

PART A	
Report of: <b>Head of Development Management</b>	
Date of committee:	<b>2<sup>nd</sup> November 2016</b>
Site address:	<b>7-15, Bridle Path</b>
Reference Number:	<b>16/01046/FULM</b>
Description of Development:	<b>Demolition of the existing buildings and erection of a part 5 storey, part 8 storey, part 9 storey 124 bedroom hotel (Use Class C1) including ancillary café/restaurant and bar facility and associated landscaping and access.</b>
Applicant:	<b>Drax Investments Limited</b>
Date Received:	<b>12<sup>th</sup> August 2016</b>
13 week date (major):	<b>11<sup>th</sup> November 2016</b>
Ward:	<b>Central</b>

## **1.0 Site and surroundings**

- 1.1 The application site has an area of 0.085 hectare and is rectangular in shape, measuring 55m long by 15m wide. It has an east-west orientation with a frontage to Bridle Path at both ends due to the U-shaped layout of Bridle Path. The site is currently occupied by a series of single storey and two storey buildings located along the northern and southern boundaries of the site, with a central access in between. The buildings are used as workshops, principally for car repairs and maintenance.
- 1.2 The immediate area of Bridle Path contains a variety of different commercial buildings. Immediately to the north of the site is the 8 storey Holiday Inn Express hotel with the 3 storey Clarendon House office building beyond. Immediately to the south of the site is the 2 storey Shire House office building. Beyond this, on the southern side of Bridle Path, are the 2/3 storey office buildings fronting Station Road. Most of these are former detached and semi-detached residential

properties that have been converted to office use over many years. To the west are the two, 4/5 storey Egale House office buildings which front St Albans Road. Finally, to the east is Benskin House occupied by The Flag public house. This is a listed building comprising the 3 storey original hotel building facing Watford Junction Station and the 2 storey former stables range fronting Station Road and extending along the eastern side of Bridle Path.

## **2.0 Proposed development**

- 2.1 To demolish the existing buildings and erect a new hotel building on the site, varying in height from 5 storeys at its eastern end to 9 storeys at its western end. The hotel will have 124 bedrooms with its main entrance fronting the western spur of Bridle Path. At ground level it will have a restaurant with 124 covers and staff facilities. All bedrooms will be on the upper floors.
- 2.2 The building will occupy virtually the whole of the site and there will be no on-site car parking provision.

## **3.0 Relevant planning history**

- 3.1 The following planning history is relevant to this application:

64/27024/COU Conditional Planning Permission 14.01.1964 Change of use to light engineering.

64/27165/FUL Conditional Planning Permission 14.01.1964 Use of premises as workshop.

68/04170/FUL Conditional Planning Permission 02.07.1968 Renewal of permission - continuation of use of premises for general industrial purposes.

72/08048/FUL Conditional Planning Permission 23.03.1972 Renewal of permission for use of premises for general industrial purposes.

78/00280/FUL Conditional Planning Permission 14.06.1978 Erection of industrialised building to form drawing office and additional car parking area.

81/00492/OUT Conditional Outline Planning Permission 04.11.1981 Reconstruct part ground floor, construct first floor extension and demolish existing separate buildings on site (Outline Application).

81/00603/RM Approval of Reserved Matters 27.01.1982 Submission of details for the reconstruction of a building pursuant to outline permission No. 9/492/81 granted on 3rd November 1981.

13/00328/OUTM Application Withdrawn 09.07.2013 Outline planning permission for mixed-use development of up to 78 flats (Class C3) and 585 sqm of gym (Class D2) in a building up to 9 storeys high with ancillary parking.

14/00013/OUTM No Further Action 12.03.2014 Outline application for a mixed use development of 30 residential units as 4 x 2bed flats, 8 x 1bed flats and 18 x studio flats (Class C3) and 1,728 sqm of office space (Class B1) in a building up to 8 storeys high.

14/00555/OUTM Refusal of Outline Planning Permission 18.12.2014 Outline application for a mixed use development of up to 30 residential units (Class C3) and up to 1,728 sqm of office floorspace (Class B1a) in a building up to 8 storeys high.

