultants, Bailey Venning Associates Limited. In the absence of clear, existing plans, the net floor space figure of this report is considered to have the greater likelihood of reliability.
- 6.15 In Section 7 of the submitted report, the Benchmark land value has been calculated in respect of an existing 59,261sqft of net lettable area (5,505.5sqm). Section 4.8 of the report states in respect of the proposed development that “The Net Internal Area of the office accommodation amounts to 4,798m<sup>2</sup>, but, with the inclusion of circulation and foyers, this rises to 5,677m<sup>2</sup>”. Based on this information, the demolition of the existing 5,505.5sqm net internal floor space and the proposed development of 4,798sqm net internal area, would represent a net loss of 707.5sqm net office floor space (12.9% loss).
- 6.16 Policy EM4.3 does allow for consideration of circumstances when there is a net loss of office floor space. The planning statement, however, states that there is an uplift of office floor space and provides no justification or explanation for the resultant loss.
- 6.17 The net loss of office floor space would see a loss of employment floorspace, contrary to the identified need and contrary to the objectives for Clarendon Road as a growing and primary office location. The loss of office floorspace fails to provide an acceptable mixed use development in accordance with emerging Policy EMP4.3 and CDA2.1 of the Final Draft Local Plan. The development is therefore contrary to saved Policy E1 of the Watford District Plan 2000, Policy EMP1 of the Watford Local Plan Core Strategy 2006-31 and Emerging Policies CDA2.1, EM4.1 and EM4.3 of the Final Draft Local Plan.
- 6.18 (c) Layout, scale and design  
Chapter 12 of the NPPF sets out national policy for achieving well-designed places and key design qualities are set out in paragraph 130. Core Strategy

Policy UD1 and Final Draft Local Plan Policies QD6.1 and QD6.2 set out key design principles which should be considered when designing a proposal. Emerging policies QD6.3 and QD6.4 set out that 'Development should create high quality new buildings and places which respect and enhance the character of its area'.

- 6.19 Final Draft Local Plan Policy QD6.5, Building Height, states that the base building height for Watford Gateway CDA is considered to be 8 storeys on a street frontage and up to 10 storeys at the rear. Proposals for taller building should demonstrate exceptional design, significant public benefits, sustainability benefits, clear townscape rationale, a positive relationship with heritage assets, a desire to achieve a specific skyline, mitigation of impacts, appropriate amenity and play spaces, demonstration of a car-lite approach and a balanced approach to servicing.
- 6.20 In the supporting text to emerging policy CDA2.1, it is set out that proposals should reflect the potential of Clarendon Road as an area of high-density development, while having regard to its underlying character. Where buildings of greater height than adjacent areas are proposed close to low lying residential areas, they will need to be designed so that they minimise their impact on the amenity of residents and demonstrate how they have embraced a transition from higher-density development to areas of a different residential character. Where possible, taller parts of a building should be designed to have a frontage on the main road while the lower areas of a scheme should be located closer to areas characterised by lower building height.
- 6.21 In considering height and massing for this site, it is also relevant to consider the extant permission for redevelopment of the site under the 2017 application. This includes buildings of multi storey buildings of 5, 6, 14 and 17 storeys with the tallest element sitting at 61m above ground level on the north west corner of the site.
- 6.22 The submitted Design and Access Statement (DAS) sets out how the transitional approach to the changes in scale are similar to that of the approved scheme. It does not, however, fully consider or justify the building as now proposed. Section 4.4 of the submitted Design and Access Statement states "the overall massing follows the scale of the previously consented scheme". Section 5.43 of the Planning statement says "The principal height and massing have been established by the previous consent and the design philosophy follows this".

- 6.23 These assertions are not, however, accurate. As well as the addition of 8m in maximum height now proposed, the submission of scaled plans with the application reveals that the proposed development is of substantially greater footprint and massing than the approved scheme. Plans showing the overlay of the approved and proposed buildings have not been provided, however, the scale plans show there are substantial increases in massing across the development including a 4.7m increase in the width of the tower facing Clarendon Road. The footprint of the building is also approximately 2m wider on both the Clarendon Road and St Johns Road elevations.
- 6.24 The submission provides no specific design consideration for the layout, height and massing of this enlarged scheme. A full visual impact assessment with verified views has not been submitted to support the proposed height and massing within the immediate and wider townscape. Within the streetscene elevations provided, the width, height and massing of the building would be far in excess of the adjacent and nearby buildings, including others on Clarendon Road. In respect of the townscape impact, some townscape views have been provided in the DAS however review of these shows that the building would be of a height and massing of the would not relate or sit comfortably within the streetscene and wider area. There is concern also that the width, height and massing would be incongruous and harmful in many other surrounding views to and around the town. High quality design for a tall building and its skyline impact have therefore not been achieved.
- 6.25 As stated in Emerging Policy CDA2.1, this is a site which is facing two distinct contexts with the larger scale, commercial led Clarendon Road contrasting with the 2 storey Victorian, residential led context to the East. The hierarchy of height of the building proposed and the façade approaches, do seek to address these two environments in similar way to the approved scheme. Namely, the tallest element is at the north-west corner of the site marking the junction of Clarendon Road with St Johns Road and the height and façade approach changes to the east. Officers, however, find that the increased height and massing undermines the success of this approach.
- 6.26 Onto the Clarendon Road context, the visuals and elevation plans that are submitted do raise significant concern in respect of the visual impact of the building. The width, depth and height of the corner tower creates more of a 'slab like' building rather than landmark presence with elegance. This excessive width on the west elevation along with the height would be particularly overbearing onto the Clarendon Road frontage. The shoulder building to the east of the tower has proportions that do not relate comfortably to the main tower.



- 6.27 On the north elevation, fronting St Johns Road, the building steps down to the East wing which is of a brick façade and of 5 storeys (plus a lower ground floor). The height and proportions of this east wing relate more successfully to the southern context, however, the series of steps in the height and massing along the north elevation is not successful. Firstly, the 17 storey 'shoulder' element of the building appears as excessively wide in comparison to the tallest element on the north elevation. Then, in contrast, the 8 storey element is oddly narrow and doesn't relate comfortably to either the taller elements or the lower east wing element.
- 6.28 It is noted that the change in height and form of building on Clarendon Road is expected to be seen from the lower height areas and that there is clear definition between the form and massing of these two areas. It is, however, considered based on the information provided, that scale, height and massing of the 17 and up to 24 storey elements would be unduly large and dominant as seen from the wider area.
- 6.29 It is noted that the Design Review Panel found the architectural arrangements of the façades of the building to be well resolved. Noting that the pre-cast concrete frame elements of the building create a clear grid with a change to brick façade to the residential east wing. The successful façade approach does not however serve to create a building of appropriate scale and massing and would not mitigate the overall scale and its dominance of the building to the context. It is further noted that the panels comments were based on a scheme that was presented to them as being within scale and massing parameter of the extant scheme and that the panel did not support options of additional height.
- 6.30 Achieving high quality of design is not just centred around what a place or development looks like, but also how users experience it and encompasses function and the creation of safe, quality, and accessible places that optimise the potential of a site. The spaces maintained around the building are highly constrained. The central courtyard would be enveloped within the building with some conflict between the office and residential uses. The relationship of the building to the public realm at St Johns Road was also of concern to the Place Shaping Panel. An external platform above the street level on St Johns Road would include some activity, however, the Place Shaping Panel found that "The St Johns Road streetscape, fronted by blank walls and vents from the basement car park, is unlikely to provide a pleasant pedestrian experience". The set back an external stair case and suggested soft landscaping could improve this relationship however the soft landscaping would be constrained and the dominance of the basement car park wall remains.

- 6.31 Officers, therefore, find that, in respect of scale, height and massing, the building would have a visual presence that would be unduly dominant and ungainly to the immediate and wider context. The development also fails to create high quality new places and public realm. The building does not meet the high quality design sought by UD1 of the Local Plan Core Strategy or Emerging Policies QD6.1, QD6.2, QD6.3 and QD6.4.
- 6.32 In respect of policy QD6.5 for building height, the proposed development does not offer exceptional design or significant public benefits and there is no clear townscape rationale for the height.
- 6.33 The height and massing of the extant permission is a material planning consideration, however, this was approved prior to the emerging Local Plan and this too is a material planning consideration as it advances towards adoption. It is noted that the proposed scheme has a greater footprint, height and massing than the approved building. The approved scheme also had different degrees of planning benefits to that now proposed, including higher levels of affordable housing. The extant permission is therefore considered to have only marginal relevance in the assessment of the revised scheme which is assessed on its own merits.
- 6.34 (d) Impacts on heritage assets  
The development is recognised as being visible in the setting of heritage asset of the Estcourt Conservation Area which is immediately to the east of the site. As correctly identified in the submitted Heritage Impact Assessment there is a distinction in character between the Conservation Area and the larger scale commercial buildings of Clarendon Road to some degree define the setting of the Conservation Area. In the understanding of this, some degree of contrast is expected and acknowledged to be seen as set out in the emerging policy CDA2.1.
- 6.35 The submission plans and description detail a building of up to 24 storeys. The Heritage Impact Assessment sets out that it is considering a '22 storey scheme' consisting of 'basement, ground floor and 19 levels' and that the new scheme is 'within the consented massing' (para 8.1). The assessment therefore also does not appear to account for the height and massing of the scheme now proposed or as increased from the previously approved scheme.
- 6.36 Notwithstanding this, the Heritage Impact Assessment does find that the development it considers would have a 'less than substantial harm' to the setting of the Conservation Area.

- 6.37 In the views that have been provided, it is seen that the 17 and up to 24 storey building elements would have a height, width and massing that will be unduly prominent and incongruous in many views from within, towards and around the Conservation Area. The conclusion of 'less than substantial harm' is therefore agreed by officers.
- 6.38 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the National Planning Policy Framework (para 202) requires that this harm should be weighed against the public benefits of the proposal. The proposed development does offer residential dwellings, however, as detailed in this report there are concerns in respect of the quality of these dwellings and the low provision of affordable housing as well as the loss of employment floor space. The public benefits of the scheme are therefore limited and it is not found that these would outweigh the less than substantial harm identified.
- 6.39 (e) Quality of residential accommodation  
The development would provide 247 dwellings, stated in the Planning Statement as being of the following mix of accommodation:
- 40 x 1 bed 1 person units
  - 85 x 1 bed 2 person units
  - 75 x 2 bed 3 person units
  - 33 x 2 bed 4 person units
  - 14 x 2 bed 4 person duplex units
- 6.40 This provision would represent a mix of 50.5% 1 bed dwellings and 49.5% 2 bed dwellings. There are no 3 bed dwellings in the provision which is contrary to Final Draft Local Plan Policy HO3.2 which requires at least 20% of new homes as family sized (3+bed).
- 6.41 Section 7.3.6 of the Residential Design Guide (RDG) sets out the minimum Gross Internal Areas for new dwellings in accordance with the Nationally Described Space Standards (NDSS). This notes that a single bedroom has a minimum floor area of 7.5sqm and 11.5sqm is the minimum for a double/twin bedroom.
- 6.42 Of the 247 dwellings proposed, 36 units would fail to meet the minimum size requirements for their dwelling type by a notable shortfall. The units failing the minimum standards are mainly where double rooms have not been counted as providing for two occupants. For example, at the 5<sup>th</sup> floor, one dwelling of 43.5sqm is labelled as a '1 Bed 1 Person' unit, however, it includes a separate bedroom which exceeds the minimum standard for a double or

twin room. This dwelling therefore provides occupancy for 2 persons and is a 1 bed 2 person dwelling. The proposed 43.5sqm for this dwelling would be significantly below the minimum standard of 50sqm for a 1 bed 2 person dwelling set by the NDSS. Similarly, another 5<sup>th</sup> floor dwelling labelled as a '2 bed 3 person' unit contains 2 double sized bedrooms. The proposed 62.3sqm for this dwelling would be significantly below the minimum standard of 70sqm for a 2 bed 4 person dwelling. The degree of shortfall for these and all other identified units would result in subsized and unacceptable accommodation.

- 6.43 Final Draft Local Plan Policy QD6.4 requires internal cores to serve no more than 8 units per floor to help to create safe, healthy and attractive internal spaces. The revisions through pre-application have improved the internal layout and reduced some of the largest corridors. The scheme does however still include the following:
- Ground floor - 12 dwellings off one corridor (albeit with a dividing door)
  - Level 1 – 11 dwellings from one core
  - Level 3 – 11 dwellings from one core
  - Levels 8 to 16 (9 floors) – 10 dwellings from one core.
- 6.44 Of the development, 124 dwellings would be served by an overly loaded core, representing over half of the development. This internal layout also creates long narrow corridors with no natural light and an unduly large proportion of single aspect dwellings. The Place Shaping Panel have raised this internal layout as being of significant concern in providing poor quality accommodation.
- 6.45 Final Draft Local Plan Policy QD6.4 states that new residential development should include a high proportion of dual aspect units to create quality internal spaces. The benefits of dual aspect are two fold in being that they create alternative aspects to maximise internal amenity quality and allow for proper and effective cross ventilation which helps avoid overheating.
- 6.46 Of the 247 dwellings in the scheme, it is found that 135 (54.6% of total) are single aspect of which 23 (9% of total) are single aspect to the north. The application seeks to assert there are additional dual aspect units with the use of a stepped façade to some east facing units. The rooms with this arrangement would have windows facing on two elevations which would create a dual perspective however these are not considered to be dual aspect for the beneficial purposes of aspect and cross ventilation. Nevertheless, if these stepped dwellings are included as dual aspect, the scheme would remain in having an unduly high proportion of single aspect units with a total of 47% single aspect units and 9% of the scheme as single aspect to the north.

- 6.47 It is accepted that on high density proposals it may be difficult to avoid single aspect units altogether, however, that it is considered that these should be minimised wherever possible. Within the size and regular layout of this site, it is considered that this site could accommodate a notably lower proportion of single aspect dwellings. Noted that the extant approved scheme includes 86% dual aspect dwellings. The high proportion of single aspect and single aspect north dwellings of this development is therefore not supported and not found to demonstrate high quality design.
- 6.48 Nonetheless, where single aspect units are proposed, it is important to robustly scrutinise the quality of the accommodation proposed to ensure these are not unduly affected from issues of poor daylighting, overheating, noise disturbance or limited outlook. The application fails to provide sufficient justification to demonstrate that the single aspect units in the scheme would provide an overall high quality of accommodation. Moreover, where dual aspect units have been included, these are of a layout that has created amenity concerns. There are also general amenity concerns for all the dwellings in the proposed development.
- 6.49 Specifically, the Daylight and Sunlight assessment submitted shows that there are some dwellings which fail BRE minimum requirements and that some window short falls are significant. Overall this finds that 94% of the habitable rooms would comply with the primary Average Daylight factor, 93% would comply with the No Sky Line and 99% with the Room Depth Criterion. The overall findings for sunlight and daylight are not unreasonable for a higher density scheme however the results, including a lack of suitable daylight (ADF) to 38 rooms of the development, do not represent outstanding design quality.
- 6.50 The assessment submitted does not include the projecting balconies on the building. The assessment conclusion states that these will place a limitation on the access of light to units immediately below and around these external balconies (para 12.9) however the report does not reconsider the calculations or analysis in respect of this additional impact. The lack of a complete and accurate daylight and sunlight assessment for the proposed development is unhelpful and does not demonstrate high quality amenity for future occupiers.
- 6.51 In respect of outlook and privacy, the internal courtyard includes a minimum distance of 22m between dwellings which complies with the RDG. There are internal corners of the development where windows and balconies of different dwellings would face directly onto one another. These would have significantly restricted outlook and poor privacy.

- 6.52 The submitted air quality assessment supports the development. The application is not accompanied by a noise assessment to consider impact of the commercial plant and traffic of the area to the residential dwellings.
- 6.53 The development is also lacking in suitable outdoor amenity space for future occupiers and would fail to meet either current guidance or emerging policy for outdoor amenity space.
- 6.54 Section 7.3.23 of the adopted RDG would seek 3725sqm of communal amenity area for the 247 dwellings proposed. The central courtyard, east side lower ground floor garden and roof terrace offer 1792sqm of amenity space. This would be less than half of the space required for this quantum of development. It is also not considered to be of a high quality. Firstly, the relationship of the offices and central courtyard has not been detailed to demonstrate that these will coexist well. Secondly, although there is a nearby play space, the lack of onsite play provision is not supported for a scheme of this quantum. Thirdly, the communal amenity spaces have not been tested as having appropriate sunlight and daylight and the 17<sup>th</sup> floor garden has not been considered in respect of wind impact.
- 6.55 The more up to date Final Draft Local Plan Policy HO3.11 states all dwellings should have level access to one or more of the following forms of private open space: garden, terrace, roof garden, courtyard garden or balcony. This should consist of a minimum of 5 square metres of private outdoor space for 1-2 person dwellings and at least one additional square metre should be provided for each additional occupant. Of the development only 73 units (30%) have private amenity space in the form of one or more balconies or a terrace. The majority of these are in the form of 3sqm balconies with only 22 units (9%) of the dwellings of the development having a balcony or terrace that meets the minimum size requirement of the emerging policy. The private amenity areas have also not been tested in respect of wind impact or Sunlight and Daylight meaning that the high quality of these spaces has not been demonstrated.
- 6.56 Emerging policy HO3.11 states that, in addition to private space in the form of balconies, shared private amenity space can enhance quality for residents. It is noted that the emerging policy does not state that shared private amenity space would negate the need for private amenity space to each dwelling. As modified, the emerging policy does not provide a minimum size requirement for shared private amenity space however states it should be well laid out and not overshadowed to ensure it supports a variety of outdoor recreations for all users. As already set out, the communal outdoor space provided in the scheme has not been demonstrated as being of high quality and is not

considered to be of layout or quality that would be suitable for the occupiers of the development.

- 6.57 It is considered that the quality of the dwellings proposed would be notably poor in respect of internal floor space, layout, aspect, light, privacy, noise and outdoor amenity space. As such the development fails to provide high quality dwellings, contrary to paragraph 130 of the National Planning Policy Framework 2021, Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31, Policies HO3.11 and QD6.4 of the Final Draft Local Plan 2018-2036 and section 7.3 of Watford's Residential Design Guide 2016. The lack of high quality homes also fails to constitute outstanding design required to support the tall building under emerging policy QD6.5.
- 6.58 (f) Affordable housing provision  
Policy HS3 of the Core Strategy requires a 35% provision of affordable housing. This provision should have a tenure mix of 65% affordable rent, 20% social rent and 15% intermediate tenures. Draft local plan policy HO3.3 also requires 35% provision, with a tenure mix which includes 60% social rent. Emerging policy HO3.4 states that affordable housing for Building to rent schemes is required in accordance with policy H03.3 although Discounted Market Rent, at a genuinely affordable rent, will be accepted in place of other affordable housing tenures.
- 6.59 The application proposes the inclusion 13 dwellings as affordable housing proposed as discounted market rent, although the level of this discount has not be specified. Comprising 7no. 1 bed 2 person units and 6no. 2 bed 3 person units, the provision would represent 5.35% of the scheme in unit number and 8.74% of the scheme in habitable rooms.
- 6.60 This affordable housing provision does not accord with either current or emerging policy in respect of quantum.. The application has sought to justify this on the basis on scheme viability with the submission of a detailed viability appraisal.
- 6.61 The viability appraisal has been subject to a detailed and robust viability review by Aspinall Verdi (AV), acting on behalf of the Council. Aspinall Verdi have identified that there are discrepancies in the submission in relation to the existing floor space. Different floor space figures would change the Benchmark land value and the CIL liability of the development and so would have a substantial impact on viability. They have based their assessment on the floor area figures provided in the applicants Viability Appraisal as submitted.

