

PART A	
Report of: <b>DEVELOPMENT MANAGEMENT SECTION HEAD</b>	
Date of Committee	<b>8<sup>th</sup> October 2015</b>
Site address:	<b>23, 25 &amp; 25A St John's Road</b>
Reference Number :	<b>15/00413/FULM</b>
Description of Development:	<b>Demolition of existing buildings, originally three detached dwellings, now linked and used as offices. Erection of two blocks of flats comprising 40 residential units.</b>
Applicant:	<b>The Seventh Day Adventist Association Limited</b>
Date received:	<b>10<sup>th</sup> April 2015</b>
13 week date (major):	<b>10<sup>th</sup> July 2015</b>
Agreed extended deadline:	<b>10<sup>th</sup> October 2015</b>
Ward:	<b>Central</b>

## **SUMMARY**

Full planning permission is sought for the demolition of the existing buildings occupying the site and the erection of two blocks of flats comprising 40 residential units.

The proposed development will provide a high quality residential environment within a highly sustainable location with good access to public transport and a wide range of services and facilities.

It is considered that the contemporary design adopted by the architect is a suitable approach to deal with the transition in the streetscape between the modern office building to the east of the site and the residential properties to the west. The use of high quality materials and landscaping will ensure that an attractive environment is created.

The siting and design of the proposed building will ensure that it will have no adverse impact on surrounding residential properties.

Of the 40 units proposed, 14 are to be affordable – ensuring that the level of affordable housing provision meets the Council’s minimum 35% threshold. The proposal will provide a mix of new units in terms of size and tenure, providing much-needed housing. The new units will benefit from adequate levels of internal space, natural lighting and outlook and will have access to amenity space – all of which will contribute towards ensuring that a high quality living environment is achieved.

The Development Management Section Head recommends that planning permission be granted as set out in the report, subject to conditions.

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## **BACKGROUND**

### **Site and surroundings**

The application relates to an irregular shaped parcel of land located on the southern side of St John’s Road and which occupies a position between the junctions with Clarendon Road and Albert Road North. It measures 0.22 hectares in area and comprises buildings known as 23, 25 and 25A St John’s Road. These properties were built, and first used, as individual two-storey detached houses. However, they have all been converted into offices which are currently occupied by the Seventh Day Adventist Association Limited. The properties were erected at different times, with the first having been built in 1894 (No. 23), and the last having been built in 1939 (No. 25a). They have been joined through the construction of inter-linking extensions.

No.s 25 and 25a are linked by way of a first floor extension which creates a tunneled vehicular access to the car parking area at the rear.



Site Plan

Part of the site (No. 23) lies within employment area E7a, as designated by the Watford District Plan 2000. There is no specific land use designation for the remaining part of the site which includes No.s 25 and 25A and therefore this part of the site is considered to be primarily residential. To the south and east of the site, substantial office buildings exist and these front Clarendon Road.

The site lies within the “Wider Town Centre Area” as detailed on page 54 of the Watford Local Plan Core Strategy 2006-31. It also falls within the Town Centre Special Policy Area.

Other than the office buildings to the south and east of the site and the Magistrates Court

and Police Station complex to the north, the surrounding properties are predominantly two storey. Nearby residential properties comprise a mix of terraced, detached and semi-detached houses – some of which having been converted into flats.

The site does not encompass any statutory or locally listed buildings and is not located within a Conservation Area. The Police Station and Magistrates Court to the north are locally listed.

### **Proposed development**

Full planning permission is sought for the demolition of the existing buildings occupying the site and the erection of 40 residential units.

The buildings to be demolished were originally built as three detached dwellings but are currently in use as offices for the Seventh Day Adventist Association Limited who also own the site. The office space provided within the buildings no longer meets the demands of the owners who are looking to relocate.

The development will involve the construction of 2 blocks of flats – one fronting St John's Road, referred to as Block 1 on the submitted drawings, and the other (Block 2) sited at a right angle and behind Block 1. The blocks will be separated by a distance of 13.6m.



Proposed Block Plan

Block 1 will be a part 5, part 4 and part 3 storey building comprising 28 flats in total, 14 of which will be affordable. It will have its main entrance facing St John's Road. On the western side of Block 1 a vehicular access drive will be created, providing access to Block 2 and a small parking forecourt in front of this block comprising 4 car parking spaces. A turning head will also be provided on site between Blocks 1 and 2.



View of Block 1 from St John's Road (visual representation)

Some of the ground floor units will have access to their own small private amenity spaces. Many of the flats on the upper floors will benefit from balconies. Communal garden areas will be provided to the rear of Block 1 and within the southwestern corner of the site.

### **Relevant planning history**

The site has an extensive planning history. Recent relevant planning history is outlined below:

#### **23 St John's Road**

Ref. 07/00519/FUL – Erection of 3 storey rear and side extensions (including roof) with additional basement storey with alterations to existing property – Conditional Planning Permission granted in June 2007.

#### **23-25 St John's Road:**

Ref. 11/00162/FUL – Retrospective application for construction of first floor infill bridge

between buildings and second floor extension across both buildings involving alterations to roof – Refused Planning Permission in June 2011 for the following reasons:

- 1. The second floor extension, by reason of its design, size and siting, fails to remain in keeping with the character of the buildings and has resulted in a form of development that appears unduly prominent and visually obtrusive. The development has a detrimental effect on the character and appearance of the properties, the streetscene and the visual amenity of the area, contrary to Policies H7, H15, U1, U2 and U3 of the Watford District Plan 2000.*

The Council's reason to refuse this application was appealed against (Appeal Ref. APP/Y1945/A/11/2159961). The appeal was dismissed in December 2011. The Inspector concluded that the overall scheme seriously and unacceptably harmed the character and appearance of the host buildings, the street scene and the surrounding area. The unauthorised roof extension was subsequently removed.

Ref. 12/00303/FUL – Retrospective application for a first floor extension linking 23 and 25 St John's Road – Planning Permission granted in June 2012.

#### 23, 25 & 25A St John's Road

Ref. 14/00698/PREAPP – Demolition of existing buildings and erection of two blocks of flats including affordable housing – This pre-application enquiry was originally responded to in June 2014 but discussions remained ongoing up to the submission of the planning application.

#### **Relevant Policies**

##### **National Planning Policy Framework (NPPF)**

Paragraph 17 Core planning principles

Section 1 Building a strong, competitive economy

Section 2 Ensuring the vitality of town centres

Section 4 Promoting sustainable transport

- Section 6 Delivering a wide choice of high quality homes
- Section 7 Requiring good design
- Section 10 Meeting the challenge of climate change, flooding and coastal change
- Section 11 Conserving the natural environment
- Section 12 Conserving and enhancing the historic environment

**Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026**

- 1 Strategy for the Provision for Waste Management Facilities
  - 1a Presumption in Favour of Sustainable Development
- 2 Waste Prevention and Reduction
  - 12 Sustainable Design, Construction and Demolition

**Hertfordshire Minerals Local Plan Review 2002-2016**

No relevant policies.