#### **4.0 Planning policies**

##### **Development plan**

4.1 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*;
- (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*.

4.2 The *Watford Local Plan Core Strategy 2006-31* was adopted in January 2013. The *Core Strategy* policies, together with the “saved policies” of the *Watford District Plan 2000* (adopted December 2003), constitute the “development plan” policies which, together with any relevant policies from the County Council’s *Waste Core Strategy* and the *Minerals Local Plan*, must be afforded considerable weight in decision making on planning applications. The following policies are relevant to this application.

4.3 The *Watford Local Plan Part 2: Publication Version* was published in July 2016. This has been subject to 3 rounds of public consultation – Nov-Dec 2013, Dec 2014-Feb 2015 and Dec 2015-Feb 2016. It contains development management policies and site allocations. The emerging policies and site allocations in this document can be given limited weight at this time.

#### **4.4 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
EMP1	Economic Development
EMP2	Employment Land
T2	Location of New Development
INF1	Infrastructure Delivery and Planning Obligations
UD1	Delivering High Quality Design
UD2	Built heritage Conservation

#### 4.5 **Watford District Plan 2000**

SE7	Waste Storage, Recovery and Recycling in New Development
SE24	Unstable and Contaminated Land
T21	Access and Servicing
T22	Car Parking Standards
E1	Employment Areas

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

1A	Presumption in Favour of Sustainable Development
2	Waste Prevention and Reduction
12	Sustainable Design, Construction and Demolition

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

No relevant policies.

#### 4.8 **Supplementary Planning Documents**

The following Supplementary Planning Documents are relevant to the determination of this application, and must be taken into account as a material planning consideration.

#### 4.9 *Watford Character of Area Study*

The Watford Character of Area Study was adopted in December 2011. It is a spatial study of the Borough based on broad historical character types. The study sets out the characteristics of each individual character area in the Borough, including green spaces. It is capable of constituting a material consideration in the determination of relevant planning applications.

#### 4.10 **National Planning Policy Framework**

The National Planning Policy Framework sets out the Government's planning policies for England. The following provisions are relevant to the determination of this application, and must be taken into account as a material planning consideration:

Achieving sustainable development

The presumption in favour of sustainable development

Core planning principles

Section 1 Building a strong, competitive economy

Section 2 Ensuring the vitality of town centres

Section 4 Promoting sustainable transport

Section 7 Requiring good design

Section 10 Meeting the challenge of climate change, flooding and coastal change

Section 12 Conserving and enhancing the historic environment

Decision taking

## 5.0 Consultations

### 5.1 Neighbour consultations

Letters were sent to 91 properties in Bridle Path, Station Road and St Albans Road.

5.2 The following is a summary of the representations that have been received:

Number of original notifications:	91
Number of objections:	4
Number in support:	0
Number of representations:	1
TOTAL REPRESENTATIONS:	5

The points that have been raised are summarised and considered in the table below.

Representations	Officer's response
Overdevelopment with no open space.	The site currently has no open space and surrounding sites also have very limited open space other than car parking. This is not uncommon in central urban areas such as this.
No parking provision.	The site is a short distance from Watford Junction Station and its bus interchange. It is in a highly accessible and sustainable location where car free development is appropriate and acceptable in principle.
Building too high, restricting light to adjoining buildings.	The site is one storey higher than the existing Holiday Inn Express adjoining. It is within an area where taller buildings are considered acceptable in principle.
Site includes land not within the	The parcel of land in question is located at