- 6.62 AV tested a policy-compliant scenario to determine whether the scheme could support the contribution sought by Policy HS3. The outcome of this found that development with a policy compliant affordable housing provision would be unviable with a deficit of £9.3m against the Benchmark Land Value. The scheme is also shown to be unviable without any on-site affordable housing provision generating a deficit of c. £796,000 against the BLV. The Gross Development Value for the scheme offered with 13 affordable housing units has not been calculated although this would remain in deficit.
- 6.63 Although these findings supports the viability justification for the lack of policy compliant affordable housing, there is no explanation submitted within the appraisal to explain why the applicant would build the scheme at the level of deficit identified.
- 6.64 Aspinall Verdi have also suggested that values fluctuate over time noting that if rental values increase and construction costs decrease, a policy compliant scheme would begin to become viable. AV have therefore strongly recommended that a viability review mechanism is included within any Section 106 agreement should permission be recommended and this is agreed by officers.
- 6.65 Although the small quantum of affordable housing has been justified by the viability assessment, the low level of affordable housing provision limits the planning benefits of the scheme. The lack of policy compliant affordable housing also fails to contribute towards public benefit arising from the scheme that is required to support the tall building under emerging policy QD6.5.
- 6.66 (g) Impacts on surrounding properties  
The nearest residential properties to the site are located at Estcourt Road to the east of the site and St Johns Road to the north and north east. The proposed development is supported by a Sunlight and Daylight assessment which finds that there would be no unreasonable loss of sunlight or daylight to neighbouring properties.
- 6.67 The proposed east wing of the development would be closer to the boundary with the rear of the Estcourt Road properties than the existing building and the building of the extant permission. This window to window distance of approximately 26m would be below the 27.5m minimum distance to the rear set out in the RDG. It is however considered that this relationship would not result in unreasonable loss of privacy to these dwellings by virtue of the more modest height of the east wing, along with the minimum distance of 11m which is maintained to the boundary.



- 6.68 The proposed impact of the larger elements of the scheme are of concern. The outlook from the rear of the Estcourt Road properties would notably be dominated by the 69m high and 32.4m wide north-western corner element of the scheme. It is noted that there is some change in bulk and form expected between residential areas and Clarendon Road employment area however the excessive width, height and massing of this building would be unduly dominant and impactful in the outlook of the dwellings. This therefore does not support the development in accordance with policies UD1 and SS1 of the Watford Local Plan Core Strategy.
- 6.69 (h) Transport, access, parking and servicing  
The site is located in a highly accessible and sustainable location within a short walk of Watford Junction Station and the bus interchange. The surrounding roads are subject to a resident only controlled parking zone. A S106 would be sought in respect of a granted planning permission to exempt future occupiers from parking in surrounding roads and so secure a 'car-lite' scheme suitable for the site and location.
- 6.70 The existing basement and surface level parking comprises 181 car parking spaces in relation to the existing office use. 79 car parking spaces are proposed within the lower ground/basement level of the proposed development representing a net loss of 102 car parking spaces. The submission documents do not provide a consistent allocation of these spaces, however based on the submitted transport assessment, this states that the 79 spaces are proposed as being allocated as follows:
- 49 spaces for office use
  - 30 spaces for residential, including 5 car club spaces
- 6.72 16 of the spaces are to have active EV charging with all other spaces to have passive infrastructure for future EV charging installation.
- 6.73 Policy ST11.5 of the Final Draft Local Plan, which is reflective of up to date transportation requirements suggests that development within the core Development Areas should be car-lite. Appendix E of the Final Draft Local Plan states that residential developments provide a maximum of 0.3 spaces per dwelling. The 30 car parking spaces of the development would therefore be well below the maximum standards provision of 74 spaces for the 247 dwellings.
- 6.74 In respect of office development, Appendix E of the Final Draft Local Plan states that a maximum of 0.5 spaces per 100sqm of office space should be provided. For the proposed development of 4,798sqm (taken as net internal area) the maximum parking provision should therefore be 24. The proposed

49 parking spaces would be over double this maximum provision. It is however noted that the 49 office parking spaces, and total 79 parking spaces, represent a significant 56% reduction from the existing 181 on the site and the provision is therefore acceptable on this basis.

- 6.75 Policy ST11.4 of the Final Draft Local Plan, supported by Appendix D, sets minimum standards for cycle storage for new development. The proposed development would require the following cycle storage provision:
- Residential occupiers – 400 spaces
  - Residential visitors – 12 spaces
  - Office employees- 50 spaces
  - Office visitors – 6 spaces
- 6.76 The residential cycle storage of 290 cycle spaces would fail to accord with the minimum standards. The storage area shown would also not be sufficient to allow for the 'cycle hub' facilities detailed in the DAS. The location and arrangement of the proposed residential cycle storage also concerns regarding the overall ease of use, security and quality this spaces and is not likely to encourage sustainable modes of transport.
- 6.77 Refuse collection for office and residential refuse is stated as being from St Johns Road to the north via a bin holding area. The bin storage provision at basement level would be sufficient for the bin requirements for the development. Other office and residential servicing is proposed from a dedicated 'drop off' area at the west with access from Clarendon Road.
- 6.78 The matters of access, vehicle movements, swept path analysis and servicing have been reviewed by the Highway Authority who have raised no objection subject to detailed conditions.
- 6.79 (i) Environmental considerations  
The application is not accompanied by a tree survey or an Arboricultural Impact Assessment and does not include detailed landscaping plans. There are no preserved trees on site and it is noted that tree losses were permitted under the previous consent, subject to conditions and replacement planting. Key parts of this development, including the shadowed north facing elevation, rely on trees and soft landscaping for quality however no information has been provided to show that this would be achievable in the available conditions. The lack of detailed tree and landscaping information with this application does not support the proposed development.
- 6.80 Watford Borough Council has declared a Climate Emergency. Chapter 8 of the Final Draft Local Plan details the planning policy response to this in accordance

with the NPPF. The application is accompanied by an Energy and Sustainability Statement. This sets out that development seeks to use a fabric first approach to seek to make improvements on building U values of at least 30% above current Building regulations minimum standards. Improved air tightness is targeted of at least 50% above current Building Regulations minimum target. Renewable energy is proposed consisting of Decentralised Air Source Heat Pump Hot Water Cylinders to each apartment. The overheating assessment finds some rooms may not be able to be naturally ventilated due to noise and the scheme proposes Mechanically Vented Heat Recovery for these rooms.

- 6.81 Initial Part L Compliant calculations of the submitted Energy and Sustainability Statement find that the energy demand would be reduced by 25.6% for the residential development and 21% site wide. The Carbon emissions would be reduced by 25.6% for the residential development and 21% site wide. These would exceed the minimum target of 19% for development up to 2025 as set by Emerging Policy CC8.3 of the Final Draft Local Plan. The water efficiency targeted as an improvement of 16% above current Building Regulations standards, with 105 litres per person per day, and would also comply with Emerging Policy CC8.3 of the Final Draft Local Plan.
- 6.82 The proposed non-residential elements of the development are to achieve a BREEAM rating of 'Excellent' which is supported with the submitted BREEAM Pre-assessment and would comply with Emerging Policy CC8.2 of the Final Draft Local Plan.
- 6.83 Section 8.5 of the DAS states that the development would include a on site Biodiversity Net Gain (BNG) of 235% in respect of habitats and 117% in respect of hedgerows, both significantly exceeding the 10% BNG outlined in the Environmental Act 2021 and sought by emerging policy NE9.8 of the Final Draft Local Plan.

## 7. Consultation responses received

### 7.1 Statutory consultees and other organisations

Consultee	Comments	Officer response
HCC Highway Authority	No objection subject to conditions	Noted
HCC Lead Local Flood Authority	Advised that due to resourcing they are unable to provide comments.	Noted. It would be considered appropriate to secure full surface water management details by condition for future

		consideration should permission be granted.
HCC Growth and Infrastructure	No additional contributions requested, noting CIL would be payable.	Noted
HCC Fire	Access for fire appliances is adequate Concerns re EV charging in basement and building regs	Noted and wider solution is yet to be found.
Health and Safety Executive	Advice to LPA- Some Concern	Further information provided by applicant team.
Crime Prevention	No comments received	
Thames Water	No objection in respect of waste water or water supply.	Noted

## 7.2 Internal Consultees

<b>Consultee</b>	<b>Comments</b>	<b>Officer response</b>
WBC Housing Supply Manager	Does not agree that Social rent is not deliverable on site- this can be designed into a scheme. The service does not support the low Affordable housing provision.	Discount Market Rent is policy compliant for Build to Rent development and there is no requirement for social rent in this instance. It is however noted that the level of discount for the affordable units has not been confirmed.
Contamination officer	Air Quality Assessment was requested and submitted- agreed subject to condition for CEMP Land contamination- no objections	Noted
Waste and recycling officer	Further information was requested in respect of bin access for collection. For the residential units, Bin requirements are: 32 x 1100 litre bins for refuse 32 x 1100 litre bins for recycling	Noted

	40 x 140 litre bins for food waste	
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### 7.3 Interested parties

Letters were sent to 215 properties in the surrounding area with a paper advertisement and site notice also placed. Consultation was carried out in respect of the originally received application and again on receipt of a full development description and the Viability Appraisal.

- 7.4 Responses have been received from 27 properties with 26 in objection and 1 in support. The main objection comments are summarised below, the full letters are available to view online:

Comments	Officer response
The building is too tall, it would not proportionate to the area and would be an eye sore in the area and as seen in wider skyline views.	Noted and considered in sections 6.22 to 6.32 of the report
It would harmful to the nearby Conservation Area	Noted and considered in sections 6.34 to 6.38 of the report
Clarendon Road should be maintained as a central hub for business.	Noted and considered in sections 6.10 to 6.17 of the report
There is no evidence that the building demonstrates exceptional design.	Noted. Officers and the Place Shaping Panel have not found the development to be of exceptional design.
The lack of 3 bed dwellings does not meet housing mix policy.	Noted that the lack of 3 bed units does not meet emerging policy.
There is no childrens play space in the scheme contrary to policy.	Noted and agreed.
The 17 storey approved scheme was found by the Council to have 'struck the right balance for height' for the site. The taller scheme would not have been supported.	Noted however also noted that every development much be considered on its own merits.
The site has air quality and pollutant levels. Development would have effects on the health of	An Air Quality Assessment has been submitted and reviewed by a Council Environmental Health who has found the

residents and would exacerbate the situation.	circumstances to be acceptable.
It would set a precedent for future tall development	Every development must be considered on its own merits and in accordance with the Development Plan and material planning considerations.
The development has insufficient parking and existing residents will not be able to park on street.	An approved scheme would need to include a S106 agreement to exempt future occupiers from entitlement to park in the surrounding roads.
The dwelling would create visual harm, overshadowing and overlooking to nearby homes and gardens	Noted and considered in sections 6.66 to 6.68 of the report
<p>Unfair consultation has been carried out by the developer as follows:</p> <ul style="list-style-type: none"> <li>- Many local people were not informed of the 16<sup>th</sup> November 2021 event,</li> <li>- The consultation that was seen did not refer to the new height of the development,</li> <li>- Residents were told the development would be entirely within the parameters of the approved scheme,</li> <li>- Comments made by one resident have not been included in the SCI submitted.</li> </ul>	Noted. This is not in accordance with the NPPF identifies the importance of early discussion with communities and states that applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.
The approved scheme was approved because it had social housing. It should not be supported without social housing.	It is correct that the approved scheme included a policy compliant affordable housing provision which was a considered within the assessment of that application. Every application is however assessed on its own merits.
Construction traffic, work, noise and dust will affect local residents.	Some construction matters could be mitigated through the construction management plan requested by Herts County Council which would be sought should planning permission be granted.

There is insufficient infrastructure (doctors, dentists, school places) to support new dwellings. Watford is full.	Local and National planning policy seek for new housing developments in sustainable locations such as the site proposed. Although some facilities are not within the control of Watford Borough Council, the development would be liable to pay the Community Infrastructure Levy.
There is no demand for flatted development and houses should be built.	Local and National planning policy seek for new housing developments in sustainable locations such as the site proposed. Policies also seek for efficient use of land.
Further detail required in respect of how the development will meet to UKS net zero carbon goals.	The application is accompanied by an Energy and Sustainability Statement the details of which are considered in sections 6.79 to 6.83 of this report.

7.5 The comment in support of the application stated that they supported the addition of a large number of new accommodation units to the area.

## 8. Recommendation

Refuse Planning Permission for the following reasons:

### 1. Office provision

The proposed development would result in a net loss of office floor space on the site which would be significantly harmful to the employment offer, growth and function of this area as a prime office employment area. As such the development would be contrary to paragraphs 81 and 83 of the National Planning Policy Framework 2021, saved Policy E1 of the Watford District Plan 2000, Policy EMP1 of the Watford Local Plan Core Strategy 2006-31 and Emerging Policies CDA2.1, EM4.1 and EM4.3 of the Final Draft Local Plan 2018-2036.

### 2. Height and massing

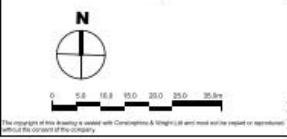
By virtue of its layout, height and massing, the proposed building fails to demonstrate high quality design and would be unduly dominant and incongruous in the streetscene, context, wider views and as seen in the outlook from neighbouring dwellings. The development does not offer townscape justification, outstanding design or public benefits required to outweigh the tall building impacts. The height and scale would create less than substantial harm to the setting of the Conservation Area which would not

be outweighed by the public benefits of the scheme. As such the development would be contrary to paragraphs 126, 130 and 202 of the National Planning Policy Framework 2021, Policies SS1, UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31, saved policy U17 of the Watford District Plan 2000, Policies QD6.1, QD6.2, QD6.3, QD6.4, QD6.5 and HE7.2, of the Final Draft Local Plan 2018-2036 and sections 7.1, 7.2 and 7.3 of Watford's Residential Design Guide 2016.

### 3. Residential Quality

The proposed development would fail to provide high quality residential accommodation. The layout of the dwellings is not conducive to high quality accommodation by virtue of the heavily used nature of the cores, the high proportion of single aspect dwellings and the poor privacy and outlook of some dwellings. The development includes dwellings with internal floor areas substantially below the standards of the Nationally Described Space Standards and dwellings which are likely to experience poor daylight and sunlight. The majority of dwellings would fail to have private amenity space. Where private balconies/terraces are provided, and where there are private shared amenity areas for residents, these are of a poor sizes and layout and have not been demonstrated as being of high quality in respect of sunlight, daylight, wind, noise and landscaping. As such the development fails to provide high quality design for future users, contrary to paragraph 130 of the National Planning Policy Framework 2021, Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31, Policies HO3.11, QD6.4 and QD6.5 of the Final Draft Local Plan 2018-2036 and section 7.3 of Watford's Residential Design Guide 2016.





100	Planning Brief	01/03/22	1/2	100
101	Planning Brief	01/03/22	1/2	100
102	Planning Brief	01/03/22	1/2	100
103	Planning Brief	01/03/22	1/2	100
104	Planning Brief	01/03/22	1/2	100

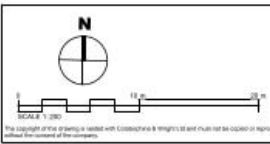
Client: SKYBRIDGE  
 Project: TK Maxx, Watford  
 Drawing Title: PROPOSED SITE PLAN  
 Drawing Status: PLANNING

**Corstorphine & Wright**  
 Birmingham Studio  
 Apollo Building, 5, 6 & 7, Stone Quarterway, Birmingham, B4 1TT  
 0121 701 6000  
 corstorphine-wright.com  
 Drawing No: 21473-CW-XX-A-0303  
 Name: [Redacted] From: [Redacted] Date: [Redacted]  
 Scale: 1 : 500  
 Date: DEC 2021



CLARENDON ROAD

ST JOHN'S ROAD



Code	Description	Area (m²)	Volume (m³)
001	Overall floor area	2175.00	2175.00
002	Overall volume	1100.00	1100.00
003	Proposed floor area	2175.00	2175.00
004	Proposed volume	1100.00	1100.00
005	Area for circulation	100.00	100.00
006	Area for circulation	100.00	100.00
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008	Area for circulation	100.00	100.00
009	Area for circulation	100.00	100.00
010	Area for circulation	100.00	100.00
011	Area for circulation	100.00	100.00
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015	Area for circulation	100.00	100.00
016	Area for circulation	100.00	100.00
017	Area for circulation	100.00	100.00
018	Area for circulation	100.00	100.00
019	Area for circulation	100.00	100.00
020	Area for circulation	100.00	100.00

NOTE: Landscaping and structural information is indicative only

Client <b>SKYBRIDGE</b>	<b>Corstorphine &amp; Wright</b> <small>21473-CW-XX-00-A-0311</small>
Project <b>TK Maxx, Watford</b>	
Drawing Title <b>PROPOSED GROUND FLOOR PLAN</b>	Revision <b>P05</b>
Drawing Status <b>PLANNING</b>	Drawn <b>VD</b>
	Checked <b>TM</b>
	Plot Size <b>A1</b>
	Scale <b>1:200</b>
	Date <b>DEC 2021</b>

CLARENDON ROAD

ST JOHN'S ROAD



SCALE 1:300  
 This copyright of this drawing is vested with Corstorphine & Wright Ltd and must not be copied or reproduced without the consent of the company.