**Watford Local Plan: Core Strategy 2006-31**

- WBC1 Presumption in favour of Sustainable Development
- SS1 Spatial Strategy
- SPA1 Town Centre
- SD1 Sustainable Design
- SD2 Water and Wastewater
- SD3 Climate Change
- SD4 Waste
- HS1 Housing Supply and Residential Site Selection
- HS2 Housing Mix
- HS3 Affordable Housing
- EMP2 Employment Land
- T2 Location of New Development
- T3 Improving Accessibility
- T4 Transport Assessments



T5 Providing new Infrastructure  
INF1 Infrastructure Delivery and Planning Obligations  
UD1 Delivering High Quality Design  
UD2 Built Heritage Conservation  
GI1 Green Infrastructure  
GI3 Biodiversity

**Watford District Plan 2000 (saved policies)**

SE7 Waste, Storage, Recovery and Recycling in New Development  
SE20 Air Quality  
SE22 Noise  
SE23 Light Pollution  
SE24 Unstable and Contaminated Land  
SE27 Flood Prevention  
SE28 Groundwater Quality  
SE36 Replacement Trees and Hedgerows  
SE37 Protection of Trees, Woodlands and Hedgerows  
SE39 Tree and Hedgerow Provision in New Development  
T10 Cycle Parking Standards  
T21 Access and Servicing  
T22 Car Parking Standards  
T24 Residential Development  
T26 Car Free Residential Development  
E1 Employment Areas  
U15 Buildings of Local Interest

**Supplementary Planning Guidance**

Residential Design Guide (RDG)  
Watford Character of Area Study

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## CONSULTATIONS

### **Neighbour consultations**

Letters were sent to a total of 32 addresses that lie within close proximity of the site.

Twelve responses have been received citing the following objections:

- Inadequate parking provision.
- Design is of poor quality.
- Out of scale and character with other residential properties in St John's Road.
- Overdevelopment.
- Impact on outlook of surrounding properties.
- Houses form a significant and valuable component to the streetscape and ought to be conserved. They are of local historic significance and it would be wrong to destroy these.
- There are sunlight-deficient, mono-directional, North-facing flats proposed that will suffer from poor levels of natural lighting.
- Using Corten steel in the context of housing is an architectural whim, unlikely to be accepted or appreciated by any except a few. It looks rusty, uncared-for and it stains.
- On elevation, 2 trees are drawn to a size, shape and location not actually drawn on the landscaping plans.
- Room widths and possible furniture plans are in conflict with the window sizes and arrangements in the living rooms.
- Concerns regarding security.
- Concerns regarding the placement of bins.
- Large rear gardens of existing buildings give "breathing space" and drainage opportunity.
- Traffic in area is already heavy. Proposal will lead to significant traffic generation and increase the illegal misuse of the parking at the neighbouring property.
- Parking congestion on surrounding roads involving obstruction.
- Loss of light to neighbouring properties.

- Overlooking and loss of privacy.
- If cars are replaced by motorbikes there may be noise and pollution.
- Look of the area will change due to loss of trees.
- Overall feel will be that of being enclosed.
- More noise and disturbance.
- Over population of a small area.
- More crime.
- Greater strain on local resources such as the GP surgery at 37A St John's Road.
- The modern architecture is not in keeping with existing residential properties.
- There is a lot of local opposition to the proposed development which will potentially cause disharmony in what has always been a peaceful and happy neighbourhood.
- Development process will cause significant and prolonged noise, dirt and disruption causing distress and inconvenience to surrounding residents.
- Development will cause pollution when being built.
- Location of bins will result in smells, increase in rates should occupants not use the area responsibly and will impact the enjoyment of the garden of the neighbouring property.
- Development will dominate local scene.
- Could lead to growth in taller structures within the neighbourhood.

One response has been received requesting that something is done with the memorial stone which exists on the front of No. 23, for example, for this to be incorporated in the block of flats.

### **Site Notice**

Site notices placed.

### **Press Advertisement**

A notice was published in the Watford Observer.

### **Statutory consultations**

Arboricultural Officer

*Whilst the proposals will require the majority of the existing trees to be removed none are of such significance to provide a strong argument for retention. The proposed landscaping scheme will provide some replacement trees although there is no medium to tall screening to the rear gardens in Albert Road. Would it be possible to introduce some planting along this boundary by using shared drive/pedestrian access?*

Hertfordshire Constabulary Crime Prevention Design Service

1. **Secured by Design part 2 physical security:** *The applicants have submitted a document regarding their Code for Sustainable Homes (CfSH). In that document they appear to be saying they will apply for Secured by Design part 2 (physical security), yet nothing is mentioned in their Design and Access statement.*

*To alleviate any concerns regarding security for the proposed development security, I would look for the development to be built to the physical security of Secured by Design part 2, which is the police approved minimum security standard. This would involve:*

- *All exterior doors to have been tested to BS PAS 24:2012 or STS 202 BR2.*
- *All individual flat front entrance doors to BS Pas 24:2012 (internal specification).*
- *Ground level (easily accessible) exterior windows to BS Pas 24:2012. All glazing in the exterior doors, and ground floor (easily accessible) windows next to doors to include laminated glass as one of the panes of glass.*
- *Due to the number of flats, there should also be audible and visual access control at the pedestrian entrances to the block. Such access control must NOT have a Tradesman's Button fitted as this assists offenders to gain entry during the day to break into the flats.*

*These standards are entry level security and meet the Secured by Design part 2 physical security standard. Building to the physical security of Secured by Design, which is the police approved minimum security standard, will reduce the potential for burglary by 50% to 75%. I would encourage the applicants to seek Secured by*

*Design certification to this standard when it is built.*

*If the council are so minded, this could be conditioned as below:*

*Condition: The development will achieve the 'Secured by Design' part 2 (physical security), which will be confirmed by Hertfordshire Police on development completion.*

*Reason: In the interests of the safety, crime prevention and amenity of future occupiers of the development.*

- 2. **Car parking:** There are shown two disabled and two normal car parking spaces. How will these be allocated and how will these be policed,? Any management company will have to deal with this.*
- 3. **Cycle storage:** This must be secure and because of the number of residents / users I would recommend metal louvered doors be fitted with a suitable lock, so as to deter theft. Such doors are also more robust than wooden ones and need less maintenance during the lifetime of the dwellings.*
- 4. **Gates:** There are shown gates giving access to various parts of the site, which I am pleased about. These gates should be metal, visually permeable and full height. No mention is made regarding access control and stopping casual intrusion onto the site by offenders.*
  - The pedestrian gate giving access to the Affordable Private Rear Amenity at the side of Block 1, must be robust metal gate with suitable lock / access control and be self-closing.*
  - The vehicle access gate at the side of Block 1, should be electrically operated and fitted with suitable access control.*
  - The pedestrian gate at the side of the vehicle access gate I presume will be self-closing, but not lockable?*

The development should achieve the aims of the following policies:

- *NPPF 69 – re safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.*
- *NPPG 010 – re Sec 17 of the Crime and Disorder Act 1984 – to prevent crime & disorder.*
- *NPPG 011 – re planning promoting appropriate security measures.*
- *Policy UD1 of Watford Core Strategy.*

#### Local Highway Authority

*Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:*

#### *Conditions*

*1. The development shall not begin until details of the disposal of surface water from the drive and parking area have been submitted to and approved in writing by the Local Planning Authority in conjunction with the Highway Authority. The dwelling shall not be occupied until the works for the disposal of surface water have been constructed in accordance with the approved details. Reason: To minimise danger, obstruction and inconvenience to highway users.*

*2. Upon completion of the development and the/altered access brought into use, all other existing access points not incorporated in the development hereby permitted shall be stopped up by raising the existing dropped kerb and reinstating the footway and highway boundary to the same line, level and detail as the adjoining footway, verge and highway boundary.*