applicants ownership.	the south-western corner of the site and is proposed as part of the open frontage area for deliveries. The application site benefits from a right of access over this land. No development is proposed on this land. Ultimately, this is a private matter between the land owners.
Building is sited on the site boundaries, allowing no provision for maintenance. Footings will encroach on to adjoining land. Existing foundations of adjoining building could be undermined.	These are private matters between the land owners and not material planning considerations. Other legislation, including the Building Regulations and the Party Wall Act, are relevant in this case.
Increase in cars, coaches and HGVs on Bridle Path which has limited access and turning. Road being blocked.	A Transport Statement has been submitted with the application and is referred to in the report.
Overshadowing of listed buildings.	A Heritage Statement has been submitted which assesses the impact on the listed building. The impacts are not considered significant in this case.
Height will cut natural light to offices at Apex House adjoining the site.	Apex House is a 2 storey office building adjoining the southern boundary of the site. It has windows on all elevations including the north elevation, which directly face on to the application site. The proposal will block light to these windows. This is discussed in the report.
Development not of any architectural interest.	The design and appearance of the proposal has been the subject of significant discussion during the application process. The design and materials proposed are now considered acceptable.
Adjacent to another hotel. No evidence of need for more hotel rooms.	The applicant has submitted evidence to support the need for a new hotel.
Site should be developed for offices. Article 4 Direction applies.	Although the site falls within the employment area where the focus should be on offices, appropriate supporting uses such as hotels are acceptable in principle. The Article 4 Direction only prevents existing offices from being converted to residential use.
Unauthorised use of adjoining parking spaces by existing hotel	This is a private management issue.

guests.	
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The Committee will be advised of any additional representations received after the date this report was written.

### 5.3 **Statutory publicity**

The application was publicised by site notice posted on 22 August 2016 and by advertisement in the Watford Observer published on 19 August 2016. The site notice period expired on 12 September 2016 and the newspaper advertisement period expired on 9 September 2016.

### 5.4 **Technical consultations**

The following responses have been received from technical consultees:

#### 5.4.1 Hertfordshire County Council (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:

##### Provision of Visibility Splays

SHC 17: Prior to the first occupation of the development hereby permitted (or Prior to the commencement of the use hereby permitted) a vehicular visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

##### Construction Traffic Management and Routing / Exceptional Wear and Tear

SHC 26A: Prior to the commencement of any works a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway shall be submitted to and approved in writing with the Local Planning Authority in consultation with Hertfordshire County Council Highway Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.

Reason: In the interests of maintaining highway efficiency and safety.

##### Travel Plan

SHC 37A: Prior to the commencement of the construction of the hotel hereby permitted an Interim Travel Plan shall be submitted, approved and signed off by

the Local Planning Authority in consultation with the Highway Authority, such a Travel Plan shall accord with Hertfordshire County Council document 'Hertfordshire Green Travel Plan Guidance' .

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.

The assessment does not indicate any significant issues with the proposal and a previously approved and now built and operating hotel next to this site would appear to function well in highway terms. As far as the highway authority can tell, concerns over highway safety, capacity or restricting the free flow of the highway network have not come to light. The highway authority would therefore not wish to restrict the grant of planning permission subject to the above conditions and informatives.

#### 5.4.2 Hertfordshire County Council (Lead Local Flood Authority)

Following a review of the surface water drainage report carried out by Innervision Design Ltd dated October 2016, 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 drainage strategy is based upon attenuation and discharge into Thames surface water sewer restricted at 6l/s which demonstrates a 50% reduction from existing rates. We note Thames Water have been contacted and have no objection in principle to the proposed scheme.

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

##### Condition 1:

The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Innervision Design Ltd dated October 2016,, the following mitigation measures detailed within the drainage assessment:

1. 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.
2. Undertake the drainage to include green roofs, permeable paving and attenuation tank.
3. Implement appropriate drainage strategy based on attenuation and discharge into Thames surface water sewer at 6l/s.



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:

1. To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site.
2. To reduce the risk of flooding to the proposed development and future occupants.

Condition 2:

No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

1. Detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
2. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason:

To prevent the increased risk of flooding, both on and off site.

#### 5.4.3 Hertfordshire County Council (Development Services)

Based on the information provided to date we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit. We reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.

Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance.

The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the number and location of hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

Section 106 planning obligation clauses can be provided on request.

Justification:

Fire hydrant provision based on the approach set out within the Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet Panel on 21 January 2008.

The County Council seeks fire hydrant provisions for public adoptable fire hydrants and not private fire hydrants. Such hydrants are generally not within the building site and are not covered by Part B5 of the Building Regulations 2010 as supported by Secretary of State Guidance "Approved Document B".

In respect of Regulation 122 of the CIL Regulations 2010 the planning obligations sought from this proposal are:

(i) Necessary to make the development acceptable in planning terms.

Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development (Circular 11/95: Use of conditions in planning permission, paragraph 83).

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22).

(ii) Directly related to the development;

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

(iii) Fairly and reasonable related in scale and kind to the development.

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

#### 5.4.4 Thames Water

Waste Comments - Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

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.

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

#### 5.4.5 Crime Prevention Design Advisor

1. Crime not addressed in the DAS (Design and Access Statement):  
*CABE's 'Design and Access Statements: How to Read, Write and use them' 2006.* This document makes clear reference that Crime Prevention should be addressed in the DAS (Part 1 page 8). Because crime is not addressed by the applicants it makes it difficult as to whether there will be any security measures in place to deter crime, or if it occurs to help it be investigated and detected. Therefore I am unable to say at this time whether I would be for or against this application.
  
2. Budget Hotel Crime Risks:  
Unfortunately such hotels can and are used by offenders for child exploitation. Other offences that occur at such hotels are: domestic arguments between customers where police need to be called, assaults including on staff by customers, theft, fraud, and drugs offences. It is important that such hotels have measures in place to help deter crime as well as staff to have some control and awareness of what is happening in such places.
  
3. Security:
  - a. CCTV – I would look for the corridors on each floor to have CCTV coverage as well as inside all ground floor fire exit doors, the main pedestrian entrance, reception area and any bar area.
  - b. Fire exit doors – These should all be alarmed and sound by reception to alert staff that fire doors have been opened.

Such security measures will help deter child exploitation as well as general crime. If needs be these measures should be conditioned.

In response to these comments, the applicant has replied as follows:

*"It is noted that Hertfordshire Police have provided comment on the planning application. This letter seeks to respond to the points raised.*

*Premier Inn has over 740 hotels in the United Kingdom and takes the security of people and property with the upmost seriousness. The safety of its guests and employees are monitored closely at every level of the business and Premier Inn have very experienced managers that are trained to deal with those crime risks identified by Hertfordshire Police.*

*Hertfordshire Police identify hotels as creating the potential for "domestic arguments between customers where police need to be called, assaults including on staff by customers, theft, fraud, and drugs offences". As such,*

*Hertfordshire Police advise that it is important that such hotels have measures in place to help deter crime as well as staff to have some control and awareness of what is happening in such places.*

*Seeking to prevent crime is wholeheartedly supported by Premier Inn. However, Icen Projects, as planning consultants, believe that the points raised by Hertfordshire Police are best addressed through management and training - rather than by the planning system.*

*All new build hotels have CCTV, including an interactive system in reception, external and internal cameras and perimeter security alarms, as well as a number of management processes such as locking the front doors at 11pm to assist with effective security management and all team members receive appropriate security awareness training.”*

#### 5.4.6 Urban Design and Conservation Manager Comments on revised design October 2016.

##### **Impact on the setting of heritage assets**

The applicant has submitted a Heritage and Townscape Assessment in support of their proposal which considers the impact of the proposed development on agreed strategic and contained urban views and on the setting of the listed building.

Strategic View 2 (Skyline) – I am happy that there would not be any significant impact from the proposal on this view.

Contained Urban View 3 (Skyline) – the photo of this view submitted is taken when the trees are in full leaf and the proposed building would be hidden behind the trees. However, the photo included in the Skyline SPD is taken when the leaves are off the trees and provides a better indication of the relationship between the proposed building and the spire of Reeds Orphanage. It seems that the proposed building would impact on the clear view of the spire by appearing right next to the tower element of the spire and thus impacting significantly on the view.

This view is part of the setting of this listed building and as such should be considered using the HE guidance on setting published as HE Good Practice Advice in Planning 3 (March 2015).

The guidance note uses a series of stages to assess impact; step 1 is the identification of the assets and settings which are affected – the Reeds Orphanage wider context setting for this view; step 2 assess what contribution the setting makes to the significance of the asset; step 3 assesses the effects of the proposals on the significance; step 4 looks at the ways to maximise enhancement and avoid or minimise harm; step 5 make and document decisions

and monitor outcomes.