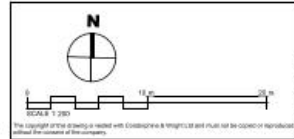
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NOTE: Landscaping and structural information is indicative only

Client <b>SKYBRIDGE</b>		<b>Corstorphine &amp; Wright</b>	
Project <b>TK Maxi, Walford</b>		Birmingham Studio Alpha Building, 100-102 Street Level, Birmingham, B1 1TT 0121 731 8500 corstorphinewright.com	
Drawing Title <b>PROPOSED LEVEL 1</b>		Drawing No. <b>21473-CW-XX-01-A-0312</b>	Revision <b>P05</b>
Drawing Status <b>PLANNING</b>	Drawn <b>VD</b>	Checked <b>TM</b>	Plot Size <b>A1</b> Scale <b>1:200</b> Date <b>DEC 2021</b>

CLARENDON ROAD

ST JOHN'S ROAD



NO	Description	DATE	BY	CHKD
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002	Issue for tender	11/01/22	TK	TK
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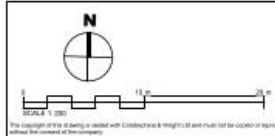
NOTE: Landscaping and structural information is indicative only

Client:  
SKYBRIDGE  
Project:  
TK Mack, Watford  
Drawing Title:  
PROPOSED LEVEL 2  
Drawing Status:  
PLANNING

**Corstorphine & Wright**  
 Birmingham Studio:  
 Alpha Building, 25-26th Street, Edgbaston, Birmingham, B1 1TT  
 0121 737 8200  
 corstorphine-wright.com  
 Drawing No: 21473-CW-XX-02-A-0313  
 Project: TK Mack, Watford  
 Sheet: VD, Title: TM, Page: A1, Date: 11/2021, Revision: P05  
 Date: NOV 2021

CLARENDON ROAD

ST JOHN'S ROAD



NO.	REVISION	DATE	BY	CHKD.
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NOTE: Landscaping and structural information is indicative only.

Client: SKYBRIDGE  
 Project: TK Mixer, Welford  
 Drawing Title: PROPOSED LEVEL 5 - 6  
 Drawing No: 21473-CW-XX-05-A-0316  
 Drawing Status: PLANNING

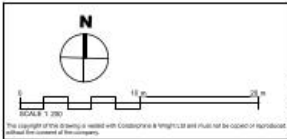
**Corstorphine & Wright**  
 Birmingham Studio  
 Alpha Building, Suffolk Street Crossways, Birmingham, B1 1TT  
 0121 791 8200  
 corstorphine.wright.com

Drawn	Checked	Issue No.	Scale	Sheet
VD	TM	A1	1:200	006

DATE: DEC 2021

CLARENDON ROAD

ST JOHN'S ROAD



REV	Description	DATE	BY	CHK
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223	Revised Issue	09/07/22	TM	AT
224	Revised Issue	10/07/22	TM	AT
225	Revised Issue			

CLARENDON ROAD

ST JOHN'S ROAD



NO.	DESCRIPTION	DATE	BY	CHKD.
001	PROPOSED LEVEL 17 - 22	11/01/2021	TM	VD
002	PROPOSED LEVEL 17 - 22	10/22/2021	TM	VD
003	PROPOSED LEVEL 17 - 22	10/22/2021	TM	VD
004	PROPOSED LEVEL 17 - 22	10/22/2021	TM	VD
005	PROPOSED LEVEL 17 - 22	10/22/2021	TM	VD
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007	PROPOSED LEVEL 17 - 22	10/22/2021	TM	VD
008	PROPOSED LEVEL 17 - 22	10/22/2021	TM	VD
009	PROPOSED LEVEL 17 - 22	10/22/2021	TM	VD
010	PROPOSED LEVEL 17 - 22	10/22/2021	TM	VD
011	PROPOSED LEVEL 17 - 22	10/22/2021	TM	VD
012	PROPOSED LEVEL 17 - 22	10/22/2021	TM	VD
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017	PROPOSED LEVEL 17 - 22	10/22/2021	TM	VD
018	PROPOSED LEVEL 17 - 22	10/22/2021	TM	VD
019	PROPOSED LEVEL 17 - 22	10/22/2021	TM	VD
020	PROPOSED LEVEL 17 - 22	10/22/2021	TM	VD

NOTE: Landscaping and structural information is indicative only

Client:  
**SKYBRIDGE**

Project:  
**TK Maxi, Watford**

Drawing Title:  
**PROPOSED LEVEL 17 - 22**

Drawing Status:  
**PLANNING**

**Corstorphine & Wright**

200 Highgate Road  
Aylesbury, Bucks HP8 5JY  
01295 741100  
corstorphine@skybridge.com

Drawing No:  
**21473-CW-XX-17-A-0326**

Revision:  
**PD4**

Issue	Checked	Drawn	Date
VD	TM	A1	11/01/2021

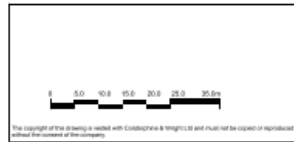




0370 - PROPOSED STREETSCAPE  
 SECTION B  
 1:500

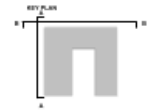


0370 - PROPOSED STREETSCAPE  
 SECTION B  
 1:500

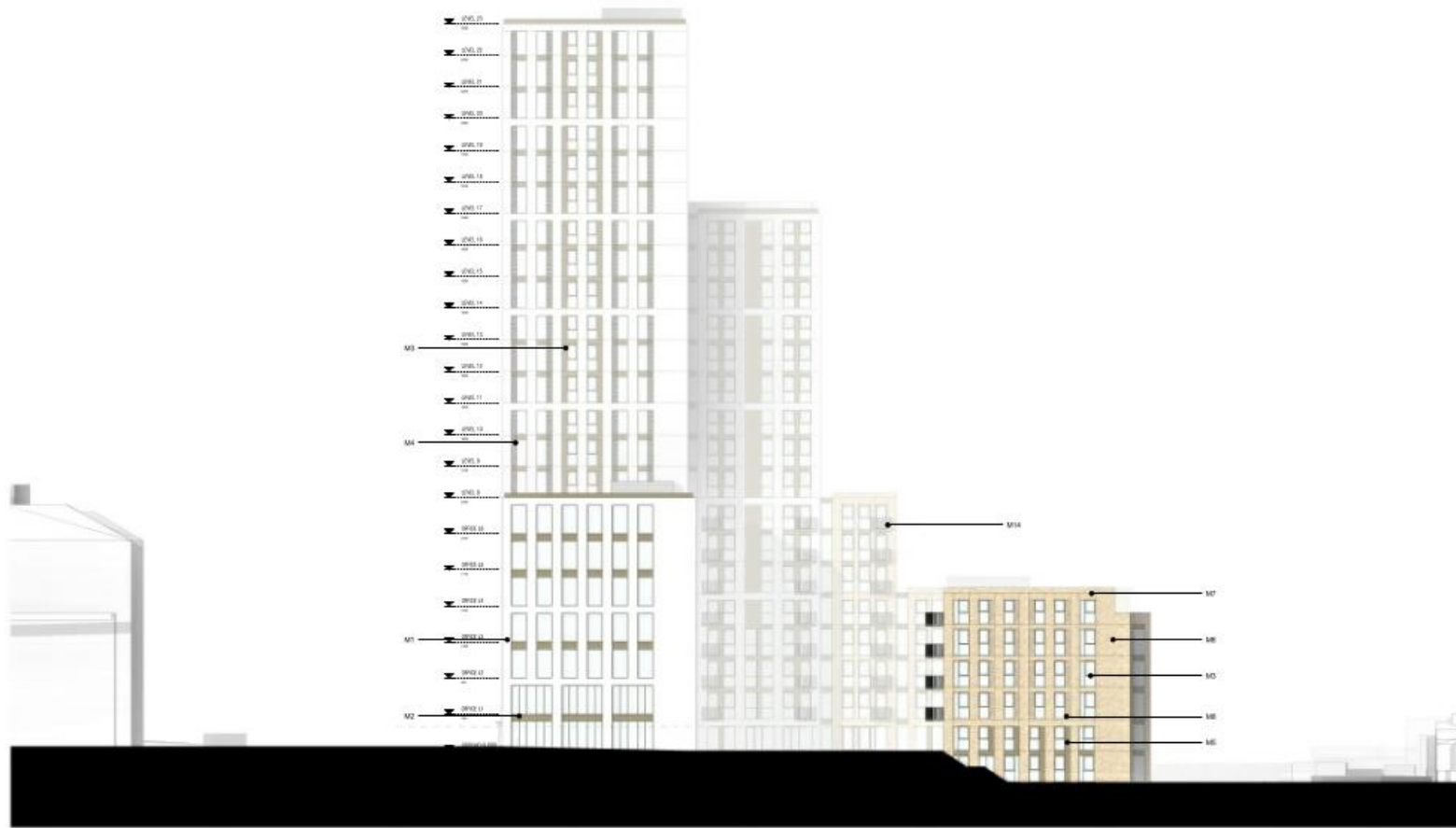


Discipline	Author	Check	Date
Architectural	[Name]	[Name]	[Date]
Structural	[Name]	[Name]	[Date]
Mechanical	[Name]	[Name]	[Date]
Electrical	[Name]	[Name]	[Date]
Plumbing	[Name]	[Name]	[Date]
Other	[Name]	[Name]	[Date]

NOTE: Landscaping and structural information is indicative only. Refer to details for landscaping information.



Client: <b>SKYBRIDGE</b>		Corstorphine & Wright	
Project: <b>TK Maxx, Watford</b>		21473-CW-XX-A-0370	
Drawing Title: <b>PROPOSED STREETSCAPE ELEVATIONS</b>		Revision:	P03
Drawing Status: <b>PLANNING</b>		Date:	DEC 2021
Drawn:	Checked:	Page Size:	Scale:
VD	TM	A1	As Indicated



NOTE: Landscaping and site access information is illustrative only. Refer to visuals for landscaping information.

<p>0 10 20 m</p> <p>1:200</p> <p>This drawing is for planning purposes only. It is not a contract document and should not be used as evidence in any legal proceedings.</p>	<table border="1"> <thead> <tr> <th>Code</th> <th>Description</th> <th>Color</th> <th>Finish</th> </tr> </thead> <tbody> <tr> <td>M1</td> <td>Polycarbonate</td> <td>White</td> <td>Smooth</td> </tr> <tr> <td>M2</td> <td>Aluminum window frame</td> <td>Black</td> <td>Smooth</td> </tr> <tr> <td>M3</td> <td>Aluminum window frame</td> <td>Black</td> <td>Smooth</td> </tr> <tr> <td>M4</td> <td>Aluminum window frame</td> <td>Black</td> <td>Smooth</td> </tr> <tr> <td>M5</td> <td>Aluminum window frame</td> <td>Black</td> <td>Smooth</td> </tr> <tr> <td>M6</td> <td>Aluminum window frame</td> <td>Black</td> <td>Smooth</td> </tr> <tr> <td>M7</td> <td>Aluminum window frame</td> <td>Black</td> <td>Smooth</td> </tr> <tr> <td>M8</td> <td>Aluminum window frame</td> <td>Black</td> <td>Smooth</td> </tr> <tr> <td>M9</td> <td>Aluminum window frame</td> <td>Black</td> <td>Smooth</td> </tr> <tr> <td>M10</td> <td>Aluminum window frame</td> <td>Black</td> <td>Smooth</td> </tr> <tr> <td>M11</td> <td>Aluminum window frame</td> <td>Black</td> <td>Smooth</td> </tr> <tr> <td>M12</td> <td>Aluminum window frame</td> <td>Black</td> <td>Smooth</td> </tr> <tr> <td>M13</td> <td>Aluminum window frame</td> <td>Black</td> <td>Smooth</td> </tr> <tr> <td>M14</td> <td>Aluminum window frame</td> <td>Black</td> <td>Smooth</td> </tr> </tbody> </table>	Code	Description	Color	Finish	M1	Polycarbonate	White	Smooth	M2	Aluminum window frame	Black	Smooth	M3	Aluminum window frame	Black	Smooth	M4	Aluminum window frame	Black	Smooth	M5	Aluminum window frame	Black	Smooth	M6	Aluminum window frame	Black	Smooth	M7	Aluminum window frame	Black	Smooth	M8	Aluminum window frame	Black	Smooth	M9	Aluminum window frame	Black	Smooth	M10	Aluminum window frame	Black	Smooth	M11	Aluminum window frame	Black	Smooth	M12	Aluminum window frame	Black	Smooth	M13	Aluminum window frame	Black	Smooth	M14	Aluminum window frame	Black	Smooth	<p><b>MATERIALS KEY</b></p> <ul style="list-style-type: none"> <li>M1 Polycarbonate</li> <li>M2 PVC Aluminium window frame, Colour: Bronze/Black/Light grey</li> <li>M3 PVC Aluminium window frame, Colour: Bronze/Black/Light grey</li> <li>M4 PVC Aluminium window frame, Colour: Bronze/Black/Light grey</li> <li>M5 PVC Aluminium window frame, Colour: Bronze/Black/Light grey</li> <li>M6 PVC Aluminium window frame, Colour: Bronze/Black/Light grey</li> <li>M7 Buff brick - window course</li> <li>M8 Buff brick - window course</li> <li>M9 Light brick - window course</li> <li>M10 Light brick - window course</li> <li>M11 PVC Aluminium window frame, Colour: Bronze/Black/Light grey</li> <li>M12 Buff brick - window course</li> <li>M13 Buff brick - window course</li> <li>M14 Buff brick - window course</li> </ul>	<p><b>KEY PLAN</b></p> <p>Client: SKYBRIDGE Project: TK MIX, Watford Drawing Title: PROPOSED ELEVATIONS 3 - SOUTH Drawing Status: PLANNING</p>	<p><b>Corstorphine &amp; Wright</b></p> <p>Birmingham Road, New Basing, South West Gateway, Birmingham B1 1TT 0121 717 1155 corstorphinewright.com</p> <table border="1"> <tr> <td>21473-CW-XX-ZZ-A-0362</td> <td>PO4</td> </tr> <tr> <td>VD</td> <td>TM</td> <td>A1</td> <td>1: 200</td> <td>DEC 2021</td> </tr> </table>	21473-CW-XX-ZZ-A-0362	PO4	VD	TM	A1	1: 200	DEC 2021
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NOTE: Landscaping and all other information is indicative only. Refer to relevant 3D landscaping information.

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## 5.8 Visuals

Clarendon Road - South



## 5.8 Visuals

St John's Road - East



## 5.8 Visuals

St John's Road - West



## 5.8 Visuals

Clarendon Road Elevation



# 5.8 Visuals

St John's Road Elevation



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## 5.9 Townscape Views

Views - Woodford Road/Queens Road



# 5.9 Townscape Views

Views - St John's Road



## 5.9 Townscape Views

Views - Estcourt Road



# 5.9 Townscape Views

Views - Clarendon Road



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**Watford Place Shaping Panel**

**Report of Formal Review Meeting: 50 Clarendon Road**

Tuesday 14 December 2021  
Video Conference

**Panel**

Peter Bishop (chair)  
Thomas Bryans  
Nicola Rutt  
Andrew Thornhill  
Alex Wraight

**Attendees**

Paul Baxter	Watford Borough Council
Sian Finney-MacDonald	Watford Borough Council
Ben Martin	Watford Borough Council
Alice Reade	Watford Borough Council
Tom Bolton	Frame Projects
Reema Kaur	Frame Projects
Miranda Kimball	Frame Projects

**Observers**

Cllr Peter Jeffree	Watford Borough Council
Kate Pickard	Watford Borough Council

**Apologies / report copied to**

Louise Barrett	Watford Borough Council
Andrew Clarke	Watford Borough Council

**Confidentiality**

This is a pre-application review, and therefore confidential. As a public organisation Watford Borough Council is subject to the Freedom of Information Act (FOI), and in the case of an FOI request may be obliged to release project information submitted for review.

# CONFIDENTIAL

## 1. Project name and site address

48 - 52 Clarendon Road, Watford, WD17 1TX

## 2. Presenting team

Rachel Korbely	Corstorphine & Wright
Tony Mead	Corstorphine & Wright
Simon Murray-Twinn	Skybridge Property
Steven Parker	Skybridge Property
Peter Jeffery	Spehere25
Mark Sleigh	Sphere25
Ali Baker	Vedose Limited

## 3. Planning authority briefing

The site (0.56 hectares) is located at the corner of the junction of Clarendon Road and St Johns Road and contains four to five-storey office buildings. Clarendon Road is a designated office employment area with office buildings of predominantly four to six storeys. The area includes some emerging mixed-use developments, with residential set back from the main frontage. Distinct from Clarendon Road, St Johns Road to the north is predominantly two to three-storey residential. The site backs onto the Estcourt Conservation Area to the east, characterised by two-storey Victorian terraces.

The site has planning permission to provide a mixed-use scheme including 100 residential units, circa 5,945 sqm Grade A office floorspace, and ancillary flexible use at ground floor level, with associated cycle parking, car parking and landscaping. Since the 2018 grant of planning permission, the Final Draft Watford Local Plan has been submitted for examination. This includes an emerging policy QD6.5 for building height, which states that proposals for taller buildings (over eight to ten-storeys in this area) should clearly demonstrate features including exceptional design quality, clear townscape rationale for height, positive relationships with heritage assets, appropriate residential amenity and significant public and sustainability benefits.

The scheme has now been revised since the 2018 approval. The revised scheme maintains maximum external heights but has amended the block depths, architectural approach and materiality, and now proposes 230 residential build-to-rent tenure dwellings with residential amenity areas, 4,859 sqm net lettable office floor space, revised access arrangements and layout. Watford officers sought the panel's views, in particular, on:

- success of the new façade approach in defining the height and massing;
- quality of the proposed design detailing and materiality;
- impact on townscape and conservation setting;
- quality of the residential accommodation;
- success in delivering public benefit in terms of sustainability and biodiversity.



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## 4. Place Shaping Panel's views

While the panel feels the architecture for the scheme is well resolved and the treatment of the elevations, differentiating between the commercial and residential accommodation, is commendable, it raises significant concerns about the quality of residential accommodation proposed in the scheme. The building's form, including height and massing, has the potential to create an externally well-designed building that sits within the parameters of the existing planning permission, and the architecture is well-developed and of a high quality. However, the panel finds the internal layout problematic. As a result of the same floor depth found in both commercial and residential accommodation, a very high proportion of units will be single aspect, and a significant proportion also north-facing. Coupled with this, the panel also finds the quantum of units off each corridor and the quality of corridor spaces, including their narrowness and lack of light, concerning. The St Johns Road streetscape, fronted by blank walls and vents from the basement car park, is unlikely to provide a pleasant pedestrian experience. While the panel welcomes the cycle storage provision, it suggests it could compromise play space and that a better ground floor experience could be delivered with access from St Johns Road. The panel feels the roofscape strategy has not been fully considered, and that this presents a key opportunity for the scheme to deliver further amenity space, biodiversity net gain, and support for the overall sustainability strategy. The presentation to the panel lacked any information on a sustainability strategy. While this work may have been developed, in the absence of information the panel is unable to provide its comments on what is a crucial aspect of the scheme. It is important that a robust response to the climate emergency is evidenced as a key part of the proposals, and an explanation provided of the way the approach to sustainability has informed the design approach. These comments are expanded below.

### *Building form and materiality*

- The panel finds the building form, including its height and massing, to be well resolved and considers that complies with the parameters set out by the existing permission.
- While some panel members question the rationale for the introduction of concrete and to what extent it fits the character of the location, others feel the materials, especially the combination of brick and concrete, work well together as part of the mixed-use scheme and sit comfortably within the Clarendon Road streetscape, which is already home to a diverse range of materials.