*Reason: To limit the number of access points along the site boundary for the safety and convenience of the highway user.*

3. *Prior to the commencement of the site works details of on-site parking for all contractors, sub-contractors, visitors and delivery vehicles shall be approved in writing by the Local Planning Authority in conjunction with the Highway Authority and that area shall be maintained available for use at all times during the period of site works.*

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

4. *All materials and equipment to be used during the construction shall be stored within the curtilage of the site unless otherwise agreed in writing by the Highway Authority prior to commencement of the development.*

*Reason: In the interest of highway safety and the free and safe flow of traffic.*

*Informative*

1. *The Highway Authority requires the alterations to or the construction of the vehicle crossover to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this or use link:- <https://www.hertsdirect.org/droppedkerbs/>*

2. *Road deposits. Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Reason. To minimise the impact of construction vehicles and to improve the amenity of the local area.*

3. *Note-Should there be any obstructions on the public highway, footpath, grass verge, i.e. trees, posted signs, TG pole, lamp columns, drainage gully's etc, then permission for removal and/or repositioning will need to be gained before work can commence on site. The applicant will need to be aware that they will/may be required to fund this work. All to the satisfaction of the Local Authority.*

Environment Agency

No comments to make on this application.

## Thames Water

### *Waste Comments:*

No Objection.

*Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)*

### *Surface Water Drainage*

*With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.*

### *Water Comments*

*With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.*



Local Lead Flood Authority (Hertfordshire County Council)

The Local Lead Flood Authority (LLFA) had originally recommended refusal of the planning permission until a satisfactory Flood Risk Assessment (FRA). In its original response, the LLFA advised that the applicant could overcome their objection by undertaking an FRA which demonstrates that the development will not increase risk elsewhere and where possible reduces flood risk overall. In light of this, the applicant commissioned further works including an FRA.

The LLFA has reviewed the additional information and has provided the following response:

*In response to the latest FRA carried out by Morgan Tucker Consulting Engineers reference MT/NWK/JN2063/FRA-Rev A dated August 2015 submitted with this application, We can confirm that we are now in a position to remove our objection on flood risk grounds and advise the LPA that the proposed development site can be adequately drained and mitigate any potential existing surface water flood risk if carried out in accordance with the overall drainage strategy.*

*The FRA demonstrates a feasible surface water drainage strategy based on infiltration and provides the results of the infiltration tests that were carried out.*

*Detailed surface water run-off calculations for 1:100 year (+30% CC) have been provided within the surface water drainage assessment, which ensures that the site has the capacity to accommodate all rainfall events up to 1:100 year (+30% CC).*

*We note that the proposed run-off rate for the site has been stated as 0 l/s based on the infiltration with the use of water butts, permeable paving, rain gardens and crate system trench soakaway. All changes to the drainage strategy have been shown on a layout plan along with the corresponding detailed calculations of each SuDS scheme and the drainage strategy provides evidence of a clear management and treatment train for the*

*SuDS system.*

*We therefore recommend the following condition to the LPA should planning permission be granted.*

***LLFA position***

*The proposed development will only meet the requirements of the National Planning Policy Framework if the following measure(s) as detailed in the FRA carried out by Morgan Tucker Consulting Engineers reference MT/NWK/JN2063/FRA-Rev A dated August 2015 submitted with this application are implemented and secured by way of a planning condition on any planning permission.*

***Condition***

*The development permitted by this planning permission shall be carried out in accordance with the approved FRA carried out by Morgan Tucker Consulting Engineers reference MT/NWK/JN2063/FRA-Rev A dated August 2015 and the following mitigation measures detailed within the FRA:*

- 1. Implementing appropriate SuDS measures as shown on drawing JN2063-NWK-001 dated June 2015.*
- 2. Providing 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.*

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

## **Reason**

*To prevent flooding by ensuring the satisfactory disposal of surface water from the site.*

- 1. To prevent flooding by ensuring the satisfactory storage of surface water from the site.*
- 2. To ensure surface water can be managed in a sustainable manner*
- 3. To reduce the risk of flooding to the proposed development and future occupants.*

## **Informative to the LPA**

*We note that on the drawing JN2063-NWK-001, proposed Rain Garden 3 (RG3) is located alongside a wall. The LPA will need to be satisfied that there is no risk to property from RG3 under the Buildings Regulations.*

*For further guidance on HCC's policies on SuDS, HCC Developers Guide and Checklist and links to national policy and industry best practice guidance please refer to our surface water drainage webpage*

<http://www.hertsdirect.org/services/envplan/water/floods/surfacewaterdrainage/>

## Housing Supply Manager

*On 40 I would expect 14 units: 9 affordable rents; 3 social rents; 2 LCHO. The proposal looks like it meets that mix.*

## Environmental Health

*The position of the proposed development is such that the future residents may be disturbed by noise from existing sources. I believe the following condition could control this and ensure that future residents are not disturbed by noise:*

- 1. A scheme will be submitted to and agreed by the local planning authority prior to construction demonstrating that the standard for indoor ambient noise levels for dwellings defined in BS 8233:2014 is achieved in the living rooms and bedrooms of all units in the development. This standard must be met while provisions for rapid cooling and ventilation are functioning.*

*Any assessment must take into account noise sources including (but not limited to) commercial premises adjacent to the development on Clarendon Road and operations from the yard of Watford Police Station, Shady Lane, Watford.*

Contaminated Land Officer

The comments of the Contaminated Land Officer dated 4<sup>th</sup> June 2015 are outlined below:

*This Department is in receipt of the following report submitted in respect of the above:*

- *Phase 1 Geo-Environmental Assessment; Report Ref: MT/JAMESREGAN/JN1856/V1; Morgan Tucker Ltd; January 2014*

*Our records indicate the presence of a number of potentially contaminative land uses within a 250 metre radius of the site, which haven't been identified by the Phase 1 Geo-Environmental Assessment, these are as follows;*

- *James Day (Lubricants) Ltd, 57 Clarendon Road, located adjacent to the site.*
- *Franklin Engineering, adj. 2A Franklin Road, located approximately 60 metres to the northwest.*
- *Watford Timber Company Ltd, 29 – 35 St Albans Road, located approximately 215 metres to the northwest.*
- *Temple Electrical Co. Ltd (Metal Works / Wire Manufacture, also Plastic etc), 73 Clarendon Road, located approximately 190 metres to the north.*
- *Watford Junction (Railway Land), located approximately 245 metres to the north-northeast.*
- *Oliver Sennitt – Coal Merchant, 12 Woodford Road, located approximately 245 metres to the east-northeast.*
- *Holst & Co. Ltd (Concrete Products), 46 Clarendon Road, 95 metres to the east-southeast.*
- *Haden Yound Ltd (Engineering), 44 Clarendon Road, located approximately 115 metres to the southeast.*

- *Builders Yard, 71 Estcourt Road, located approximately 185 metres to the east-southeast.*

*The report should be updated to reflect any potential risk associated with these uses.*

*As further works are required, I recommend the contamination condition be applied should planning permission be granted.*

In light of the above, additional information was submitted by the applicant. This was forwarded to the Contaminated Land Officer who provided the following comments dated 2<sup>nd</sup> July 2015.