Step 2: Contribution: at the time of construction the spire would have been seen from the surrounding area in much the same way as church spires and towers are viewed and served as a local landmark; to this end the role of the views and setting do make a significant contribution to the value of the building and the experience of the asset. Where they have not been compromised such views should be protected from intrusive developments.

Step 3: Assessment of the effects: the potential for the proposal to affect the setting of Reeds Orphanage was identified in the initial comments and the photographs submitted recently demonstrate that the proposed building will be seen in close proximity to the spire of Reeds Orphanage and will prevent the spire and tower from being seen as a separate entity in this view. As such this view of the asset is not protected. In this view the spire and tower is currently the dominant feature in the skyline so proposals which compete with it will reduce the significance of this role.

Step 4: Enhancement/amelioration: it is difficult to see how the building could be altered to avoid the negative impact on the view other than a significant reduction in height and massing.

The Flag (Benskins House): the effects of the proposals on the setting of this building should be assessed using the same HE guidance as for CUV3.

Step 1 – identification of the asset – the asset is a grade ii listed building constructed around 1860 as the main hotel and tavern serving the railway station and included stables where carriages could be left. The principal part of the building has a good form which has not been altered and an Italianate style architecture was used. The principal element has two main elevations; one with a raised terrace which has a balustrade edge fronting the space in front of the station and once which is set back from the pavement and fronts Station Road. The historic maps for 1870s suggest that the principal entrance was that to the station. The stable range fronted Station Road and early maps show the road widens to create a small public space and the principal entrance fronts onto this space.

Step 2: contribution of setting to significance – there are two aspects to the setting of this building which are relevant to the proposed scheme; the first relates to the views of the principal part of the building and its role in the street scene when viewed from the area in front of the station and the second relates to the stable block range and its relationship and setting from Station Road. This is due to the angled arrangement of the two parts of the building.

Setting of the front from the area in front of the station: The extract above [*not quoted here*] and the historic mapping show that the building was constructed to

address the space in front of the station and until the late 20<sup>th</sup> century would have been the most dominant building in the street scene. The building sits on raised ground and is 3 storeys in height with a pitched hipped roof with chimneys included a linked pair in the centre of the roof. On this basis the setting does contribute to the significance of the asset and it is important that the building retains its role in the street scene. The wider setting has been compromised by recent developments which intrude but do not dominate. Setting of the stable block range: again this setting was little altered until the late 20<sup>th</sup> century and retained a key role in the street scene for Station Road; the building retains its relationship with the street as the area in front of the building is open still; however, the ridgeline of the roof now has buildings which appear behind it. The roof form is a simple pitch with a central pediment feature. This element is subservient to the principal element of the building. The setting of the building in terms of the frontage relationship is important and contributes to the significance of the asset; the wider setting is significant in terms of role of the building in the street scene; this element has been compromised by more recent developments which intrude but do not dominate the setting.

Step 3 effect of the proposed development: the proposed development would be seen in terms of the wider setting of both elements of the asset.

Principal element: the photograph shows that the proposed development would be seen in the wider setting of the principal elevation; whilst there are more modern buildings visible in the existing view of the asset they do not dominate. The submitted photos shown that the proposed development would dominate views of the front of the building for the following reasons:

- The proposed building is significantly closer to the asset and whilst it is a similar height to existing modern buildings it is perceived to be bigger and can be seen above the ridge line of the asset and compromises the comprehension of the building form.
- The brick colour chosen, whilst is not unattractive in terms of close views of the proposed building, does not work when seen in the context of the asset (the photo is taken on a gloomy day).

It is considered that the proposed development would erode the significance of the asset due to the impact on the way the asset is viewed and perceived in the street scene.

Stable range: the proposed building would be more intrusive to the wider setting of the element of the asset as it is closer to the asset and is a bigger building than the existing building which can be seen closest to the asset (Holiday Inn). It is considered that in terms of the experience of this part of the asset there is an increase in the intrusion but not to the extent that further harm is caused; there is no enhancement.