### *Residential accommodation*

- The panel is concerned by the very high percentage of single aspect residential units in the scheme. It questions the quality of accommodation that these units will provide, and in particular the north-facing single aspect units.



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- The panel encourages the design team to revisit the residential floor plans and to improve the overall quality of accommodation, reducing the number of single aspect units, and especially of north-facing single aspect apartments.
- The panel also considers the quality of residential accommodation is compromised by the large number of residential units off each corridor, by the narrowness of these corridors and by their lack of natural light. As key communal spaces, the quality of this area needs to improve to help foster a better sense of community for residents.

### *St Johns Road*

- The panel feels that the building's frontage on St Johns Road contributes little to the quality of the streetscape. The previous iteration of the designs provided a more sensitive response that helped to create a transition from the neighbouring Estcourt Conservation Area to the Clarendon Road employment area. The treatment of this frontage as the back of the scheme creates an unfriendly pedestrian environment dominated by blank walls and vents for the basement car park. The panel asks that more is done to animate the building on St Johns Road.
- The panel suggests that the proposed terrace planting on St Johns Road provides limited benefit, and that more could be achieved with tree planting at grade on this frontage.
- The panel also suggests that the landscaped area outside the basement car park entrance has no purpose and could feel unsafe. It asks for further work to design this space so it does not become unwanted and unused.

### *Ground floor*

- As part of the work to enhance the frontage along St Johns Road, the panel suggests that the design team explores an alternative access point to the cycle storage area. The current journey through the resident's park could compromise the use of the space as doorstep play for young families.
- The panel also feels an alternative entrance and access point for cycles, from St Johns Road would improve privacy for the ground floor units.
- The panel also encourages the design team to ensure the current character of the Clarendon Road frontage, which includes mature trees, is preserved. Sufficient space should be provided on the pavement to ensure these can be replaced with trees of an equal quality.

### *Roofscape*

- The panel encourages the design team to give further thought and development to the scheme's roofscape strategy. The panel feels there is an opportunity to provide a further amenity space on the roof of the lower block.





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The extent of commercial office space also suggests that further plant will need to be accommodated on the roof, and this should be considered as part of the roof design.

- Opportunities should also be explored to make use of roof space as part of the scheme's wider sustainability strategy, to help deliver biodiversity net gain.

### *Sustainability*

- Further explanation is needed to demonstrate how the scheme's design has been driven by sustainability principles. No evidence was presented to the panel of any sustainability thinking, but it is essential that the development takes an ambitious approach by setting high sustainability standards.
- While this work may have been carried out, the panel is not able to offer an opinion on the proposed strategy in the absence of information. It is therefore important that the applicant demonstrates how the scheme is responding to the climate emergency, and engages in dialogue with officers to show how it will deliver significant sustainability benefits in order to meet the requirements of Watford's emerging tall buildings policy.
- The panel considers the proposed overall reduction in CO<sub>2</sub> emissions of 25 per cent beyond Building Regulation requirements is not sufficient for a development of this scale.
- Through further planting, the panel would also like to see a biodiversity net gain of 10 per cent across the scheme.

### *Next Steps*

- The panel is available to review the scheme again in the future, once the design team has had the opportunity to respond to its comments.



**Watford Place Shaping Panel**

**Report of Chair's Review Meeting: 50 Clarendon Road**

Tuesday 1 March 2022

Video conference

**Panel**

Peter Bishop (chair)

Nicola Rutt

**Attendees**

Chris Osgathorp	Watford Borough Council
Alice Reade	Watford Borough Council
Colleen Scales	Watford Borough Council
Tom Bolton	Frame Projects
Reema Kaur	Frame Projects
Miranda Kimball	Frame Projects

**Observers**

Cllr Peter Jeffree	Watford Borough Council
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**Apologies / report copied to**

Louise Barrett	Watford Borough Council
Paul Baxter	Watford Borough Council
Sian Finney-MacDonald	Watford Borough Council
Stephen Johnson	Watford Borough Council
Ben Martin	Watford Borough Council

**Confidentiality**

This is a pre-application review, and therefore confidential. As a public organisation Watford Borough Council is subject to the Freedom of Information Act (FOI), and in the case of an FOI request may be obliged to release project information submitted for review.

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## 1. Project name and site address

48 - 52 Clarendon Road, Watford, Hertfordshire WD17 1TX

## 2. Presenting team

Rachel Korbely	Corstorphine & Wright
Tony Mead	Corstorphine & Wright
Simon Murray-Twinn	Skybridge Property
Steven Parker	Skybridge Property
Peter Jeffery	Sphere25
Mark Sleigh	Sphere25
Ali Baker	Vedose Limited
Geraint Harris	Vitec Webber Lenihan

## 3. Planning authority briefing

The site (0.56 hectares) is located at the corner of the junction of Clarendon Road and St Johns Road, and currently contains four to five-storey office buildings. The area includes some emerging mixed-use developments, with residential set back from the main frontage. The site backs onto the Estcourt Conservation Area to the east, characterised by two-storey Victorian terraces.

The site has planning permission to provide a mixed-use scheme including 100 residential units, circa 5,945 sqm Grade A office floorspace. Since the 2018 grant of planning permission, the Final Draft Watford Local Plan has been submitted for examination. This includes an emerging policy QD6.5 for building height, which states that proposals for taller buildings (over eight to ten-storeys in this area) should clearly demonstrate features including exceptional design quality, clear townscape rationale for height, positive relationships with heritage assets, appropriate residential amenity and significant public and sustainability benefits.

An alternative scheme to that approved is now proposed, which seeks to include 230 build-to-rent dwellings and 4,859sqm net lettable office space. These proposals were reviewed by the panel on 14 December 2021, and revisions have been made in response to their comments. The revised submission includes some amendments to the internal layouts and St. Johns Road frontage. Watford officers asked for the panel's views on the success of these revisions: in particular, whether the extra height is justified, and whether its benefits can be demonstrated; on the quality of the proposed units, including north-facing, single aspect apartments; on the approach to the public realm; and on the arrangement of rooftop uses.



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## 4. Place Shaping Panel's views

### *Summary*

The panel notes improvements made to the proposed development since the last design review, but remains concerned that the quality of accommodation will be poor, exacerbated by a lack of amenity space for residents. While the panel does not oppose the height of the development in principle, it does not feel the outstanding architectural qualities or public benefit that are required to justify it have been demonstrated. The building's massing could be improved by reducing the height of the shoulder element by three storeys, in response to the additional height on the tallest element. The high proportion of north-facing, single aspect units is of concern, and will result in poor quality accommodation. Internal corridors are narrow, and the eastern ground floor corridor long, dark and overloaded. Front doors should be considered for these units. The panel considers the lack of private amenity space for residents to be a problem, and asks that the strategy of avoiding balcony and roof terrace space is revisited. It also questions the quality of external communal and private space, and asks that more evidence is presented to demonstrate how it will be used and that it will not be significantly overshadowed. The panel feels that the courtyard space is insufficient for the number of residents who will use it. No proposals have yet been made to provide affordable housing, which will form a significant element of any public benefit the development can provide to help justify its height. The sustainability ambitions set out are welcome, but more information is needed on how these will be delivered. These comments are expanded below.

### *Architecture, height and massing*

- The panel does not consider that the addition of three floors to the building is unacceptable in principle. However, Watford's emerging Tall Buildings Policy will require the building's height to be justified both by outstanding design quality and by outstanding public benefit.
- The panel considers the architectural resolution of the building to be of a good quality, with the potential to create an elegant building that works well within its setting. However, it does not yet feel that the proposed design quality is outstanding, and therefore can justify the building's height.
- It is also concerned that the proposed height is driven by cost rather than design considerations. The massing of the development could be improved if the height of the shoulder element were reduced by three storeys in response to the increased height of the tallest element, also reducing the number of units in the building.
- No proposals have been made for the provision of affordable housing as part of the development. This will form a significant element in any public benefit the scheme can offer to help justify the proposed height.



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## *Internal layout*

- The introduction of duplex apartments, and the reduction in long internal corridors are both welcome improvements to the scheme. The panel also considers the improved access to the cycle stores to be a beneficial addition.
- However, it continues to have significant concerns about the quality of accommodation the scheme will provide, and does not feel that the level of public benefit provided is outstanding, or that it justifies its height.
- While the proportion of north-facing, single aspect units has been reduced since the previous review, it remains very high, accounting for more than half of the total. This is likely to result in a significant number of poor quality apartments which will not be provide pleasant places to live.
- The panel also notes that the ground floor corridor on the east side of the building remains long, lacks daylight and serves multiple units. It suggests that these apartments would benefit from external front doors, to alleviate the pressure on this corridor and provide more pleasant access.
- The panel also considers the corridors throughout the building to be too narrow. It asks that their width is increased to 1.5m as an absolute minimum to provide higher quality internal spaces.

## *Amenity space*

- The panel is not convinced that the proposed courtyard amenity space is large enough to serve the residents of the building's 230 apartments. More detailed drawings of the space are needed, and a functional analysis should be produced is needed to provide details of the way the space will be used, and who it is designed to cater for.
- The panel also lacks the information it needs to judge whether the external amenity space will be of a sufficient quality to be beneficial to residents. It is essential that sunlight and daylight analysis is presented to demonstrate the effects of overshadowing on the courtyard. Both winter and summer equinoxes should be analysed, to provide information on the quality of the space all year round.
- The limited private amenity space that is provided, for ground floor units only, is narrow and will also potentially be overshadowed. The panel questions whether this space will be of an appropriate quality.
- The panel is unconvinced by the arguments presented to justify the overall lack of private amenity space in the development. It considers that these are driven by cost concerns, rather by consideration of benefit to residents. It would like to see balconies and roof terraces included to provide private amenity space beyond the ground floor. This would significantly improve the quality of accommodation provided, particularly in north-facing units.



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## *Sustainability*

- The panel is pleased to see the progress made in developing a sustainability strategy since the previous review, and welcomes the ambitious targets that have been set. However, more information is needed to provide assurances that these ambitions will be delivered. Detail of the sustainability approach should be developed further in conversation with Watford officers.

## *Next steps*

The panel is available to review the scheme again, if required, when the design team has been able to respond to its comments.



<b>Committee date</b>	Tuesday 6 September 2022
<b>Application reference</b> <b>Site address</b>	22/00442/FUL – 18 Garston Drive Watford WD25 9LB
<b>Proposal</b>	Erection of 6 terraced, 4-bedrooms energy-efficient dwellings with associated gardens and parking spaces in what is currently the rear garden of 18, 18B, 20 and 22 Garston Drive.
<b>Applicant</b>	Living Space Homes
<b>Agent</b>	Zed-Power
<b>Type of application</b>	Full planning application
<b>Reason for committee item</b>	5 or more objections submitted
<b>Target decision date</b>	7 September 2022
<b>Statutory publicity</b>	Neighbouring properties consulted 5 <sup>th</sup> April 2022
<b>Case officer</b>	Chris Osgathorp <a href="mailto:chris.osgathorp@watford.gov.uk">chris.osgathorp@watford.gov.uk</a>
<b>Ward</b>	Stanborough

## 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 application site is located to the rear of Nos. 18 to 22 Garston Drive and was historically part of the gardens associated with the properties on Garston Drive. To the east the site adjoins No. 5 Wheatley Drive, which forms part of an infill development of dwellings to the rear of Nos. 10 to 14 Garston Drive that was granted planning permission in 2001. To the rear (north) is a public footpath, and the rear gardens of properties in Crown Rise are further beyond.
- 2.2 The surroundings are residential, predominantly characterised by mid twentieth century semi-detached and detached dwellings with generous gardens. Infill development has occurred in the area with new cul-de-sacs to both sides of Garston Drive. The spacing of the houses and the soft landscaping that is visible in the street scene provides a suburban feel to the area.
- 2.3 Garston Park shopping parade is approximately 400 metres to the east on St Albans Road, which provides local shops and services. There are also nearby bus stops on St Albans Road.
- 2.4 The site is not located in a designated conservation area or other Article 2(3) land. The site contains no protected trees and parking is not subject to controls.

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

#### **3.1 Proposal**

3.2 Erection of 6 terraced, 4-bedroom energy-efficient dwellings with associated gardens and parking spaces.

#### **3.3 Conclusion**

3.4 The proposal follows previous planning permissions at the site for residential development and is acceptable in principle. Whilst the properties in the vicinity are generally semi-detached or detached, the proposed terrace would be commensurate with the general height and scale of buildings in the area. Furthermore, the terraced built form would make efficient use of the land, which is supported by local and national planning policy, and provides energy efficiency benefits due to fewer external walls.

3.5 The building would sit comfortably on the site and would maintain adequate spacing to the site boundaries. The outdoor space provides opportunities for appropriate planting and ecological enhancements and would therefore be sympathetic to the local environment. On-site parking spaces would be at a discreet level to ensure that it would not dominate the public realm and would meet the Council's objectives to encourage the use of sustainable modes of transport.

3.6 The architectural style of development in the area is varied and it is considered that the contemporary design and materials of the proposal would provide an acceptable appearance. Due regard should be given to national planning policy which is clear that planning decisions should not prevent or discourage appropriate innovation or change. It is also noted that the scheme would not appear prominent in the street scene due to its back land location set to the rear of properties in Garston Drive and Crown Rise.

3.7 The proposed dwelling would provide a high standard of amenity for future occupiers – meeting internal room size standards and providing good levels of light and outlook to habitable rooms – and would not cause significant harm to the living conditions of the occupiers of neighbouring properties.

3.8 It is therefore concluded that the proposed development accords with the development plan as a whole and so it is recommended for approval, subject to conditions.

### **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.

4.2 Paragraph 11 d) of the National Planning Policy Framework (the Framework) establishes the ‘presumption in favour of sustainable development’ and the principles of the ‘tilted balance’ that apply where a local planning authority cannot demonstrate a 5 years housing supply or have failed to deliver at least 75% of their housing requirement as part of the Housing Delivery Test. Where the tilted balance applies, decision makers should grant permission unless Framework policies on protected areas or assets of particular importance provide a clear reason for refusing development or, and adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, assessed against the Framework policies taken as a whole. The tilted balance has the effect of shifting the weight in the planning balance away from local policies and towards the Framework.

4.3 The Council scored 48% in the most recent Housing Delivery Test results and therefore the ‘tilted balance’ applies to the determination of this planning application.

## 5. Relevant site history/background information

5.1 17/01709/FUL – Development of site to provide 4 no 3 bedroom dwelling houses. Conditional planning permission. February 2018.

5.2 20/01453/FUL – Development to the rear of 18-22 Garston Drive to provide 5 no. 4 bed houses. Conditional planning permission. February 2021.

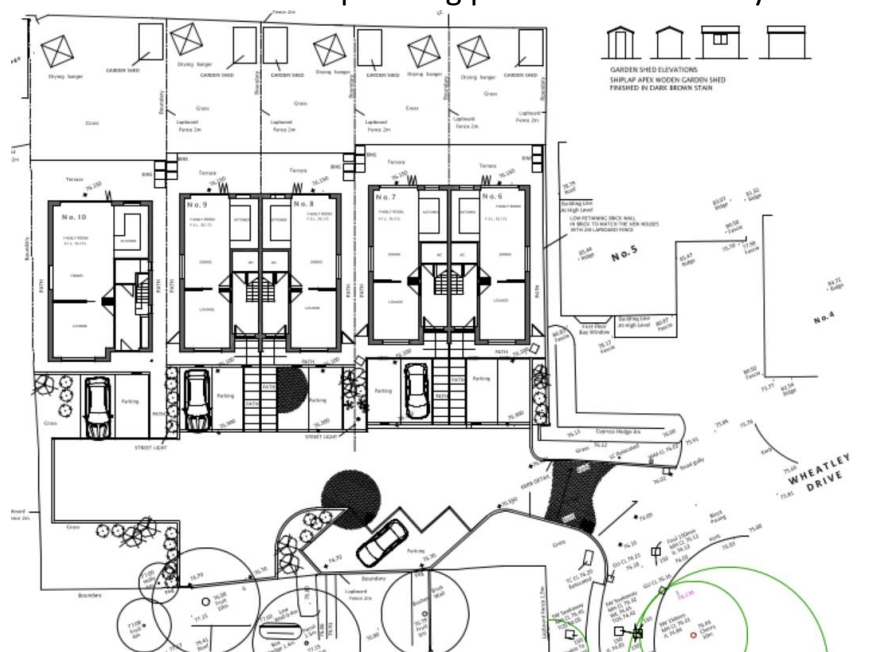


Figure 1. Approved site plan Ref. 20/01453/FUL.

5.3 21/01872/FUL – Erection of a terrace of 6 4-bedrooms, energy-efficient dwellings with associated gardens and parking spaces on site to rear of 18, 18B, 20 and 22 Garston Drive. Withdrawn.

## **6. Main considerations**

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

(a) Principle of residential development

(b) The effect of the proposal on the character and appearance of the area

(c) The effect on the living conditions of neighbouring properties

(d) Whether an acceptable standard of amenity for future occupiers would be provided

(e) Access, parking and highway matters

(f) Bin storage

(g) Biodiversity

6.2 (a) Principle of residential development

The Core Strategy and Framework support the sustainable development of new homes in principle. Although the Final Draft Watford Local Plan does not yet have the full weight of adopted policy, it is noted that this also seeks more efficient use of land for new homes. The proposed development of new dwellings in a residential area therefore accords with the principles of local and national policy for new homes. It is also noted that there are previous planning permissions for residential development at the site.

6.3 ‘Saved’ Policy H9 of the District Plan states that back garden development will only be granted where there is a proper and safe means of access and the development is appropriate in design and quality. Paragraph 5.31 of the supporting text states that ‘In assessing such proposals particular regard will be given to means of access, design and layout, development density, integration with the character of the local area, security, traffic generation and general effects on nearby residential amenities’. As discussed in the relevant sections of the report, the proposed development is considered to accord with the policy objectives for back land development and so is considered to be acceptable in principle.

6.4 (b) Character and appearance

The proposed terrace would follow the general building line set by neighbouring properties in Wheatley Drive and therefore would sit

comfortably with the pattern of development in the area. The terrace would maintain adequate gaps to the site boundaries, and there would be a large space to the front, which would provide parking spaces and areas of soft landscaping, including new tree planting. The applicant submitted a revised landscape strategy to respond to comments from the Arboricultural Officer, and it is considered that the layout and landscaping provision would respect the suburban character of the area. A planning condition could be imposed to require the submission of a detailed landscaping scheme, including tree planting, for approval.