*Some potentially contaminative land uses within a 250 metre radius of the site had not been identified by the phase 1 report. The consultant has acknowledged the omissions. He confirms that intrusive investigation works have been recommended to his client for the site. This will include analysis of made ground / soils for the contaminants of concern (as well as general determinants). He suggests the information is included within their Phase II investigation works, with the CSM being re-written and updated within the forthcoming Phase II report. This shall include specific reference to Contaminated Land Officer's memo and further discussions.*

*Personally I feel that it is reasonable to accept his memo as an addendum to the original report and not require the report to be re written.*

#### Urban Design & Conservation Manager

*The scheme involves the demolition of 3 former houses which have been converted to office use and physically altered to accommodate the changes of use. No 23 lies within the employment area E6 and all three properties lie in Character Area 7h which is primarily residential at the point where it abuts the Clarendon Road Character area (30b) which is dominated by large scale office blocks. The site would be redeveloped with a*

*large single block on the St John's Road frontage and a smaller block in the former garden area of the properties.*

*The key considerations are:*

- *Principle of demolition;*
- *Character and quality of the new scheme;*
- *Loss of No 23 as an office use within the employment area*

***Demolition:***

*The properties are not listed or locally listed and not within a conservation area. All the properties have been altered and much of it is not sympathetically done. A case could be made for retaining the three existing properties, creating an access between two of the properties and developing block as shown for block 2 in the rear; there may be issues with the access in this arrangement. The existing buildings could be converted back to residential. However, an equally valid approach providing the design is of high quality is to demolish all the existing properties and develop the whole site to provide more housing (NPPF paras 60 and 64).*

*So, the principle of demolishing the properties is acceptable subject to the design quality of the proposed development.*

***Character and quality of the new scheme:***

*The site is in effect a transition one between two scales of building. As such any new building on the site needs to deal successfully with this transition; at present each of the elements on block 1 is a storey too high; a point which was made at the pre-application stage. A reduction in height across this block would result in amore successful massing and scale solution for the site.*

*In terms of the principal elevation for block 1 this would read better if there was greater differentiation between the different elements of the block – a stepped set back for each element of at least 1m is required.*

*Windows: the fenestration pattern is acceptable but there is not sufficient detail to see how deep the window reveals are – it is suggested that they are deep and will result in a strong feature with the elevation which is to be encouraged but we need to have details showing this at this stage. The floor plans do not indicate a significant reveal/recess here.*

*Materials: I am not convinced by the corten steel panels and would like to see a full palette of materials to support the application to show that the design quality is there.*

*Some of the flats look quite small and are not shown on plan to be wheel chair accessible – can we confirm this please. Also, are there any issues with daylight/sunlight to the ground floor flats.*

*On balance I am not convinced that there is sufficient rigour and quality within the design submitted to create a high quality scheme for this sensitive site.*

***Employment area:***

*No 23 is located within employment area E6 which is the principal office area for the town and there is a strong policy against loss of office floorspace within the this area and in particular its conversion/replacement with residential . As this is on the return to Clarendon Road rather than on the main frontage and the remainder of the frontage on this side of the road beyond the site is residential, this is an atypical site with in the employment area. I think this needs further discussion in the light of the bigger picture on this issue.*

The agent has submitted amended plans and additional information in response to the concerns raised by the Urban Design & Conservation Manager. The Urban Design & Conservation Manager provided the following comments dated 8<sup>th</sup> September 2015:

- *the reveals are sufficient and I am happy with details as shown on DWG SJR-412-1.10;*

- *I still have reservations regarding the appearance of the steel panels.*
- *I am not convinced about the front elevation as shown on the CGI images - I had not really appreciated how big the balconies are ; they are too dominant and look clumsy on this elevation and in my view they will not be well used fronting onto this busy road and will be customised with inappropriate materials to provide some privacy. It would be much better to significantly reduce or remove the balconies or consider a design approach where the balconies are not a projecting feature but are cut out and recessed from the elevation. The cantilevered feature over the entrances may need to be reduced as well.*

*I have read the response to the earlier comments made in respect of this scheme concerning massing and set back and still feel that more could be done with the set backs and building lines to improve the articulation of the frontage.*

#### Planning Policy

*Part of this site falls within the Clarendon Road employment area. Policy E1 of the Watford Local Plan states that such land may be released where it is demonstrated that the site is no longer required to meet future employment and business needs. The adopted Core Strategy also identifies this as a key office area.*

*The applicant's planning statement refers to the November 2010 Employment Market Assessment and suggests a good supply of B1 space is available. However, evidence produced since then, in the form of the Economic Growth and Delivery Assessment 2014, shows a significant need for additional office floorspace in Watford over the coming years – more than 210,000sqm sqm to 2031 under the baseline scenario. Subsequent runs of the East of England Forecasting Model (EEFM) show this need could be higher.*

*This means that the loss of employment space here would be a departure from policy which would need to be clearly justified. You may also wish to refer to the Oct 2014 policy position statement.*



*Notwithstanding this, it is recognised that this site is at the edge of the employment area, and adjoins a building outside of the employment area. The site is one in transition between the employment area and a primarily residential area. The proposed residential use would not be out of place in this particular location.*

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## **APPRAISAL**

In accordance with s.38 of the Planning and Compulsory Purchase Act 2004, the Development Plan for Watford comprises:

- (a) *Watford Local Plan: Core Strategy 2006-31 (adopted January 2013);*
- (b) *the continuing “saved” policies of the Watford District Plan 2000;*
- (c) *the Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026; and*
- (d) *the Hertfordshire Minerals Local Plan Review 2002-2016.*

### **Land allocation**

The site lies within the “Wider Town Centre Area” as outlined on page 54 of the Watford Local Plan Core Strategy 2006-31. It also falls within the Town Centre Special Policy Area. Policy SS1 of the Core Strategy advises that the town centre is identified as the focus for shopping, leisure and cultural activities together with higher density residential.

The main part of the site (including No.s 25 and 25A) lies within a primarily residential area within which redevelopment for residential use is acceptable in principle. The remaining part of the site (which includes No. 23) is encompassed within Employment Area E7a (Clarendon Road/Station Road South) as shown on the Watford District Plan 2000 Proposals Map.

Paragraph 9.3.3 of the Core Strategy advises that “Policy EMP2 seeks to protect allocated employment areas, primarily for B class uses, whilst recognising that a broader mix of

employment generating uses is appropriate in the Special Policy Areas...". This is supported by saved Policy E1 of the Watford District Plan 2000 which states that "The Council will seek to protect employment land as identified on the Proposals Map".

The scheme would result in the loss of an employment use at the site. The policies clearly seek to protect employment land particularly that which is contained within designated Employment Areas. However, in this case, the majority of the site lies within a primarily residential area. It is considered that the comprehensive redevelopment of the site to provide residential units is acceptable in principle given that the site wholly fronts St John's Road which has a predominantly residential character in contrast to Clarendon Road which is flanked on either side by substantially-sized office buildings.

The buildings currently on site are of a domestic scale and appearance, having originally been built as individual dwellings. They were not intended to be used as offices when they were constructed and have a significantly different character to the larger office buildings along Clarendon Road. They do not lend themselves to providing modern, open-plan office space for which there is a demand. Indeed, the current occupiers have decided to relocate as the units do not fulfill their operational requirements.