Step 4 maximising enhancement and minimising impact: it is considered at step 3 that some harm is caused to the setting and the asset in both the views assessed; the degree of harm is greatest to the principal elevation and part of the asset and therefore this results in more loss of significance to the asset. The applicant has made some effort to improve the design of the proposed building without us being able to really consider the impact on the asset fully as the statement was not available at the time of the discussions. The issue was raised in the initial comments made. Further changes could be made to reduce the impact; further changes to be considered:

- Reducing the height of the building by 2 storeys to result in a less dominant intrusion;
- Altering the colour of the brickwork;
- Consideration of an alternative and high quality material for the visible elevation which would not dominate;
- Altering the materials used on the roof so that they merge more with the sky.

The analysis above establishes that some harm is caused to the significance of the asset by the additional intrusion to the setting and effect on the perception of the asset when viewed in its wider setting.

The NPPF sets out how harm should be considered when dealing with development proposals and para 134 sets out that where less than substantial harm is caused to the significance of the asset then this should be weighed against the public benefits of the proposal. This is the relevant paragraph to apply here.

The proposed use is for a hotel in what is an employment area and we do not have any real assessment of the need for this use within the employment area (EMP 5) or whether this is considered to be of public benefit.

### **Building Design**

The applicant has made changes to improve the building design based on an assessment of the design without the information to assess impact on the heritage assets.

Changes have been made to the two front elevations which have improved the appearance and activity on the front where the entrance is; the second front has one window and the rear access has been removed and will only function as a fire exit.

Changes have been made to the materials to remove the render/panel elements and use brick across all the elevations; textured brick has been introduced which



provides some relief to the otherwise bland side elevations. The windows have been altered to give the impression of a bottom, middle and top section to the front elevation; this does represent an improvement but is only just acceptable. Overall, aside from the issues identified regarding the impact on the heritage assets the proposed building is just about acceptable for the location; the site is difficult and constrained and the applicant has a format which needs to be followed with limited flexibility to adapt to the site. There are further changes which could be made from a design perspective but these were not acceptable to the applicant in terms of their building operation and budget. The resultant design is a compromise.

In conclusion, the questions to be considered are:

- Does the public benefit outweigh the harm caused to the significance of Benskins House by the resultant intrusion into the wider setting and effect this has on the way the building is perceived in the street scene;
- Does the use as a hotel work in the employment area given this issue?
- Is the building design good enough given the above?

The applicant has provided the following response to these comments:

‘ We write in reference to the above planning application following updated design and conservation comments from Watford Borough Council. This letter responds specifically to points raised on view CUV3, the Flag Public House, and design matters.

### **CUV3 and the Reeds Orphanage Tower**

The approach taken within our document is entirely in line with the stepped approach advocated by Historic England within their *GPA3: The Setting of Heritage Assets*. In identifying the heritage assets to be affected, it assesses their significance and setting, before assessing the likely impact of the scheme on this significance. Our approach to Reed’s Orphanage (Grade II), and its tower, however, within the context of CUV3 was framed within the context of the view itself. As identified within our document at paragraph 4.4, we are not of the view, however, that the identification of this view within Watford Borough Council’s *Skyline* document equates to a correct or agreed identification of this views as a notable contributor to the setting and significance of the Orphanage and its tower. Indeed, while we would agree that the prominence of the tower was intended and possesses significance, this does not *ispsso facto* generate a situation where any longer view of the tower contributes materially towards significance.

It is vital to remember, in assessing this view, that it is a modern creation, the result of a significant and modern piece of road engineering. In our assessment, it is clear that the Orphanage only becomes prominent for a short period, at the apex of the Link Flyover. As soon as one drops back to ground level, the Orphanage tower quickly disappears. There are a considerable range of more significant views, wherein the

Orphanage tower retains its intended prominence; here, any prominence is artificial, and while this may be of interest to Watford as an authority in townscape terms, it is not possible or appropriate to also imbue this value with any material heritage significance. Indeed, the *Skyline* document does not seek to imply this.