- 6.5 Whilst the properties in the vicinity of the site are generally semi-detached or detached, the proposed terrace would be commensurate with the height and scale of properties in the area. Furthermore, the terraced form would make efficient use of the land, which is supported by Strategic Policy SS1.1 of the Final Draft Watford Local Plan and paragraph 124 of the Framework. Moreover, paragraph 130 of the Framework states that planning decisions should not prevent appropriate change (such as increased densities). The terraced form also provides benefits in terms of providing greater thermal efficiency for the houses due to fewer external walls.
- 6.6 Regarding the architectural approach, the design and materials of the proposed terrace would provide a contemporary appearance. Officers sought the use of brick on the external elevations rather than render because it was felt that this would provide a higher quality appearance. Nevertheless, the applicant has explained in the Design & Access Statement that a rendered finish is required to reduce the embodied carbon emissions of the proposed development – a brick wall would require an additional foundation and therefore increase embodied carbon of the development. It is also noted that a large proportion of properties in the vicinity are finished in render or part render. Furthermore, it is acknowledged that render would be more easily maintained on individual dwellings than larger flatted development and so it would be more appropriate in this case.
- 6.7 Whilst the roof form and use of zinc cladding would diverge from the neighbouring roofs, paragraph 130 of the Framework highlights that planning decisions should not prevent or discourage appropriate innovation or change. The proposal would not appear prominent in the street scene due to its back land location set to the rear of properties in Garston Drive and Crown Rise. Furthermore, the architectural design of development in the area is varied and it is considered that the contemporary approach would provide an acceptable appearance. The proposed solar panels would be on the front elevation as this provides the required south-facing orientation. The solar

panels would be integrated, i.e. they would be embedded into a section of roof without tiles, which ensures that they would appear discreet.

6.8 Having regard to the above factors, it is considered that the proposal would maintain the character and appearance of the surrounding area.

6.9 (c) Living conditions of neighbouring properties

The proposed development would not cause a significant loss of daylight, sunlight or outlook to neighbouring properties due to the sizeable distances that would be maintained to the existing habitable windows and main outdoor amenity areas.

6.10 The nearest upper floor front window of the westernmost proposed dwelling would be around 24 metres from the rear elevation of No. 75 Garston Crescent. Whilst this would be slightly less than the 27.5 metres privacy arc referred to paragraph 7.3.16 (b) of the Watford Residential Design Guide (the RDG), the oblique position of the proposed front window in relation to the rear elevation of No. 75 would ensure that it would not cause a significant level of overlooking. This relationship is similar to that which was found to be acceptable under planning permission Ref. 20/01453/FUL.

6.11 Furthermore, it should be noted that the 27.5 metre privacy arc guidance relates to the distance between the rear elevation of a proposed development and neighbouring properties, rather than the front elevation. Paragraph 7.3.16(a) of the RDG states that the separation distance between front elevations will be determined by the street layout and the size of front gardens. In this case, it is considered that the windows in the front elevation of the terrace would be of a distance and position that would not cause significant overlooking into neighbouring windows and main outdoor amenity areas, and would therefore protect the privacy of the occupiers of neighbouring properties.

6.12 The 11 metre boundary guide set out in paragraph 7.3.16(b) of the RDG recommends that a minimum distance of 11 metres should be provided between rear habitable windows and property boundaries in order to minimise overlooking of private gardens. Whilst the rear habitable windows of the proposed terrace would be within 11 metres of the rear boundary, there is a public footpath which separates the site from the gardens in Crown Rise. The rear windows would be at least 11 metres from the rear boundaries of properties in Crown Rise and so the proposal would not cause an unacceptable level of overlooking into the neighbouring gardens.

- 6.13 The rear habitable windows would maintain distances of at least 27.5 metres from the properties in Crown Rise and therefore the proposal would not cause a significant loss of privacy to the neighbouring occupiers.
- 6.14 The original drawings showed the provision of first floor side-facing bedroom windows for the end-of-terrace dwellings. Due to concerns about overlooking of neighbouring gardens, the internal layout has been re-configured to ensure that the upper floor side windows would only serve non-habitable rooms. In order to protect the privacy of neighbouring occupiers, a planning condition should be imposed to require the windows to be obscurely glazed and non-openable below 1.7m.
- 6.15 For the above reasons, the proposed development would have no adverse effect on the living conditions of the occupiers of neighbouring properties.

6.16 (d) Standard of amenity for future occupiers

Each of the proposed dwellings would exceed the minimum gross internal floor area of 103sqm for 4-bed (5-person) 3 storey dwellings, as set out in the Technical Housing Standards – Nationally Described Space Standard.

Furthermore, the single and double bedrooms would meet the respective minimum sizes of 7.5sqm and 11.5sqm, and the storage provision would exceed the minimum requirement of 3sqm. The habitable rooms would benefit from good levels of natural lighting and outlook.

- 6.17 The proposed private gardens would range in size between 52 to 58sqm, which would be below the guidance minimum garden area of 80sqm outlined in paragraph 7.3.22 of the RDG. Nevertheless, the gardens would exceed with the garden provision of 25-40sqm set out in the Final Draft Watford Local Plan and so it is considered that they would provide a functional and useable outdoor space for future occupiers.

- 6.18 The proposal would therefore provide acceptable living conditions for future occupiers.

6.19 (e) Access, parking and highway matters

The Highway Authority has raised no objection to the proposal on highway safety grounds. It is noted that the proposed access is not materially different to that which was approved as part of planning permission Ref. 20/01453/FUL and is therefore considered to be acceptable. The Highway Authority also states that there would be sufficient accessibility for emergency vehicles. There would not be a significant impact on the local highway network given the modest amount of development.

- 6.20 The proposed parking provision consists of 1 space per dwelling (6 spaces) plus 3 visitor spaces, which accords with the Maximum Parking Standard of 3 spaces per dwelling in Appendix 2 of the Watford District Plan 2000. Weight is also given to the parking standards in Appendix E of the Final Draft Watford Local Plan, which sets out a maximum parking standard of 1 space per dwelling. This is more restrictive than the standards in the WDP2000 as supporting paragraph 11.40 highlights that controlling car parking and providing alternatives to personal vehicle ownership have been found to be some of the most effective methods for managing demand and thus addressing issues such as the perception of a car-dominated environment, congestion, unreliable journey times, diminished air quality and higher carbon emissions amongst others.
- 6.21 Most properties in the vicinity of the application site have on-site parking and it is not considered that the proposal would lead to significant overspill parking in surroundings roads that would result in significant harm to highway safety.
- 6.22 The Highway Authority comment that there is not a gap of 6 metres behind some of the parking spaces to allow for easy manoeuvring. It is noted that the corners of the 3no. visitor spaces are within 6 metres of the 3no. easternmost spaces to the front of the terrace. Nevertheless, because the visitor spaces are angled it is considered that all of the spaces would be accessible.
- 6.23 The 6no. parking spaces to the front of the terrace would be served by electric vehicle charging points, in accordance with emerging Policy ST11.5 of the Final Draft Watford Local Plan.
- 6.24 Storage provision of 3 cycles for each dwelling would be provided in the rear gardens, which would be accessed from the public footpath than runs to the rear of the site.
- 6.25 (f) Bin storage
- The proposed bin storage provision would be provided to the proposed dwellings on an individual basis rather than communal. The Waste & Recycling team has confirmed that this arrangement is acceptable. The bins would be easily accessible and appropriately located. Details of the design of the bin storage facilities could be secured through a planning condition.
- 6.26 (g) Biodiversity
- The application site is currently of little ecological value because the trees and vegetation that previously existed have been cleared. None of the trees were protected by a tree preservation order and the removal of all the trees was

agreed as part of the previous planning permissions at the site (landscaping conditions were imposed). There is no evidence of any protected or priority species at the site.

- 6.27 The application includes areas of soft landscaping and new tree planting around the site boundaries and within the site. The soft landscaping provision was supplemented following comments from the Arboricultural Officer. A planning condition should be imposed to require the submission of a detailed landscaping scheme, which shall include a scheme of ecological enhancements.

## 7. Consultation responses received

### 7.1 Internal Consultees

Consultee	Comment Summary	Officer response
Highway Authority	No objection	Noted.
Arboricultural Officer	<p>Initial response:  <i>“The landscape scheme does not include sufficient compensation for the trees that have been removed to facilitate the development.</i></p> <p><i>A revised landscape plan is requested to include new tree planting along the south boundary and include alternative tree planting in the rear gardens to afford the site with future amenity value”.</i></p> <p>Following the submission of a revised plan to supplement the planting provision, the Arboricultural Officer confirmed that this is acceptable.</p>	Noted.
Waste & Recycling	The properties could have single bins per household or communal bins.	Noted.

## 7.2 Interested parties

Letters were sent to 20 properties in the surrounding area and 7 letters of objection have been received. The main comments are summarised below, the full letters are available to view online:

<b>Objection comment</b>	<b>Officer comments</b>
<p>The proposal takes no reference to the surrounding area in design, style or materials.</p> <p>There are no terraced homes in the area, only well-spaced large semi-detached and detached properties.</p> <p>Overdevelopment and cramped – out of keeping with the spacious character of the area.</p> <p>The design of the proposed properties will create an eye sore from all directions. Concerns about roof form, zinc cladding and alignment of windows. Modern design not in keeping with traditional style of properties in the area.</p>	<p>This is considered in paragraphs 6.4 – 6.8 of the report.</p>
<p>The side bedroom windows to the end terraces are too close to the existing property boundaries (within 11m) and will look directly into existing gardens/homes ensuring loss of privacy in contravention of Section 7.3.16b of the RDG.</p> <p>Other windows include bathrooms/en-suites and would not meet the 2m guidance referenced in 7.3.16 c of the RDG.</p>	<p>This is considered in paragraph 6.14 of the report.</p>
<p>The upstairs windows of house 6 (and possibly house 5) will provide a view into the rear garden, upstairs windows and downstairs windows of No. 75 Garston Crescent. It represents a</p>	<p>This is considered in paragraphs 6.10 – 6.11 of the report.</p>



<p>significant loss of privacy to the house and rear garden.</p> <p>It appears that the front upstairs windows of house 6 is less than 25 metres from the left hand rear upstairs window of No. 75. The same windows of house 6 appear to be within an arc of 45 degrees from the window which is within the planning privacy arc.</p> <p>It is understood that the criteria applies to rear of houses and direct neighbours. Such a restricted approach to this criteria appears to be illogical and irrational. The impact on privacy from the front of house 6 upon the rear of No. 75 and garden is the same as it would be if it was the rear of house 6.</p>	
<p>Loss of privacy to properties in Crown Rise.</p>	<p>This is considered in paragraphs 6.12 – 6.13 of the report.</p>
<p>Loss of light and overshadowing. Loss of outlook.</p>	<p>This is considered in paragraph 6.9 of the report.</p>
<p>Bedrooms 2 on the end terraces are small with a floor area of 7.3m<sup>2</sup> which does not meet the RDG's minimum floor area for a single bedroom of 7.5m<sup>2</sup>.</p>	<p>The internal layout has been re-configured to ensure that the bedroom sizes meet the Technical Housing Standards – Nationally Described Space Standard.</p>
<p>There is an un-insulated area to 2<sup>nd</sup> floor office/storage area of the end terraces which will make the room cold and contribute loss of heat.</p>	<p>This is a matter for Building Regulations.</p>
<p>Servicing of the gardens via the Public Right of Way will cause obstruction to the Public Right of Way and potentially cause health &amp; safety issues.</p>	<p>The rear access is likely to be used infrequently and it is not considered that the proposal would cause obstruction.</p>
<p>Although some biodiversity has now been included, this is unrealistic as homeowners are unlikely to retain the trees making the scheme again lacking in biodiversity.</p>	<p>The amount of space for soft landscaping is considered to be acceptable. Furthermore, the proposed parking provision accords with the Council's parking standards.</p>

<p>The fact that to include the biodiversity you need to reduce the parking spaces and vice versa demonstrates too many homes are being built on this plot and one shouldn't be sacrificed for the other.</p>	<p>The proposal includes the provision of new trees and a planning condition should be imposed to require a detailed landscaping scheme, including a scheme of ecological enhancements. Any tree that is diseased or removed within 5 years would need to be replaced.</p> <p>The Arboricultural Officer has raised no objection to the submitted landscape strategy.</p>
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**8. Recommendation**

That planning permission be granted subject to the following conditions:

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. Approved Drawings and Documents

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

378\_P\_400 Rev E; 378\_P\_401 Rev G; 378\_P\_402 Rev B; 378\_P\_410;  
378\_4\_401 Rev D; 378\_4\_402 Rev B; 378\_4\_403 Rev B; 378\_4\_404;

378\_4\_405 Rev A; 378\_4\_406 Rev A; 378\_4\_407; 378\_4\_408;

378\_4\_409 Rev B; 378\_4\_410 Rev B; 378\_4\_411 Rev B.

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

3. Materials

No development shall commence until details and samples of the materials to be used for all the external finishes of the development hereby approved, including all external walls, all roofs, doors, windows, fascias, rainwater and foul drainage goods, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and samples.

Reason: To ensure that the proposed development applies high quality materials that makes a positive contribution to the character and appearance of the area. This is a pre-commencement condition to ensure that high quality materials are used and avoid any potentially abortive works.

4. Hard and Soft Landscaping

Prior to the first occupation of the development hereby approved, full details of both hard and soft landscaping works, including:

- trees and soft landscaping to be planted (including location, species, density and planting size),
- a scheme of ecological enhancements,
- details of any changes to ground levels around the building,
- materials for all pathways, all hard surfacing and amenity areas/paving, and,
- boundary treatments,

shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme, with the exception of the planting, shall be completed prior to any occupation of the development. The proposed planting shall be completed not later than the first available planting and seeding season after completion of the development. Any new trees or plants which within a period of five years, 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 to ensure that enhancements to biodiversity are provided in accordance with paragraphs 8c), 174d) and 180d) of the Framework and emerging Policy NE9.1 of the Final Draft Watford Local Plan.

5. Parking and Manoeuvring Area

Prior to the first occupation of the development hereby approved, surface water drainage details (including details of the construction of the hard surface and disposal of surface water) of the parking and manoeuvring area shall be submitted to and approved in writing by the Local Planning Authority. The parking and manoeuvring area shall be laid out in accordance with the drawings approved under Condition 2 and constructed in accordance with the approved drainage details prior to the first occupation of the development. The parking and manoeuvring area shall be retained at all times thereafter.

Reason: To ensure that adequate parking and manoeuvring space is provided and to ensure that surface water is drained within the site so as to minimise flood risk elsewhere.

6. Vehicular access

Prior to the first occupation of the development hereby approved, the new vehicular access shall be laid out and constructed in accordance with the details shown on drawing No. 378\_P\_401 Rev G. The vehicular access shall be retained at all times thereafter.

Reason: To ensure that safe access into the site is provided.

7. Bin and cycle stores

Prior to the first occupation of the development hereby approved, full details of refuse and recycling storage facilities and secure and weatherproof cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the storage facilities have been installed in accordance with the approved details. These facilities shall be retained as approved at all times thereafter.

Reason: In the interests of the visual appearance of the site and to ensure that adequate facilities for residents of the proposed development are provided. The cycle storage facilities are necessary to promote the use of sustainable modes of transport.

8. Obscure glazing

The upper floor windows in the north-western and south-eastern side elevations of the development hereby approved shall be (i) obscure-glazed, and (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Reason: To protect the privacy of the occupiers of neighbouring properties.

9. Electric vehicle charging

Prior to the first occupation of the development hereby approved, 6no. active electric vehicle charging points shall be provided in accordance with the approved drawings. The electric charging infrastructure shall be retained at all times thereafter.

Reason: To ensure that the proposed development achieves high levels of sustainability in accordance with Policies SD1 and SD3 of the Watford Local Plan Core Strategy 2006-31 and paragraph 112 of the National Planning Policy Framework.

10. Permitted development rights removed

Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any modification or re-enactment thereof), no enlargements of a dwellinghouse permitted under Classes A, AA or B or erection of buildings permitted under Class E or provision of hard surfaces permitted under Class F shall be carried out or constructed without the prior written permission of the Local Planning Authority.

Reason: The removal of permitted development rights under Classes A, AA, B and E is necessary due to the modest size of the plots and to ensure that any developments are carried out in a manner which will not be harmful to the character and appearance of the area, and will not prove detrimental to the amenities of neighbouring occupiers. The removal of permitted development rights for the laying out of additional hard surfaces is necessary in the interests of the visual appearance of the site and to restrict additional on-site parking that could undermine the Council's sustainable transport objectives.

11. External machinery

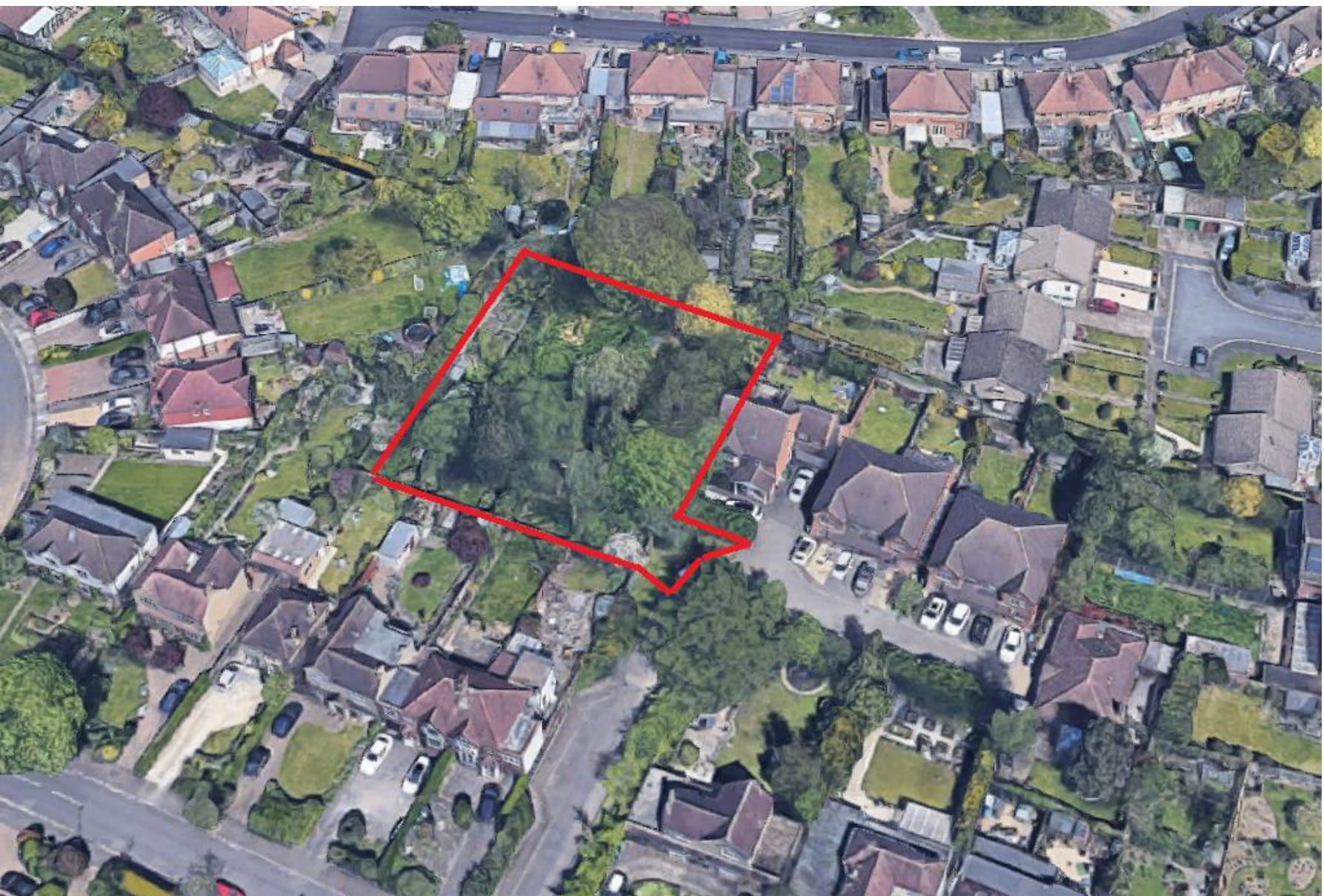
Prior to the installation of external air source heat pumps or other external machinery, details of the siting and specification of the equipment shall be submitted to and approved in writing by the Local Planning Authority. The air source heat pumps/machinery shall only be installed in accordance with the approved details.