Clarendon Road has been the main focus for office developments over the last few decades whereas St John's Road has maintained its residential character. Planning Policy officers have been consulted and have provided comments on the loss of the employment use (see 'Consultations' section above). It has confirmed that the Economic Growth and Delivery Assessment 2014, shows a significant need for additional office floorspace in Watford over the coming years (more than 210,000sqm square metres to 2031 under the baseline scenario) and that the loss of employment space here would be a departure from policy. However, notwithstanding this, it recognises that this site is at the edge of the employment area, and adjoins a building outside of the employment area. The site is one in transition between the employment area and a primarily residential area and therefore the proposed residential use would not be out of place in this particular location.

Given the individual circumstances of this case, it is felt that the loss of the office use would not warrant a refusal of the application.

### **Housing Policies**

Policy HS1 of the Core Strategy advises that factors that will support residential allocation in the site allocations document, and which will also be considered in determining applications on windfall sites, will include, inter alia: consistency with the spatial strategy; previously developed land; close to good public transport, walking and cycle network routes; location within the town centre or at other strategically located sites. The Policy further advises that factors that will go against residential allocation will include: not previously developed land; land at risk of flooding; existing employment land, open space or other community facilities for which there is still an identified need; land with high biodiversity, landscape or cultural heritage significance; no access to reliable integrated public transport links.

The proposal would meet the objectives of Policy HS1 in that the site comprises previously developed land which is within the town centre and close to good public transport, walking and cycle routes. In addition, the site is not at risk of flooding and is not existing open space, land with high biodiversity, landscape or cultural heritage significance. The loss of the existing employment land is discussed above.

Policy HS2 advises that “Higher density developments mainly including flats will be focused around the town centre and key strategic sites...” This is supported by Policy SS1 which also encourages high density housing in the town centre Special Policy Area.

Policy HS3 states that “A rate of 35% affordable housing will be sought on major applications of 10 residential units and above or sites of more than 0.5 ha”. The proposal seeks to provide a total of 40 flats. Of these, 14 will be affordable, in line with the threshold set out by Policy HS3. The Council’s Housing Team has been consulted and has confirmed that the tenure mix proposed is acceptable in terms of providing those types of

units that are currently in demand. The affordable housing provision has been secured through the completion of a Section 106 agreement.

### **Demolition**

The buildings to be demolished were originally built as three detached dwellings but are currently in use as offices for the Seventh Day Adventist Association Limited. Since their original construction, the buildings have been extended and substantially modified over time. They are now all attached through inter-linking extensions. Of the three buildings, No. 23 is the oldest (built in 1894). It features a stone plaque on its front elevation with reference to its former use as a manse associated with the congregational church which once stood immediately to the west of the site, on the corner where St John's Road meets Clarendon Road (which was demolished and is now occupied by an office building). The buildings are attractive but unexceptional and their loss would not have an adverse impact on the streetscene subject to the replacement scheme being constructed. None of the buildings are statutory or locally listed and the site is not within a Conservation Area. As such, the buildings could be demolished without consent (subject to the prior notification procedure being followed where necessary).

### **Design and Layout**

Policies SD1 and UD1 of the Watford Local Plan Core Strategy 2006-31 seek to ensure that all new development is based on an understanding of the local characteristics of the surrounding area. Particular regard should be paid to the height, size, roof pitch, use of materials, textures, finishes, size and scale of window and door openings and the impact on the streetscene.

At a national level, the government's planning guidance places a strong emphasis towards the creation of high quality environments through good design. There is also a strong emphasis towards achieving sustainability. Section 7 of the NPPF states that planning decisions should aim to ensure that developments "will function well and add to the overall quality of the area" and "are visually attractive as a result of good architecture and appropriate landscaping".

Within the vicinity of the site there is a mix of building types with various forms of architecture present. The residential area immediately to the west of the site has a strong Victorian feel whilst the police station complex to the north incorporates a large office building, its service entrance and a raised car park which itself does not present a particularly attractive frontage to the street. To the east of the site, and along Clarendon Road, there are a number of substantially-sized, modern office buildings. The architect has adopted a contemporary design approach which allows the new buildings to remain compatible, and integrate suitably, with both the modern office buildings to the east and the smaller scale residential properties to the south and west.

The proposed scheme seeks to use high quality materials. The walls of both Blocks 1 and 2 will predominantly be finished with bricks. Powder coated aluminium cladding and corten steel panels will be applied to parts of the elevations to add visual interest. The use of these materials and the contrasting bricks will help 'break up' the mass of the buildings. Windows will incorporate aluminium frames that will be set in reveals. It is considered that such materials and detailing will provide a high quality finish for the buildings.

With regard to scale and layout, it is considered that the proposal will integrate suitably with the surrounding pattern of development. Block 1 is shown to have 5 storeys at its eastern end which lies closest to the neighbouring office building at 59 Clarendon Road (which is currently occupied by the Watford Community Housing Trust). The height of Block 1 will be lower than the neighbouring office building at 59 Clarendon Road and will 'step down' from east to west, providing a 3 storey element at its western end. The western end of the building would incorporate a 'lightweight' construction at second floor level which will be set in from the outer edges of the building and this will help to reduce its bulk and ensure that it sits comfortably with the neighbouring two storey building to the west.



St John's Road Streetscene Elevation (59 Clarendon Road office building on left and 27 St John's Road on right)

The stepping down of the building's height provides a suitable approach towards achieving a transition between the tall office block to the east of the site and the two storey residential building to the west.

The front elevation of Block 1 will be articulated with its eastern part being set back from the western section. The front building line will respect both the front elevation of the neighbouring residential building to the west (27 St John's Road) and the office building to the east. The front elevation of Block 1 will be set back over 2m from the main front elevation of 27 St John's Road and this will help ensure that the development does not dominate or have an overbearing impact on this neighbouring building.

Block 2 will have a subordinate relationship with Block 1 being only 3 storeys. The surrounding residential properties to the south and west of the site are two storey and the introduction of a 3 storey building in this location is considered acceptable given the taller office buildings located to the east. The design of Block 2 will compliment that of Block 1. The same palette of materials will be used in the construction of both blocks ensuring that a cohesive form of development is achieved.



Block 2 West Elevation (with outline of 55-57 Clarendon Road in background)

The submitted drawings show provision of integral bin stores within Block 1 and a free-standing bin store in front of Block 2. It is felt that such provision will ensure that adequate refuse and recycling storage, to meet the demands of the development, will be accommodated without causing harm to the amenities of future occupiers of the development or the appearance of the site, the streetscene or the character of the area, in accordance with Policy SE7. The bin stores will ensure that receptacles are kept in a tidy manner in contained enclosures. Further details of the external bin store's construction will be secured by condition should the application be approved.

The proposed flats will have internal floor areas ranging from 37.9m<sup>2</sup> to 59.4m<sup>2</sup> for the 1 bed flats/studio, 64.3m<sup>2</sup> to 73.3m<sup>2</sup> for the 2 bed flats and 90.8m<sup>2</sup> to 98.5m<sup>2</sup> for the 3 bed flats. All these floor areas are in excess of the minimum standards set out by the RDG. All flats will have an acceptable internal layout and suitable levels of amenity in respect of outlook, privacy and natural light.

The flats facing the police station complex will potentially suffer noise intrusion from activity associated with this use including that arising from the use of sirens. As such, noise mitigation measures will be required in order to ensure acceptable internal noise levels to these flats. An appropriate condition can be imposed to require these noise

mitigation measures, in accordance with District Plan Policy SE22.