As such, we are of the view that as a baseline position, any impact on the prominence of the Reeds Orphanage tower in this view cannot be seen to generate a notable harmful impact on the significance and setting of Reeds Orphanage as a whole. When this fact is combined with the extent to which the proposed building sits down from the tower itself, and fails to intrude on its prominence, it is quite clear that any impact here is entirely immaterial in significance terms. Equally, in townscape terms, it remains our view that the proposed development allows the Reeds Orphanage tower to retain its prominence, sitting as part of a group of lower buildings which flank the tower. As the views show, any impact will be entirely limited to winter views, as the proposed will be entirely concealed during the months when trees are in full or close to full leaf.

It is noted, incidentally, that the officer has raised concerns about the provision about a 'summer' view, with trees in full leaf. This is inevitable, however, given the timing of the current application, and the officer's request. Nonetheless, the view provided clearly indicates the location of the proposed development in this view, while Google Street View, available online, includes winter views that provide a strong sense of how the development would appear in winter views. Again, however, the clear difference between summer and winter views further demonstrates the limited possible impact of the proposals.

### **The Flag Public House**

The Flag Public House, as shown in the two views below, is already appreciated within the context of taller buildings in the vicinity, most notably the extant Holiday Inn Express adjacent to the Site. The proposal will essentially respond to its immediate surroundings, to the apparent scale of the Holiday Inn Express, and its relationship with The Flag Public House; the Flag is already partially backdropped by the extant hotel, and the proposed will essentially generate a slight increase in this perceived backdropping. It will not, however, impact upon one's appreciation of its architectural form or significance in real terms, with The Flag being perceived, in real terms, as an eye-catching, stand-alone element, with a quite different character and colour to the proposed.

Within this context, it is our view that the proposed development cannot be said to generate harm to the setting of the heritage asset in the manner suggested by the Conservation Officer. The building's relationship with the station forecourt remains, in character terms unchanged, with it retaining its status as the principal building fronting the Station forecourt, with taller buildings beyond, but quite clearly and appreciably set away from the hotel building. The officer notes that modern developments 'intrude but do not dominate'; it is not possible to identify this relationship as changing, particularly

within the context of the attached views. It is therefore our view that the development would preserve the setting of the heritage asset, both in terms of the main Hotel building and its associated stable. Even were any harm to be identified by Watford Borough Council, it is our view that this must, by virtue of the existing development within the immediate vicinity of the Site, be seen to be very limited, and weighed accordingly.

## **Design**

A series of recommendations have been made by the Urban Design and Conservation Manager. This includes a reduction in height by two storeys; amendment to the colour of the brickwork; and amendments to the materials used in cladding the building and on the roof.

Matters relating to materials can be addressed by planning condition. The below planning condition is a standard condition used by Watford Borough Council and, significantly, was applied in granting planning permission for the nearby Holiday Inn (Ref. 06/01305/FULM).

*Notwithstanding the details shown on the approved plans, details of the materials to be used for all the external finishes of the buildings, including all external walls, all roofs, doors, windows, fascia's, rainwater and foul drainage goods and fencing shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced on site. The development shall be carried out only in accordance with the details approved under this condition.*

The Urban Design and Conservation Manager has expressed a viewpoint that the building be reduced by two storeys. It is acknowledged by Watford Borough Council that such an amendment to the scheme would have a negative impact on the commercial viability of the scheme.

In responding to the issue of building height it should be emphasised that both height and scale was confirmed as being acceptable in advance of submission of the planning application. Moreover, emerging *Policy EMP5: Clarendon Road, Station Road and Bridle Path Office Area* states that the area "has been identified as a suitable location for taller buildings and this policy [EMP5] should be read in conjunction with Policies TB1 and TB2". In referring to Policy TB1 and TB2 it states that "buildings [within the application site] with heights up to 35 metres (about 10 storeys) will be considered". This is significant in the context that the application proposals are 26.8m, i.e. 23% below the building height threshold.

In the context of the above comments we feel unable to reduce the height of the proposed hotel. Not only would it negatively impact the viability of the scheme but would also the proposed building heights are in accordance with emerging policy, which specifically addresses building heights in this location.'

## 6.0 Appraisal

### 6.1 Main issues

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

- (a) Principle of the use.
- (b) Scale and design.
- (c) Impacts on surrounding properties.
- (d) Impacts on heritage assets.
- (e) Access and servicing.