Reason: To protect the living conditions of the occupiers of neighbouring properties.

## **Informatives**

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. IN915 – Highway Works – HCC agreement required.



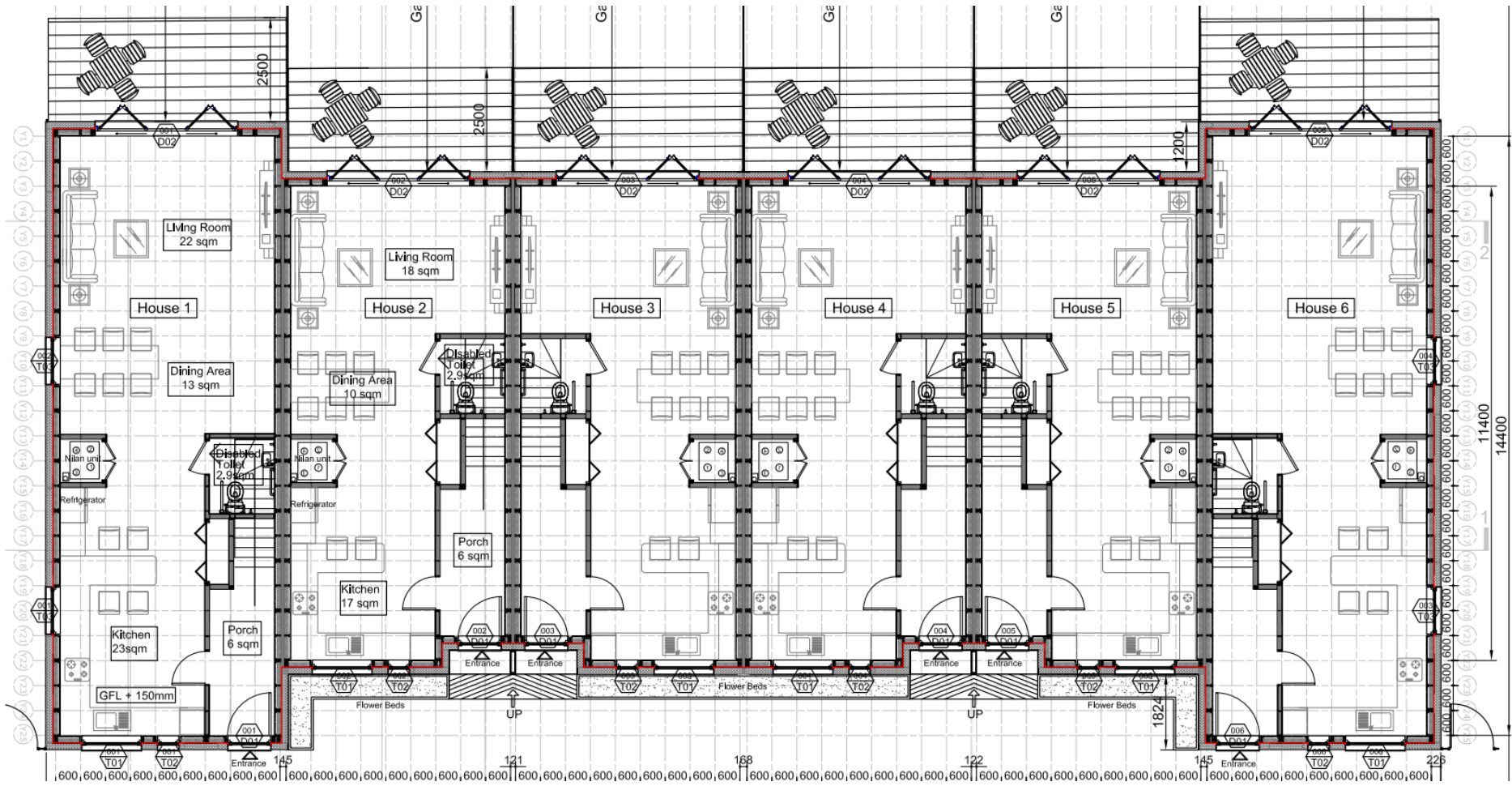




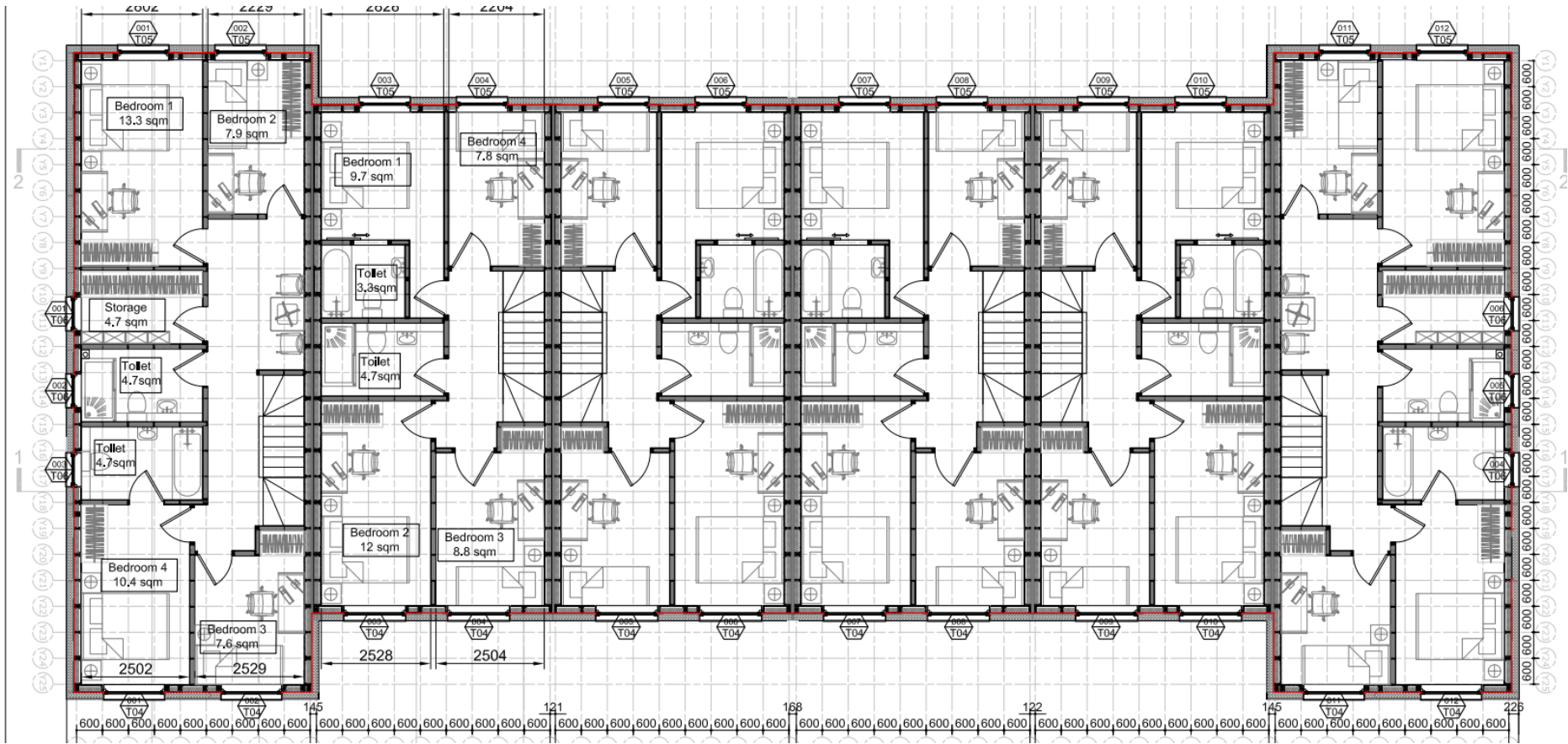


Below: Master Plan





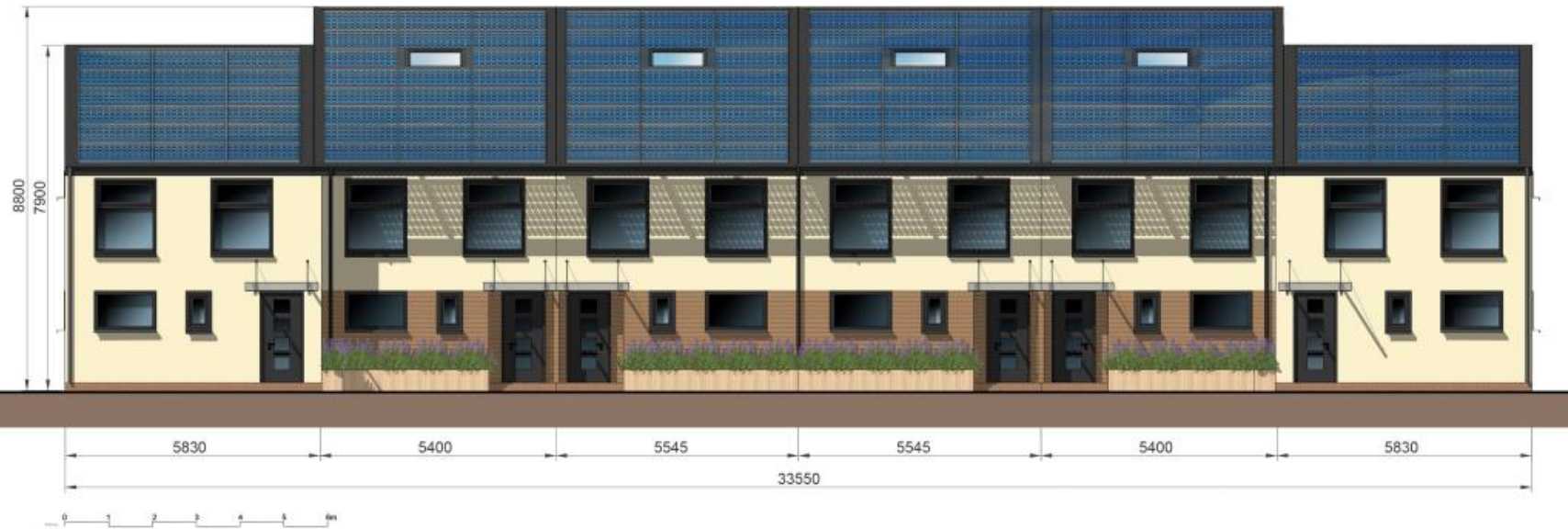
Proposed ground floor plan



Proposed first floor plan



Below: South Elevation



Below: North Elevation











## Agenda Item 6

<b>Committee date</b>	Tuesday, 6 September 2022
<b>Application reference</b> <b>Site address</b>	22/00727/VARM - 37-39 Clarendon Road, Watford
<b>Proposal</b>	Variation of Condition 1 (approved drawings), Condition 4 (external facade materials), Condition 19 (facade cleaning strategy), Conditions 20, 21 and 22 (ancillary commercial facilities) and Condition 24 (approved areas) of planning permission 21/00934/VARM, for a mixed use development comprising Class E office space, Class C3 residential units, together with Class E cafe/restaurant, ancillary gym, basement car/cycle parking, access, landscaped roof top amenity space and associated works, to incorporate two additional floors of office accommodation and various internal and external changes.
<b>Applicant</b>	Regal Clarendon Ltd
<b>Agent</b>	Regal Clarendon Ltd
<b>Type of Application</b>	Section 73, Major Application
<b>Reason for committee Item</b>	Major Development
<b>Target decision date</b>	09 September 2022
<b>Statutory publicity</b>	Site Notice and Public Advertisement
<b>Case officer</b>	Paul Baxter, paul.baxter@watford.gov.uk
<b>Ward</b>	Central

### 1. Recommendation

- 1.1 That planning permission be granted, subject to a Deed of Variation executed under s106 of the Town and Country Planning Act 1990 (as amended), 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, close to the junction with Beechen Grove. It is rectangular in shape and has an area of 0.40 hectare. It adjoins Jury's Inn to the south and has a rear boundary that adjoins Beechen Grove. The site has recently been cleared, with the two buildings previously on the site having been demolished, and construction works under planning permission ref. 21/00934/VARM have been commenced.
- 2.2 The site is located in the Town Centre SPA in the Core Strategy and within an allocated employment area (E7a) in the Watford District Plan 2000. There are

parking restrictions, including a Residential Controlled Parking Zone on the roads within the vicinity of the site. The site is not located within a conservation area and there are no listed or locally listed buildings within, or adjoining, the site.

### **3. Summary of the Proposal**

#### **3.1 Proposal**

3.2 To vary Condition 1 (approved drawings), Condition 4 (external facade materials), Condition 19 (facade cleaning strategy), Conditions 20, 21 and 22 (ancillary commercial facilities) and Condition 24 (approved areas) of planning permission 21/00934/VARM.

3.3 The main change to the approved drawings (Condition 1) is the increase in office floorspace proposed through the addition of 2 additional floors to the office building fronting Clarendon Road, increasing the number of floors from 10 to 12 and the overall gross internal floorspace from 13,688sqm to 16,122sqm. Various internal changes are also proposed to the configuration of the office floorspace (including ancillary floorspace) and café area at ground and first floor levels. Changes are also proposed externally, principally in relation to the size and siting of plant areas at roof level.

3.4 The proposed external façade materials are now submitted for approved (Condition 4) together with a revised cleaning strategy (Condition 19) which no longer proposes a monorail and cradle system. The variation of Conditions 20, 21, 22 and 24 are to reflect the new floor areas and the new locations of the ancillary commercial units.

#### **3.5 Planning Balance and Conclusion**

3.6 The proposed increase in office floorspace is welcomed in this prime office location and will provide additional employment opportunities in the town. The increased scale of the office building fronting Clarendon Road is appropriate and acceptable in this location and the overall design and appearance remain unchanged. The proposed external materials have been chosen to reflect the character and appearance of the approved building as well as complying with current building and fire safety regulations in relation to tall buildings.

3.7 There would be some additional impacts to the daylight and outlook to the neighbouring apartments at Clarendon Lofts, Jury's Inn to the south of the site. A small number of these flats partially overlook the site and a limited number of rooms will experience some loss of daylight and reduced outlook. These

limited impacts are considered to be acceptable given the apartments are serviced apartments available for short-term lets and the high density, commercial location of the site.

- 3.8 The proposed increase in office floorspace in this prime office location is a significant planning benefit of the scheme which is fully in accordance with national and local policy. This can be given significant weight. Whilst there will be some harmful impacts to the adjoining serviced apartments, these are limited and are considered acceptable given the high density commercial location. This can be given moderate weight. Taking the above into account, the harmful impacts arising from the proposal are considered to be outweighed by the significant planning benefits and therefore it is recommended that the application should be approved.

#### **4. Relevant Policies**

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

#### **5. Relevant Planning History**

- 5.1 The application site has the following planning history:
- 5.2 17/00470/FULM – Proposed mixed use development comprising up to 11,180 sqm of Class B1(a) office space on 8 floors, 154 residential units on 23 floors, up to 496sqm of Class A3 café/restaurant space on the ground and 9th floors, 1st floor gym, basement car and cycle parking, access, landscaped rooftop amenity space and associated works. Conditional Planning Permission was granted on 1<sup>st</sup> May 2018, subject to a signed s.106 legal agreement. On 29<sup>th</sup> July 2020, a deed of variation to the Section 106 was approved at Committee. The deed of variation sought to fix the affordable housing contribution and remove the review mechanism.
- 5.3 18/00894/NONMAT - Section 96a application for design revisions including:
- Omission of one level of basement and increase in size of the remaining two upper level basement floors;
  - Reduction in car parking from 200 to 180 spaces;
  - Relocation of substation from basement to ground level;
  - Adjustment of floor to ceiling heights within both the office and residential floorspace;
  - Overall increase in building height by 1.6m (above the approved building parameters);

- Internal reconfiguration of mezzanine level and back of house plant/servicing areas; and
- Increase in ground floor reception area and relocation of café.

Approved on 3<sup>rd</sup> December 2018.

- 5.4 20/00600/NONMAT - Section 96a application for internal reconfiguration of the ground floor office entrance, increase in the level of ceiling height at mezzanine level and creation of 1,065sqm additional office space.

Approved on 16<sup>th</sup> June 2020.

- 5.5 21/00933/NONMAT – Section 96a application for the description of development. (Proposed mixed use development comprising Class E office space, Class C3 residential units together with Class E cafe/restaurant, ancillary gym, basement car and cycle parking, access, landscaped rooftop amenity space and associated works.)

Approved on 2<sup>nd</sup> July 2021.

- 5.6 These three subsequent Section 96a amendment applications are to be read alongside the original 2018 planning permission which collectively form the implemented set of planning approvals for the site.
- 5.7 Following the discharge of all pre-commencement conditions in April 2021, a Certificate of Lawfulness Application was granted on 7<sup>th</sup> April 2021 (ref: 21/00520/LDC) confirming the lawful implementation of planning permission 17/00470/FULM.
- 5.8 21/00934/VARM – Variation of Conditions 2, 21, 22 and 23 of planning permission 17/00470/FULM and 21/00933/NONMAT. Planning permission granted 27<sup>th</sup> September 2021.

## **6. Main Considerations**

- 6.1 This variation of condition application only considers matters where this proposal differs from the consented scheme under planning permission ref. 21/00934/VARM which has been commenced. The main issues to be considered in the determination of this application are:
- (a) Principle of additional office floorspace
  - (b) Changes to internal layouts
  - (c) Scale of the building
  - (d) Changes to elevations

- (e) Impact on adjoining properties
- (f) External materials
- (g) Cleaning strategy

6.2 (a) Principle of additional office floorspace

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. The Core Strategy sets out the requirement for the provision of at least 7000 new jobs by 2031 to meet strategic objectives and maintain Watford's role as a regional employment centre. In the Final Draft Local Plan, Clarendon Road is located within the Watford Gateway Strategic Development Area which forms part of the Core Development Area. The Watford gateway SDA is focussed on the transport hub of Watford Junction and the business district of Clarendon Road. As in the adopted Core Strategy, Clarendon Road is identified as the primary office location and the focal point for high value office uses. Policy CDA2.1 requires development proposals to ensure no net loss of employment floorspace.