Section 7.3.23 of the RDG advises that “For flatted developments, communal open space provided for the exclusive use of occupants of the development may be acceptable as long as its location, size and shape enable it to be enjoyed by the occupants”. The guidance further advises that “The minimum area for usable communal space is 50 square metres, plus 15 square metres per additional unit over two units”. Approximately 430m<sup>2</sup> of communal amenity space will be provided, which is below the minimum requirement set out by the RDG. However, the proposed amenity space is considered to be usable and will provide an attractive environment by way of landscaped features and planting (as detailed within the Landscape Plan). In addition, many of the flats will benefit from having their own private balconies or access to private areas of amenity space. In a built-up, town centre location such as this, the level of amenity space proposed is considered acceptable.

### **Impact on neighbouring properties**

The nearest residential properties are those in St John’s Road, Albert Road North and Monmouth Road. The proposed development has been designed to comply with the minimum separation distances as set out by the RDG. A minimum distance of 27.5m will be provided between the upper floor, clear glazed windows and those nearest neighbouring residential properties. In addition, the west-facing elevation of Block 2 will be sited over 13m from the western boundary of the site which is in excess of the minimum 11m separation distance required by the RDG. There are no windows in the south-facing elevation of Block 2 and therefore direct views towards the neighbouring properties to the south from this block will not be afforded.

The submitted plans indicate that Block 2 will incorporate a number of windows in its east-facing elevation at ground, first and second floor levels. The east elevation of Block 2 will be sited close to the eastern boundary of the site with a separation distance of only 1.2m at its nearest part and therefore there is the potential for some overlooking between these windows and the office building to the east. In order to protect the privacy of the occupiers



of the proposed units and also to account for any possible redevelopment of the neighbouring office building, it is recommended that those windows on the east elevation of Block 2 are fitted with obscure glazing. This can be secured by condition. Whilst some of these windows will serve habitable rooms, none of them are to be relied upon to provide the sole source of light and outlook. The habitable rooms that they serve will benefit from other windows on the west-facing elevation of the block allowing suitable levels of natural light and outlook for their occupants.

It is acknowledged that the new buildings will be clearly visible from some of the surrounding office blocks including those at No.s 55-57 and 59 Clarendon Road. However, the outlook and natural lighting of these buildings will not be impacted to an extent that would cause any harm to their occupants.

The proposal will result in no significant loss of light or outlook to neighbouring properties by reason of the buildings' siting and their relationship with the surrounding buildings and gardens.

### **Landscaping and impact on trees**

A sizable portion of the area behind the existing buildings, which had once provided gardens, is currently used for car parking. This features hard surfacing and does not encompass any mature trees that are worthy of preservation. The Council's Arboricultural Officer has been consulted and has confirmed no objection to the proposal. The proposed landscaping scheme will provide the opportunity for some replacement trees and new planting that will help create an attractive environment. The Arboricultural Officer had recommended that some planting be provided along the western boundary and the Landscape Plan has been updated to incorporate this.

### **Access, parking and transportation**

The scheme seeks to provide 4 on-site parking spaces in total (2 of which will be allocated for disabled users). However, the site is only a short walking distance from both the town centre and Watford Junction railway station and a wide range of services, facilities and

passenger transport options. The site is therefore well suited to high density residential development. Car free development is also acceptable in this accessible location as the surrounding roads are covered by a controlled parking zone (CPZ) and the development can be excluded from the CPZ in order to discourage car ownership. The owner of the site has entered into a legal agreement to amend the Traffic Order and this will ensure that future occupiers of the development will not be entitled to parking permits within the surrounding CPZs. Short term pay-and-display parking exists on St John's Road and Malden Road for visitors.

The development will be served by a single vehicular access off St John's Road, on the western side of the site. A turning head will be provided behind Block 1 to allow vehicles to manoeuvre on site thereby allowing vehicles to enter and leave the site in a forward gear. This will help to reduce the potential for any obstruction being caused to the adjoining highway.

The Local Highway Authority has been consulted and has raised no objection to the proposal subject to conditions being imposed to secure a suitable scheme for the disposal of surface water from the drive and parking area, the stopping up of the existing vehicular crossovers that will become redundant, and the submission of details regarding materials storage and contractors parking whilst the construction works take place.

Cycle storage will be provided by way of 2 internal stores accommodated within Block 1 and a separate store in front of Block 2. Such provision will be secure and weatherproof in accordance with the requirements of Policy T10 of the Watford District Plan 2000.

### **Sustainable development**

In accordance with the over-riding objective of the NPPF to achieve sustainable development through the planning system, Policies SD1, SD2 and SD3 of the Core Strategy promote sustainable development. New development is expected to incorporate measures to minimise water consumption, surface water run-off and non-fluvial flooding and maximise the use of energy efficiency and energy conservation measures. A Code for

Sustainable Homes Pre-Assessment Report has been submitted with the application which demonstrates that the development is to be constructed to code level 4 of the Code for Sustainable Homes which is acceptable to satisfy these policies.

### **Flood risk and sustainable drainage**

The scheme incorporates a number of measures that seek to manage surface water and consequently reduce the risk of flooding both within the site and on adjacent land. These are set out within the submitted Flood Risk Assessment & SUDS Drainage Strategy document.

The Local Lead Flood Authority (LLFA) has been consulted and had originally recommended that the application be refused unless further information on the proposed drainage scheme was provided. In response to this, the applicant has provided additional information. This information has been sent to the LLFA for further comment. Upon review of the additional information, the LLFA has now removed its objection and has confirmed that the proposal is satisfactory in principle from a strategic drainage point of view.

### **Community Infrastructure Levy (CIL)**

The Council's CIL charging schedule was implemented on 1<sup>st</sup> April 2015 and, as such, the proposed scheme will be liable for CIL charges. The CIL charge covers a wide range of infrastructure and community facilities including education, childcare, libraries, youth facilities, open space, children's playspace, transport and healthcare. Under the Community Infrastructure Levy Regulations 2010, payments towards infrastructure and facilities covered by CIL can no longer be sought by section 106 planning obligations unless there are site specific requirements which are necessary to make the development acceptable. CIL is charged on the relevant net additional floorspace created by the development. The charge for residential floorspace is £120m<sup>2</sup>. The CIL charge is non-negotiable and is calculated at the time planning permission is granted. As the proposal involves a net additional increase in floorspace, the development is CIL liable.

### **Planning obligations under section 106**

With the implementation of the Council's CIL charging schedule on 1<sup>st</sup> April 2015, section 106 planning obligations can only be used to secure affordable housing provision and other site specific requirements. Tariff style financial payments can no longer be sought. Under Regulation 122 of the Community Infrastructure Levy Regulations 2010, where a decision is made which results in planning permission being granted for development, a planning obligation may only constitute a reason for granting planning permission for that development if the obligation is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

In the case of the current planning application, the only planning obligations required to make the development acceptable are:

- i) Securing 14 of the units as affordable housing units, in accordance with Policy HS3 of the Watford Local Plan Core Strategy 2006-31.
- ii) The provision, as necessary, of fire hydrants to serve the development in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.
- iii) A payment of £2,000 towards the variation of the relevant traffic regulation order to exclude the development from the local controlled parking zone, to ensure future residents of the development are not entitled to resident's permits, in accordance with saved Policy T26 of the Watford District Plan 2000.

These obligations meet the tests in Regulation 122 of the Community Infrastructure Regulations 2010 and, consequently, can be taken into account as a material planning consideration in the determination of the application. The owner has agreed to these planning obligations and a unilateral undertaking has been completed to secure them.

### **Consideration of objections received**

Twelve objections have been received and these are summarised in the 'Consultations' section of the report above. Most of the concerns raised have been discussed in the 'Appraisal' section above. However, those issues which have not already been referred to or that require further discussion are outlined in the table below:

<b>Objections</b>	<b>Officer's response</b>
Inadequate parking.	The exclusion of the development from the CPZ will be a significant discouragement to car ownership and has been accepted in other car-free schemes within or close to the town centre. Short term parking facilities exist on the surrounding roads for visitors.
Using Corten steel in the context of housing is an architectural whim, unlikely to be accepted or appreciated by any except a few. It looks rusty, uncared-for and it stains.	The architect has submitted additional information at the request of officers. The additional information provided including the manufacturer's details showing images of buildings where the corten steel paneling has been used. It is apparent that some corten steel products can be pre-weathered to eliminate the staining of surrounding surfaces. Further details of the exact product to be used could be secured by condition were the Council minded to grant approval.

<p>There are sunlight-deficient, mono-directional, North-facing flats proposed that will suffer from poor levels of natural lighting.</p>	<p>The depths of the balconies have been reduced by way of amended plans submitted during the course of the application. The reduction of the depth of the balconies will help to improve levels of natural light and outlook within the flats. Those units occupying the front portion of Block 1 will have north-facing windows only. Ideally, these flats would be dual-aspect with windows on both the front and rear elevations. However, in practical terms, this would be difficult to achieve for a development of this type. In any case, it is considered that those flats with north-facing windows will benefit from suitable natural lighting.</p>
<p>On elevation, 2 trees are drawn to a size, shape and location not actually drawn on the landscaping plans.</p>	<p>The plans have been amended to correct this.</p>
<p>Concerns regarding security and an increase in crime.</p>	<p>The Crime Prevention Design Advisor at Hertfordshire Constabulary has been consulted and has raised no objection to the proposal on security grounds subject to certain measures being put in place, as per the Secured by Design principles. Compliance with the Secured by Design standards can be secured by condition.</p>
<p>Large rear gardens of existing buildings give “breathing space” and drainage</p>	<p>The area behind the existing buildings incorporates a hard-surfaced area. The</p>

<p>opportunity.</p>	<p>proposal seeks to incorporate new landscaping including lawn areas that will help to absorb rainfall. A suitable drainage scheme for managing surface water can be achieved and this has been confirmed by the Local Lead Flood Authority (LLFA).</p>
<p>Noise, dirt, disruption and pollution during works.</p>	<p>The developer will be required to submit a Construction Environmental Management Plan should permission be granted. This would be secured by condition (see “Conditions” below) and would require details of measures to be put in place during the construction of the development to minimise dust and other construction-related issues.</p> <p>The site is located in an urban area, close to the town centre and a police station, where a degree of traffic and activity and its associated noise is to be expected. A condition will be attached to any permission granted to restrict the hours in which the development can be constructed, so as to limit the noise and disturbance to neighbouring residential properties.</p>
<p>Over population of a small area.</p>	<p>Policies SS1 and HS1 encourage high density residential schemes on brownfield sites within the Town Centre Special Policy Area. The proposal</p>

	meets these policy aims.
Greater strain on local resources.	The development is CIL liable. The CIL contribution collected from this development will be used to offset the impacts of the development on local services and infrastructure.
Could lead to growth in taller structures within the neighbourhood.	The proposed development will feature a maximum of 5 storeys and will not represent a tall building in the context of the site. The neighbouring office buildings rise higher than those buildings proposed. There are other considerably taller buildings near to the western end of St John's Road also.
There is a lot of local opposition to the proposed development which will potentially cause disharmony in what has always been a peaceful and happy neighbourhood.	There is no evidence to suggest that this proposal will cause disharmony amongst the community and therefore there is no policy basis to refuse the application on these grounds.

**Conclusion**

The proposal will provide a high density residential scheme on this sustainable site which is close to the town centre and Watford Junction station. The location is also appropriate for a car-free development with good access to public transport and a wide range of services and facilities.

It is felt that the contemporary design adopted by the architect is a suitable approach to deal with the transition between the modern office building to the east of the site and the residential properties to the west. The use of high quality materials and landscaping will ensure that an attractive environment is created.



Of the 40 units proposed, 14 are to be affordable – ensuring that the level of affordable housing provision meets the Council’s minimum 35% threshold. The proposed tenure and size of the units will ensure that a suitable mix of housing is provided for a location of this type.

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### **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.

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### **RECOMMENDATION**

That planning permission be granted subject to the following conditions:

#### Time Limit

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

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

#### Approved Drawings

2. The development hereby permitted shall be carried out in accordance with the following approved drawings:- DAT/9.0, DAT/9.1 Rev A, DAT/9.2 Rev B, SJR-412-001, SJR-412-1.00 Rev B, SJR-412-1.01 Rev B, SJR-412-1.02 Rev A, SJR-412-

1.03 Rev D, SJR-412-1.04 Rev B, SJR-412-1.10, 080-PL-001 Rev A, 080-PL-002 Rev A, 080-PL-003 Rev A, 080-PL-004.

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

#### Hours of Construction

3. Construction of the development hereby permitted shall not take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturdays and not at all on Sundays and Public Holidays.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties during the time that the development is being constructed, pursuant to Policy SE22 of the Watford District Plan 2000.

#### External materials and finishes

4. Notwithstanding the information already submitted, no construction of the approved buildings shall commence until details of the materials to be used for all the external finishes of the buildings including all external walls, roofs, doors, windows, balconies and canopies, rainwater and foul drainage goods have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.

Reason: To ensure that the development applies high quality materials that make a positive contribution to the character and appearance of the area in accordance with the provisions of the Residential Design Guide (RDG) and Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31. Whilst some details of the materials have been provided with the application submission, including samples, details of the full palette of materials and further samples are required to ensure that all materials complement each other. This is a pre-commencement condition as these details need to be agreed with the Local Planning Authority before the works commence.

## Construction Environmental Management Plan

5. No demolition or construction works shall commence within the site until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of temporary access for demolition/construction vehicles, contractors parking, the delivery and storage of materials, measures to mitigate noise and dust, wheel washing facilities, plant and equipment and a contact procedure for complaints. The Plan as approved shall be implemented throughout the relevant demolition and construction periods.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties and prevent obstruction of the adjoining highway during the time that the development is being constructed, pursuant to Policies T24 and SE22 of the Watford District Plan 2000. This is a pre-commencement condition as these details need to be agreed with the Local Planning Authority before the works commence.

## Surface water management

6. The development shall be carried out only in accordance with the approved Flood Risk Assessment and drainage strategy carried out by Morgan Tucker Consulting Engineers reference MT/NWK/JN2063/FRA-Rev A dated August 2015 and the following mitigation measures detailed within this document:
  - a) Implementing appropriate SUDS measures as shown on drawing JN2063-NWK-001 dated June 2015.
  - b) Providing 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.

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 ensure surface water can be managed in a sustainable manner so as to reduce the risk of flooding to the proposed development and surrounding land, in accordance with Policy SE27 of the Watford District Plan 2000 and Policy SD2 of the Watford Local Plan Core Strategy 2006-31.