- 6.3 In this policy context, there is no objection in principle to the additional high quality office floorspace proposed.

6.4 (b) Changes to internal layouts

The proposed changes relate principally to the ground and first floors. These are focussed on making the most efficient use of the floorspace for the office use whilst providing improved ancillary facilities for employees (gym, changing facilities, etc.). The proposed café use at ground/first floor levels is reduced in size through the removal of the first floor element which is changed to office use. The residential floorspace at these levels is unchanged.

6.5 (c) Scale of the building

The main change arising from the proposal is the increase in height of the office building fronting Clarendon Road from 10 to 12 storeys. As with the previously approved scheme, the top 3 storeys are recessed. The 10<sup>th</sup> and 11<sup>th</sup> storeys are recessed by 3m behind the front façade and the 12<sup>th</sup> storey, which includes the café/bar, is set back 9.75m to form a large open terrace.

- 6.6 The office buildings along Clarendon Road are generally of 4-6 storeys in height although in recent years taller buildings have been consented in recognition of optimising office floorspace in this prime location. At the northern end of Clarendon Road, the recently completed TJX headquarters building is 12 storeys high. At 53 Clarendon Road, a 10 storey building was consented in 2019, although this has not yet been implemented.

Within the existing and emerging context of Clarendon Road and having regard to its prime office location, the increase in the height and scale of the office building is considered appropriate and acceptable.

#### 6.7 (d) Changes to elevations

Only minor changes to the external elevations are proposed. These can be summarised as follows:

- Increase in building heights at ground floor, 6<sup>th</sup>, 21<sup>st</sup> and 24<sup>th</sup> floors to accommodate high level ceiling services, structure and roof build-up. These are minor and have negligible visual impact.
- Decrease in roof crown height to compensate for cumulative increased floor heights.
- Minor changes to office façade to improve natural daylighting.
- Juliette balcony glass balustrading to flats relocated to outside of the wall in accordance with original approved design.
- Green roof spaces reorganised, plant room and PV layout redesigned.
- Limited use of fibre cement cladding and aluminium rainscreen cladding to service areas.

6.8 All of these changes are very minor in the overall context of the scheme and will have no material impact on the appearance of the building.

#### 6.9 (d) Impact on adjoining properties

The two adjoining properties are the office building at 41-43 Clarendon Road to the north and Jury's Inn to the south. Opposite the site is the office building at 34 Clarendon Road. The additional 2 storeys of office accommodation will have no significant impact on the operation of the office buildings adjoining and opposite. Equally, the proposal will have no material impact on the operation of the hotel at Jury's Inn. The hotel does also include apartments on its upper two storeys, known as Clarendon Lofts. All of these are single aspect with the majority facing south-west overlooking Beechen Grove but a minority facing north-east, overlooking the site. However, research has shown that these apartments are serviced apartments that are available to rent on various hotel booking websites. It is clear that they are occupied in a similar way to hotel rooms, although can be for longer periods of weeks or months, and consequently can be considered as apart-hotel accommodation falling within Use Class C1 (hotels). The important factor is that they do not constitute primary residential accommodation within Use Class C3 but short-term temporary accommodation used by visitors to the town or likely those on short-term placements/contracts with employers who require more than a single hotel room.

- 6.10 A daylight and sunlight assessment has been submitted in respect of the apartments that overlook the site. This has been undertaken in accordance with the British Research Establishment's (BRE) guidelines 'Site layout planning for daylight and sunlight – a guide to good practice'. This concludes that a small number of rooms within the apartments will suffer a loss of daylight in excess of the guidelines suggested by the BRE. Whilst this is a material consideration, the guidance is not statutory guidance and needs to be considered within the context of a high density commercial location and the nature of the serviced apartments. As the guidelines are designed to apply to primary accommodation, they are not strictly applicable in this case.
- 6.11 In conclusion, having regard to the nature and use of the serviced apartments and the high density central location it is considered that the impact on daylight to a small number of rooms is not significant and therefore should only be given very limited weight in this case.
- 6.12 (e) External materials  
Condition 4 of planning permission 21/00934/VARM required details of the external materials to be submitted for approval. These have now been submitted as a schedule of materials. Samples have been viewed on-site. These materials comprise:
- Aluminium framing colour coated RAL 9006 (White aluminium)
  - Insulated spandrel panels colour coated RAL 7048 (Pearl mouse grey)
  - Folded aluminium cladding band colour coated RAL 9006
  - External glass balustrade to sliding doors
  - Aluminium vertical fins colour coated RAL 8029 (Pearl copper)
  - Aluminium rainscreen cladding colour coated RAL 7048
  - Aluminium ventilation louvres colour coated RAL 7048
  - Acoustic louvres colour coated RAL 7048
  - Limited elements in fibre cement cladding in concrete effect
- 6.13 The materials have been chosen to replicate as closely as possible the original design and appearance, having regard to changes in the building regulations and fire safety regulations in the use of materials on tall buildings. Glazed spandrel panels as originally proposed can no longer be installed on tall buildings and their replacement with aluminium panels was agreed in principle under planning permission 21/00934/VARM. Light grey coloured aluminium panels have been chosen to give a similar appearance and effect to opaque glazed panels when viewed from ground level in different light conditions. The proposed materials are considered to provide a high quality, sleek, glazed appearance as originally intended.



#### 6.14 (f) Cleaning strategy

The original cleaning strategy proposed a cradle system lifted from the roof of the tower with the cradle stored at ground level. This was conditioned under Condition 19 of planning permission 21/00934/VARM. The system now proposed is abseiling from davit arms from the roof of the tower and the lower roof areas. More accessible areas will be cleaned using a 'reach and wash' system from the lower roof areas and terraces. This is considered an acceptable alternative cleaning strategy.

### 7. Consultation Responses Received

#### 7.1 Statutory Consultees and Other Organisations

None consulted.

#### 7.2 Internal Consultees

##### Waste and recycling

*Bin store location is not appropriate as it is clear that we will be unable to take the collection vehicle into the property to load bins. Also the proposal for bin quantities is correct for domestic and recycling but the bins are stored 3 fold and 2 fold which is not acceptable as each bin needs to be accessed for collections. We will not be manoeuvring bins about to get to the bins at the back and how would the residents reach the bins at the back. Due to the proposed lay out, we would anticipate that the waste would not be stored appropriately and accumulations of rubbish would be left on the floor or piled high on the front bins. The waste storage and collection point needs to be reconsidered for this building.*

Officer comment: The residential bin store arrangement is the same as that approved in the original planning permission ref. 17/00470/FULM. The external colonnade along the southern side of the building has been revised specifically to facilitate access for refuse vehicles and delivery vehicles to the rear bin store and residential entrance. There will be on-site concierge and management who will be responsible for managing and rotating bins for access by residents and for collection.

#### 7.3 Interested Parties

Letters were sent to 35 properties in the surrounding area. No responses have been received.

### 8. Recommendation

That, pursuant to a deed of variation under s.106 of the Town and Country Planning Act 1990 having been completed to link the application to the original s.106 agreement under ref. 17/00470/FULM and the deed of variation under ref. 21/00934/VARM, planning permission be granted subject to the conditions listed below:

Conditions

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

1152-PL-AA90A - SITE LOCATION PLAN  
1152-PL-AA91A – RED LINE DRAWING  
1152-PL-AA00A - GROUND FLOOR PLAN  
1152-PL-AA01B – 1st FLOOR PLAN  
1152-PL-AA02B – 2nd FLOOR PLAN  
1152-PL-AA03B – 3rd FLOOR RESIDENTIAL  
1152-PL-AA04B – 4th FLOOR RESIDENTIAL & 3rd FLOOR OFFICE  
1152-PL-AA05B – 5th FLOOR RESIDENTIAL & 4th FLOOR OFFICE  
1152-PL-AA06B – 6th FLOOR RESIDENTIAL & 5th FLOOR OFFICE  
1152-PL-AA07B – 7th FLOOR RESIDENTIAL  
1152-PL-AA08B – 8th FLOOR RESIDENTIAL & 6th FLOOR OFFICE  
1152-PL-AA09B – 9th FLOOR RESIDENTIAL & 7th FLOOR OFFICE  
1152-PL-AA10B – 10th FLOOR RESIDENTIAL & 8th FLOOR OFFICE  
1152-PL-AA11B – 11th FLOOR RESIDENTIAL & 9th FLOOR OFFICE  
1152-PL-AA12B – 12th FLOOR RESIDENTIAL & 10th FLOOR OFFICE  
1152-PL-AA13B – 22nd-24th FLOOR RESIDENTIAL  
1152-PL-AA14B – 25th FLOOR RESIDENTIAL  
1152-PL-AA15 – 13th FLOOR RESIDENTIAL & 11th FLOOR OFFICE  
1152-PL-AA16 – 14th-21st FLOOR RESIDENTIAL  
1152-PL-AA20A - BASEMENT LEVEL -1 FLOOR PLAN  
1152-PL-AA21A - BASEMENT LEVEL -2 FLOOR PLAN  
1152-PL-AA30A - SOUTH ELEVATION  
1152-PL-AA31A - WEST ELEVATION  
1152-PL-AA32A - EAST ELEVATION  
1152-PL-AA33A - NORTH ELEVATION  
1152-PL-AA34A - SECTION ELEVATIONS  
1152-PL-AA200 – SECTION RAMP TO BASEMENT  
1152-PL-AA201 – RESIDENTIAL CYCLE STORE  
1152-PL-AA202A – RESIDENTIAL STORAGE  
1152-PL-AA501 – WINDOW CLEANING STRATEGY  
1152-PL-AA502A - RESIDENTIAL FACADE  
1152-PL-AA503A - OFFICE FACADE

1152-PL-AA504A - CAFE\_OFFICE FAÇADE  
DAS ADDENDUM (DATED JULY 2022)

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

2. The development permitted by this planning permission shall be carried out in accordance with the approved Drainage Strategy Report by SLR Consulting (ref. 402.06661.00004 Version 2.0, dated July 2017) approved as part of planning permission reference: 17/00470/FULM and the following mitigation measures detailed within the FRA:
  - i) Limiting the surface water run-off rates to maximum of 54.3l/s for the 1in 100 year rainfall event with discharge into Thames Surface Water sewer.
  - ii) Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event. iii) Implementing the appropriate drainage strategy using appropriate SuDS measures as indicated on drawing no. 1620002979-RAM-XX-DRC-00100 Rev P2.

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

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

3. The development permitted by this planning permission shall be carried out in full accordance with the approved Drainage Layout ref: 140682/2000\_rev D, dated 15.02.2021, as approved under planning reference: 20/01485/DISCON.

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

4. All external facing materials to be installed on the building shall be in accordance with the approved Façade Materials Schedule dated May 2022, unless otherwise 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.

5. No external facing materials shall be installed on the building until a noise mitigation scheme for all the proposed residential dwellings on the 1st-6th floors with windows facing Beechen Grove, based upon the recommendations of the Environmental Noise Assessment by SLR dated March 2017 (Ref. No. 403.06661.00003, Version Final), has been submitted to and approved by the Local Planning Authority. The scheme 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 good indoor ambient noise levels are achieved in accordance with BS 8233:2014 for the future occupiers of the dwellings.

6. No external facing materials shall be installed on the building until the specification of a mechanical air supply/extract system for each of the residential dwellings on the 1st-6th floors with windows facing Beechen Grove has been submitted to and approved in writing by the Local Planning Authority. The system must be capable of providing background and rapid ventilation for cooling with the windows of the dwellings being closed. The system must not compromise the sound insulation of the façades. Details of the siting of any air intake; extraction units; generators and other mechanical equipment serving this system that are likely to give rise to noise should be submitted, along with details of noise attenuation measures to be incorporated to ensure these units do not give rise to a noise nuisance. 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 good indoor ambient noise levels are achieved in accordance with BS 8233:2014 for the future occupiers of the dwellings.

7. No external facing materials shall be installed on the building until the specification of a mechanical air supply/extract system for each of the residential dwellings on the 8 th-11th floors with windows on the south elevation facing Jury's Inn has been submitted to and approved in writing by the Local Planning Authority. The system must be capable of providing background and rapid ventilation for cooling with the windows of the dwellings being closed and be able to filter out cooking odours. The system must not compromise the sound insulation of the façades. Details of the siting of any air intake; extraction units; generators and other mechanical equipment serving this system that are likely to give rise to noise should be submitted, along with details of noise attenuation measures to be incorporated to ensure these units

do not give rise to a noise nuisance. 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 prevent ingress of cooking odours to the flats from the kitchen extract of Jury's Inn adjoining the site, in the interests of the future occupiers of the dwellings.

8. All piling must be undertaken in accordance with the Piling Method Statement (Project 3004.02, Revision A dated 24.08.21) by Terrel as approved under ref. 21/01676/DISCON.

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

9. No part of the development shall be occupied until the hard landscaping scheme for the site has been carried out in full in accordance with the detailed design in the document by Kate Gould Gardens approved under ref. 21/01677/DISCON.

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.

10. The approved soft landscaping scheme for the site as detailed in the document by Kate Gould Gardens approved under ref. 21/01677/DISCON 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.

11. No part of the development shall be occupied until the modified access and egress arrangements from Clarendon Road, as shown in principle on the approved drawings, and the servicing and delivery areas to the front and side of the building, have been completed in full.

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

12. No dwelling within the development shall be occupied until the following facilities have been provided for the use of residents, in accordance with the approved drawings:
- (i) the secure cycle store for at least 168no. cycles;
  - (ii) the bin store for waste and recycling;
  - (iii) the storage cages within the storage rooms on the 1st-6th floors;
  - (iv) the roof gardens at 7th floor level and on the roof of the tower.

These facilities shall be retained at all times for the use of the residential occupiers of the dwellings.

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

13. No part of the office floorspace shall be occupied until the following facilities have been provided for the use of employees, in accordance with the approved drawings:
- (i) the secure cycle stores for at least 96 cycles and shower/locker facilities for employees;
  - (ii) the secure cycle stores for at least 25 cycles for visitors;
  - (iii) the bin store for waste and recycling

These facilities shall be retained at all times.

Reason: To provide sustainable travel alternatives for employees and visitors, in accordance with Saved Policy T10 of the Watford District Plan 2000 and Policy T3 of the Watford Local Plan Core Strategy 2006-31, and to ensure adequate waste storage in accordance with Saved Policy SE7 of the Watford District Plan 2000.

14. No part of the office floorspace shall be occupied until a detailed Travel Plan for the development, based upon the Hertfordshire County Council document 'Hertfordshire Green Travel Plan Guidance', has been submitted to and approved in writing by the Local Planning. The approved plan shall be implemented as approved at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment, in accordance with Policy T3 of the Watford Local Plan Core Strategy 2006-31.

15. No plant or equipment shall be installed within the roof level plant enclosures until an acoustic assessment has been submitted to and approved in writing by the Local Planning Authority which demonstrates that the sound pressure level from the plant enclosures will be at least 10dB below the lowest LA90 (15 minute) noise level measured at 1m from the adjoining residential flats when all plant and equipment is operational. The assessment shall include appropriate noise mitigation measures. All plant and equipment shall be installed as approved and no plant or equipment shall be brought into operation until the approved mitigation measures have been installed.

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

16. All plant and equipment shall only be sited within the designated plant enclosures shown on the approved drawings. No plant or equipment shall be installed outside the approved plant enclosures unless details have been submitted to and approved in writing by the Local Planning Authority. Details to be submitted for approval shall include siting, size, appearance and technical specifications relating to noise.

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

17. 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.

18. For the avoidance of doubt, no communications development permitted by Class B or Class C of Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 shall be undertaken on the building.

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.

19. The cleaning of the building shall only be undertaken using davit arm abseiling and 'reach and wash' portable system, as detailed on approved drawing no. 1152\_PL\_AA501, unless otherwise agreed in writing by the Local Planning Authority.

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

20. The ground floor commercial unit adjoining the office entrance shall only be used as a café/restaurant within Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose. The use shall not be open to the public before 0800 hours or after 2300 hours on any day.

Reason: The site is located within a designated employment area and in the interests of the functioning and appearance of the site and the amenities of residents within the development.

21. The commercial unit at 11<sup>th</sup> floor level on the roof of the office building shall only be used as a café/bar within Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose.

Prior to commencement of the development the hours of public access to this unit and outdoor terrace shall be submitted to and approved in writing by the Local Planning Authority. The use shall only be operated in accordance with the approved hours for public access.

Reason: The site is located within a designated employment area and to ensure public access to this use in accordance with the planning application.

22. The development permitted by this planning permission shall be carried out in full accordance with the approved phasing scheme as set out in Construction Phasing Strategy received 26 February 2021, Phasing Programme received 26 February 2021 and Site Phasing Plan – General Arrangement (ref: 150), as approved under planning reference: 21/00281/DISCON.

Reason: The site is located within a designated employment area and to ensure the office building is constructed at the same time as the residential building.

23. The development hereby approved shall be built in accordance with the approved plans under Condition 1 and be restricted in development quantum to the following:



16,122sqm GIA office space (Class E);  
369sqm GIA ancillary office amenity space (Class E);  
168 residential units (Class C3); and  
268sqm GIA of café/restaurant use (Class E)

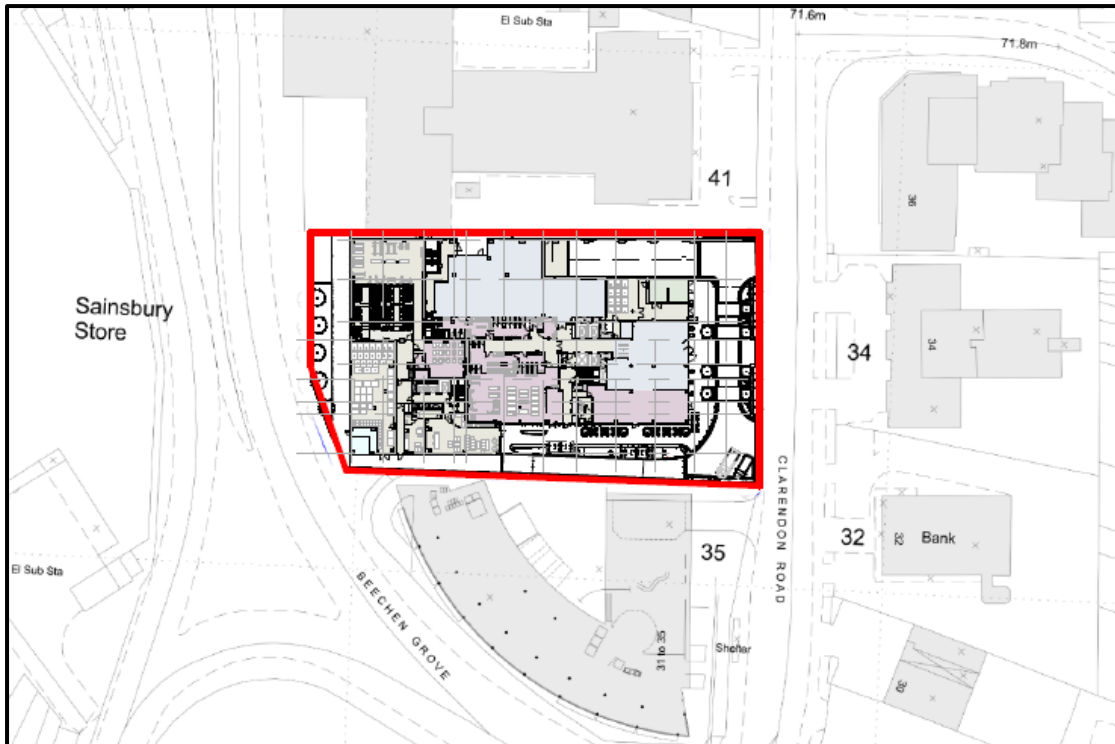
Reason: For the avoidance of doubt and in the interests of proper planning.