#### Means of enclosure

7. Notwithstanding the information already submitted, no development shall commence until details of the siting, height, type, materials and finish of all fencing, walls, gates or other means of enclosure around the boundaries of the site and within the site have been submitted to and approved in writing by the Local Planning Authority. All fencing, walls, gates or other means of enclosure shall be provided in accordance with the approved details prior to the first occupation of any part of the development and shall be maintained as such at all times thereafter.

Reason: In the interests of visual amenity and to ensure that suitable levels of privacy are provided for future occupiers of the development and neighbours, in accordance with the provisions of the Residential Design Guide (RDG) and Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31. Details of all the means of enclosure have not been specified within the application submission and these details need to be agreed with the Local Planning Authority before the works commence.

#### Landscaping

8. The hard and soft landscaping shall be carried out in accordance with the details shown on Drawings: 080-PL-001 Rev A; 080-PL-002 Rev A; 080-PL-003 Rev A; 080-PL-004. With the exception of the proposed planting, all works shall be completed prior to the first occupation of any part of the development. The

proposed planting shall be completed not later than the first available planting and seeding season after the first occupation of any part of the development. For the purposes of this condition a planting season is the period from 1 October in any one year to 31 March in the next following year. 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 in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance of the site in accordance with Policy SE36 of the Watford District Plan 2000 and Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

#### Parking, driveway and manoeuvring layout

9. No dwelling shall be occupied until the access to St John's Road and the on-site parking, manoeuvring and driveway areas have been laid out and constructed in accordance with the approved drawings and made available for use and these facilities shall thereafter be kept clear of any obstruction and not be used for any other purpose.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the adjoining highway, in accordance with Policies T21 and T24 of the Watford District Plan 2000.

#### Bin storage

10. Notwithstanding the information already submitted, details of the size, type, siting and finish of the free-standing refuse and recycling storage enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby approved. The store approved under this condition shall be installed and made available for use prior to

the first occupation of any part of the development and shall be retained at all times for refuse/recycling only and shall not be used for any other purpose.

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

#### Obscure glazing

11. The proposed second floor window on the west-facing elevation of the building referred to as Block 1 on the drawings hereby approved and all windows on the east-facing elevation of the building referred to as Block 2 shall be permanently fixed closed below 1.7m internal floor level and shall be fitted with obscured glass at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent overlooking and consequent loss of privacy to the occupiers of the neighbouring property to the west of the site pursuant to the provisions of the Residential Design Guide (RDG) and Policy SS1 of the Watford Local Plan Core Strategy 2006-31.

#### No use of flat roofs

12. No parts of the flat roofs of the development shall be used as terraces, balconies or other open amenity spaces.

Reason: To prevent overlooking and consequent loss of privacy to the occupiers of the neighbouring property to the west of the site pursuant to the provisions of the Residential Design Guide (RDG) and Policy SS1 of the Watford Local Plan Core Strategy 2006-31.

#### No new gates

13. With the exception of the means of enclosure approved under Condition 7, no gates or other means of enclosure shall be erected along the site frontage across the vehicle access or elsewhere on the site without the prior written approval of the Local Planning Authority.

Reason: To minimise danger, obstruction and inconvenience to users of the adjacent highway and in the interests of visual amenity, in accordance with Policies T21 and T24 of the Watford District Plan 2000 and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

#### Levels

14. Notwithstanding the information already submitted, no construction of the approved buildings shall commence until detailed plans showing the existing and new or altered ground levels within the site and the floor levels of all the proposed buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.

Reason: To ensure that the proposed buildings and any other changes in level on the site maintain a satisfactory relationship between the development and existing properties to safeguard the character and appearance of the area and the privacy and amenities of neighbouring properties in accordance with the objectives of Policies UD1 and SS1 of the Watford Local Plan Core Strategy 2006-31. Details of all the levels have not been specified within the application submission and these details need to be agreed with the Local Planning Authority before the works commence.

#### Secured by Design

15. None of the flats hereby approved shall be occupied until a Secured by Design Developers Award certificate to certify that the development has been constructed

to Secured by Design guidelines has been submitted to and approved in writing by the Local Planning Authority.

Reason: To accord with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

#### Stopping up of existing access

16. Upon completion of the development and the altered access being brought into use, all other existing access points not incorporated in the development hereby permitted shall be stopped up by raising the existing dropped kerb and reinstating the footway and highway boundary to the same line, level and detail as the adjoining footway, verge and highway boundary.

Reason: To limit the number of access points along the site boundary for the safety and convenience of highway users in accordance with Policy T24 of the Watford District Plan 2000.

#### Noise levels

17. No development shall commence until a scheme demonstrating how the standard for indoor ambient noise levels for dwellings defined in BS 8233:2014 shall be achieved in the living rooms and bedrooms of all units in the development has been submitted to and approved in writing by the Local Planning Authority. This standard must be met while provisions for rapid cooling and ventilation are functioning. The measures set out within the approved scheme shall be implemented prior to the occupation of any of the flats and shall thereafter be maintained at all times unless otherwise agreed in writing.

Reason: To safeguard the amenities of the future occupiers of the flats to ensure that a suitable living environment is provided, in accordance with Policy SE22 of the Watford District Plan 2000.



## Land contamination

18. Prior to the commencement of the development hereby permitted a Phase II report shall be submitted to and approved in writing by the Local Planning Authority. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.

A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development. Intrusive investigation works have been recommended following the Phase I report which has already been carried out. These measures need to be secured with the Local Planning Authority before the works commence.

19. All remediation or protection measures identified in the Remediation Statement referred to in Condition 18 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby permitted.

For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work.

It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.

### **INFORMATIVES:**

1. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended.
2. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure the provision of 14 affordable housing units and the necessary fire hydrants to serve the development. The undertaking also secures a contribution towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude future residents of the Development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the Land in accordance with saved Policy T24 of the Watford District Plan 2000.
3. Before commencing the development the applicant shall contact Hertfordshire County Council Highways (0300 123 4047) to obtain i) their permission/ requirements regarding access for vehicles involved in the demolition of the existing buildings; ii) a condition survey of any adjacent highways which may be affected by construction vehicles together with an agreement with the highway

authority that the developer will bear all costs in reinstating any damage to the highway. Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Should there be any obstructions on the public highway, footpath, grass verge, i.e. trees, posted signs, telegraph pole, lamp columns, drainage gullies etc, then permission for removal and/or repositioning will need to be gained before work can commence on site. The applicant will need to be aware that they will/may be required to fund this work. All to the satisfaction of the Local Authority.

4. The Highway Authority requires the alterations to, or the construction of, the vehicle crossover to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant will need to apply to Highways (Telephone 0300 1234047) to arrange this or use link:-<https://www.hertsdirect.org/droppedkerbs/>
5. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
6. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should

your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)

7. With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company, The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

### **Drawing Numbers**

DAT/9.0

DAT/9.1 Rev A

DAT/9.2 Rev B

SJR-412-001

SJR-412-1.00 Rev B

SJR-412-1.01 Rev B

SJR-412-1.02 Rev A

SJR-412-1.03 Rev D

SJR-412-1.04 Rev B

SJR-412-1.10

080-PL-001 Rev A

080-PL-002 Rev A

080-PL-003 Rev A

080-PL-004

### **Other documents**

Planning Statement

Design and Access Statement

Flood Risk Assessment & SUDS Drainage Strategy

Transport Statement

Phase 1 Geo-Environmental Assessment

Code for Sustainable Homes Pre-Assessment Report

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Tel: **01923 278598**