24. Within 3 months of the date of this permission, a BREEAM pre-assessment shall be submitted to demonstrate that the proposed office building can achieve a BREEAM Excellent standard. No occupation of the office building shall take place until a post-completion certificate, to certify that the respective BREEAM Excellent standard has been achieved, has been submitted to and approved in writing by the Local Planning Authority.

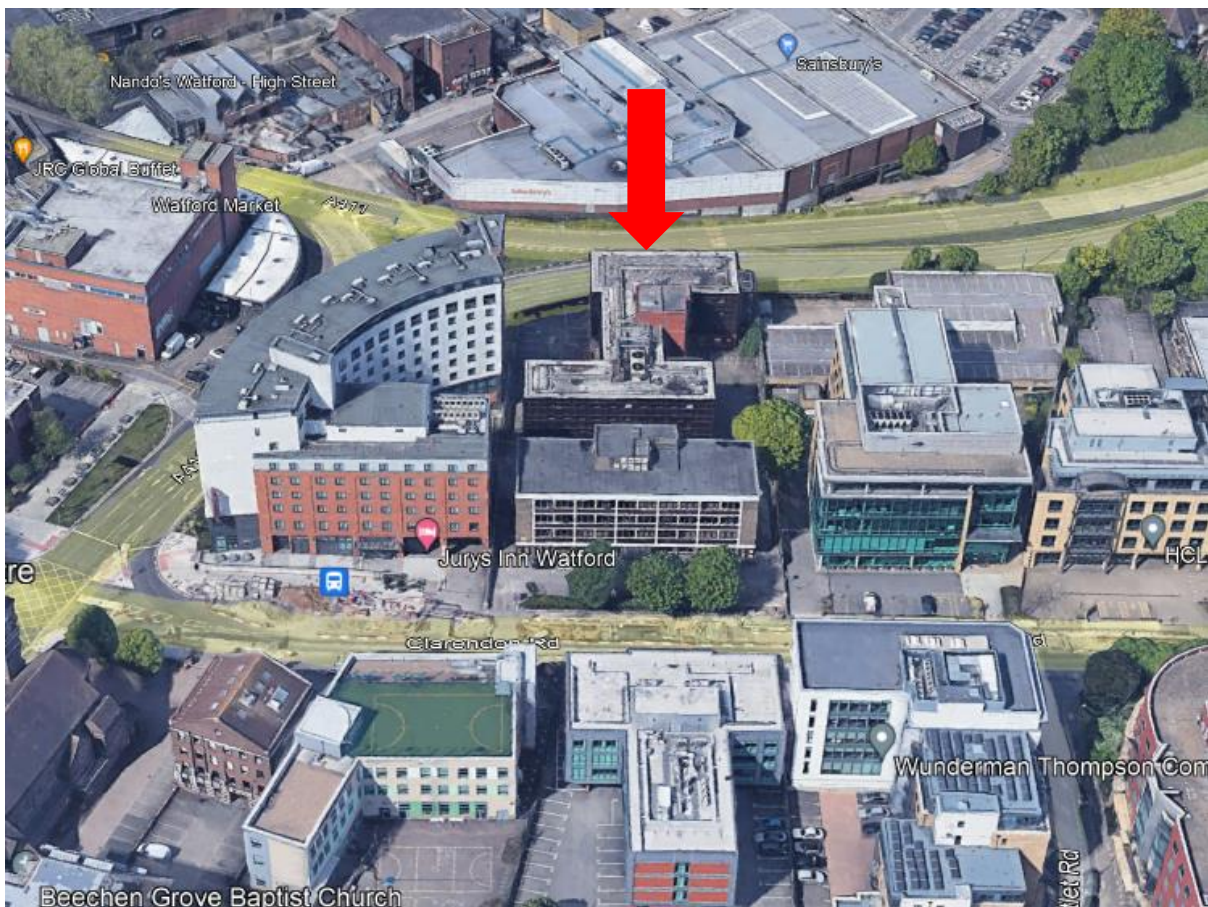
Reason: To secure the sustainability of the development in accordance with emerging Policy CC8.2 of the Final Draft Watford Local Plan 2018-2036.

#### Informatives

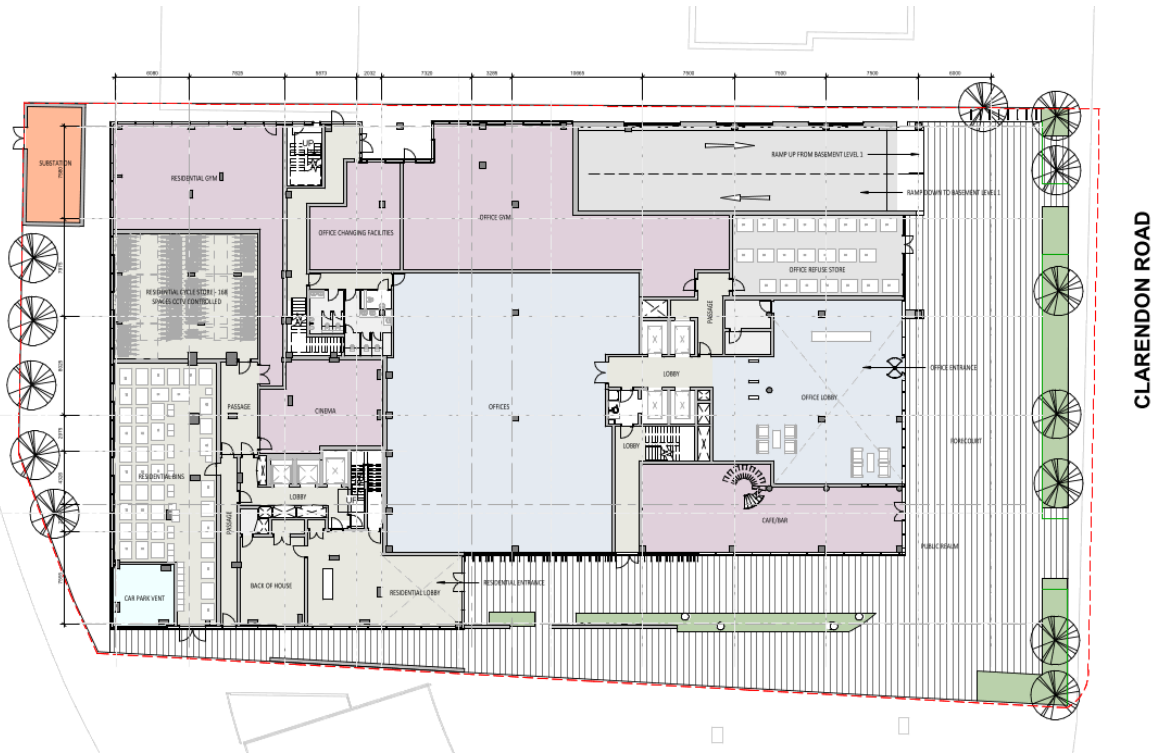
1. IN907 - Positive and proactive statement - GRANT
2. IN910 - Building Regulations
3. IN912 - Hours of Construction
4. IN909 - Street Name and Numbering
5. IN913 - Community Infrastructure Level Liability
6. HIGH – Storage of Materials – Highway
7. OBSHIG – Obstruction of the Highway
8. MUD – Mud on highway



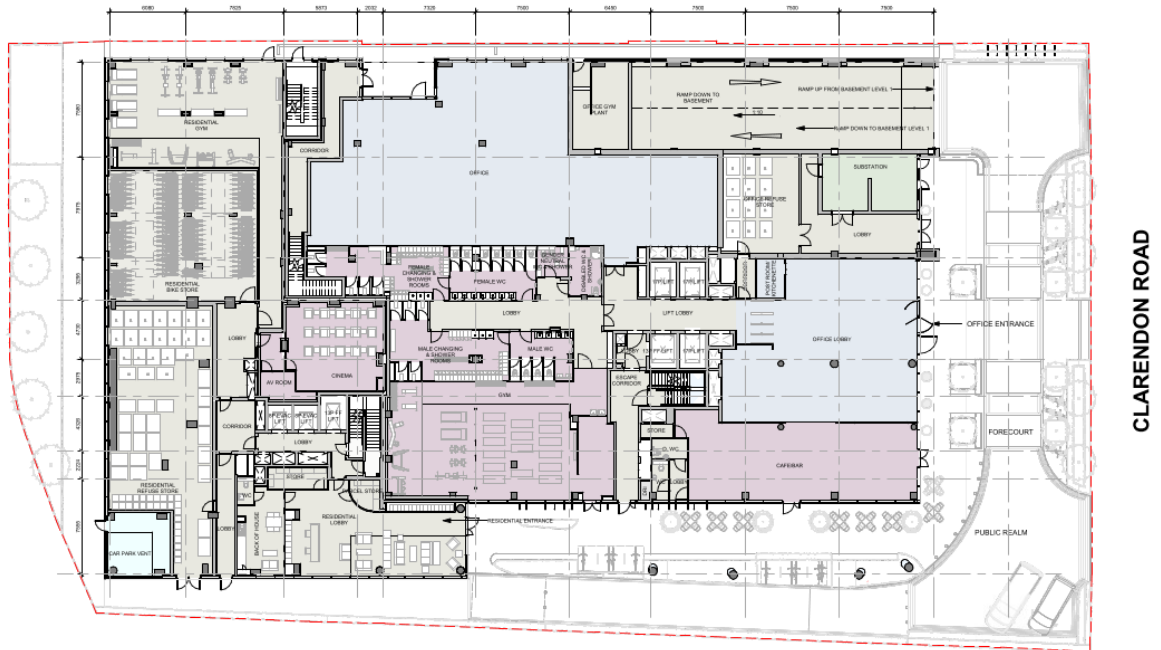
Site location plan



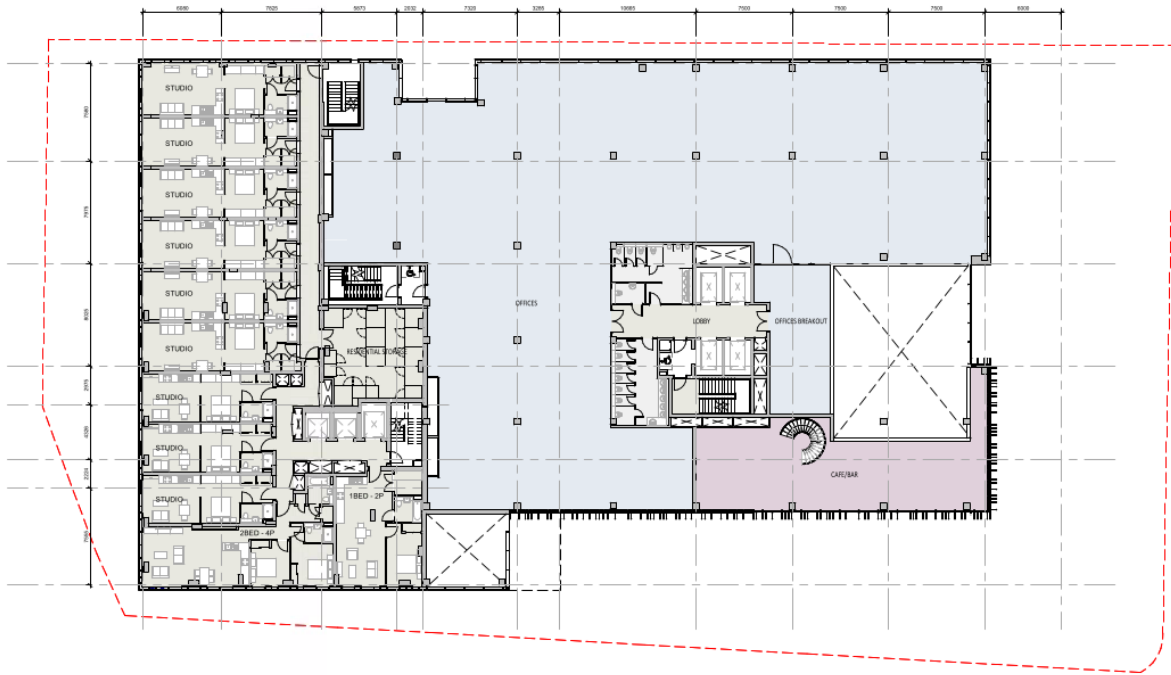
Aerial view showing previous buildings on the site (Google Earth)



Ground floor plan approved under 21/00934/VARM



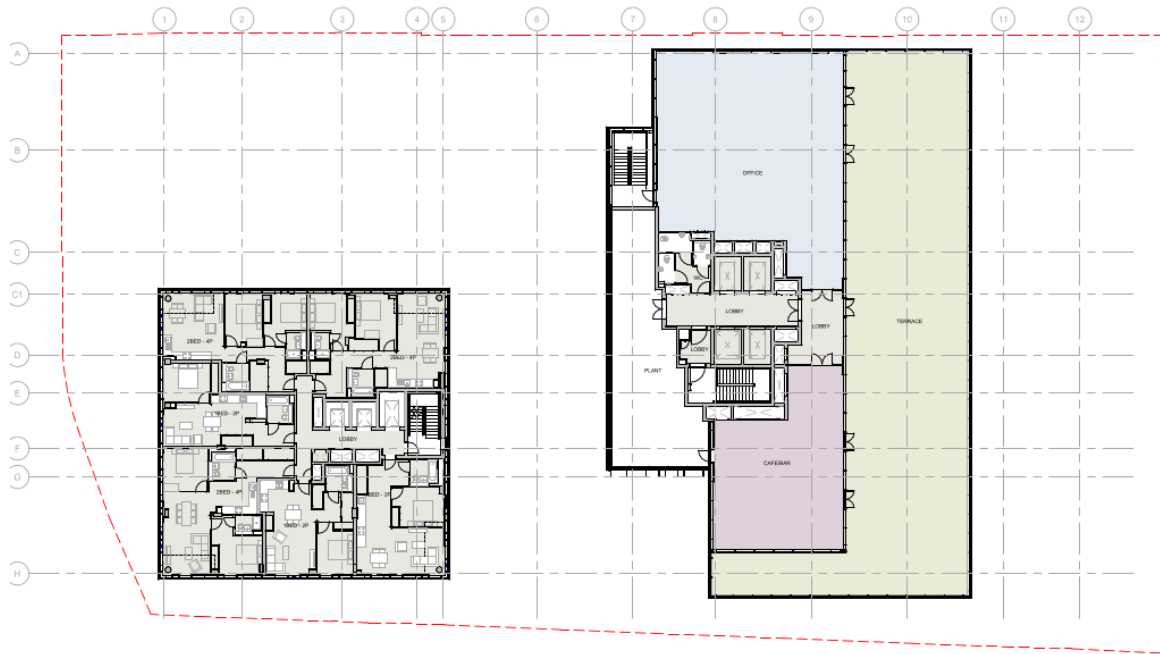
Proposed ground floor plan



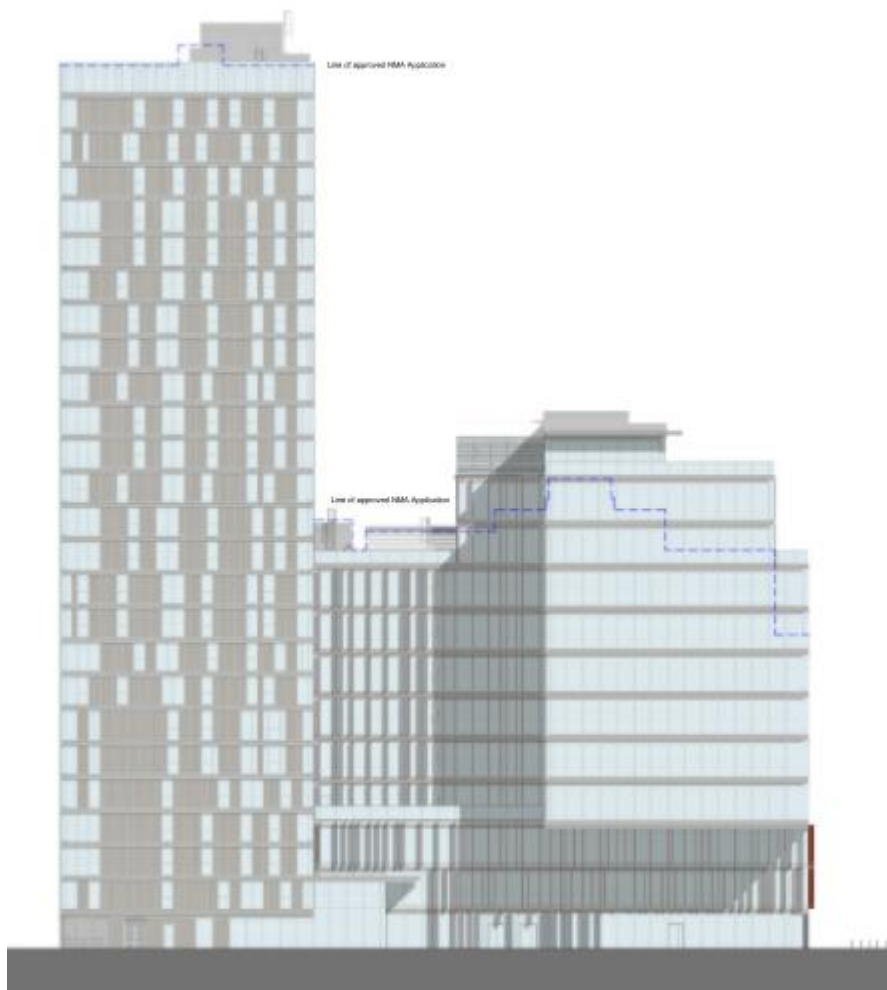
First floor plan approved under 21/00934/VARM



Proposed first floor plan



Proposed 11<sup>th</sup> floor plan



Proposed south elevation (previous approved elevation shown in blue dotted line)



CGI of approved scheme under 21/00934/VARM (Clarendon Road)



CGI of proposed scheme (Clarendon Road)