### 6.2 (a) Principle of the use

The site is within the wider Town Centre SPA in the Core Strategy and within an allocated employment area (E7a) in the Watford District Plan 2000. 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.

The GVA Employment Study 2010 (forming part of the evidence base for the Core Strategy) identified potential demand for up to 90,000m<sup>2</sup> of B1a office floorspace to 2031. Even if all existing vacant floorspace was taken up, there would still be a demand for 34,600m<sup>2</sup> of new floorspace. This study also highlighted the fact that the quality of floorspace is equally important as the quantity. Clarendon Road/Station Road is identified as needing improvement in the quality of stock to compete effectively and attract occupiers. It is important to have not only the right quality and quantity of floorspace but also the right type of space to meet the future employment needs of the Borough and generate new jobs. As a regional centre, it is important that Watford remains an employment destination and does not become merely a commuter town.

The latest Economic Growth and Delivery Assessment (EGDA) prepared by Nathaniel Lichfield and Partners (2014) has identified a significantly greater predicted growth in employment at 13,290 new jobs, almost double the predicted 7,000 new jobs in the 2010 Employment Study. Some 11,630 of these are forecast to be in Class B1(a) and B1(b) office jobs. It also predicts a significant shortfall of employment floorspace, in the order of 164,000m<sup>2</sup> to 215,000m<sup>2</sup>, a significant proportion of which will need to be in the form of office floorspace. Even allowing for some adjustment and refinement of these figures, these figures are a magnitude greater than that planned for in the Core Strategy.

Emerging Policy EMP5 of the Local Plan Part 2 states that development within the Clarendon Road, Station Road and Bridle Path office area should deliver modern, high quality Class B1a and B1b office floorspace to meet these identified needs. However, it also states that an element of small scale

supporting uses (such as coffee shops, conference facilities, gyms and creches) will be supported where these add to the vitality and viability of the office area. Although hotel use is not specifically mentioned, hotels do provide an important supporting role to the business community in providing accommodation for employees and visitors to the office uses within the employment area. The Core Strategy also acknowledges that with the anticipated growth in Watford's economy, the enhancement to Charter Place, the continuing growth of Warner Bros Studio Tour and the planned expansion of the Warner Bros Film Studios, there will be a need for additional supporting facilities such as hotels.

Current occupancy rates within the existing hotels is high and this principally derives from the business community. The applicant's current hotel on Water Lane achieved an occupancy rate of 87.5% in 2014/15 and it is anticipated that the current proposal would exceed this given its better location. The applicant's agent has also provided the supporting statement below:

*"Whitbread has confirmed that there is strong demand for a new hotel in this location. By way of example, Watford is categorised by the Whitbread as a "major town", i.e. a population of between 90,000 and 200,000 residents. There are currently three Whitbread hotels in the Watford catchment that are already performing strongly, compared with five well performing hotels in Norwich, which is a comparably sized settlement. Again, Norwich has 17 competitor hotels with 1,434 rooms, whereas Watford has seven branded competitor hotels with 975 rooms. In fact, Whitbread have a business requirement in Watford area for room numbers well in excess of the current 124 room scheme."*

As such, the proposed hotel use will support the business community and the wider economy of the town and is considered an appropriate exception to the policy. Although the proposal could not be considered small scale, modern hotel operators normally require bed numbers to be between 90-160 in order to be viable, and this is reflected within the proposed scheme.

### 6.3 (b) Scale and design

The site is located within Character Area 30B in the Watford Character of Area Study. This area is of mixed character but dominated by large scale commercial buildings of 4 -9 storeys high. Adjoining the site is the 8 storey Holiday Inn Express. To the west, fronting St Albans Road, are the two 4 storey Egale office buildings. A short distance to the east is the 9 storey Iveco House building above Watford Junction Station. The proposed building will be sited immediately adjacent to the Holiday Inn Express.

#### 6.3.1 Emerging Policy TB1 of the Local Plan Part 2 relates to the location of taller buildings. Certain locations, including Clarendon Road, which benefit from good public transport accessibility, are identified as areas where taller buildings could

be located. Although not within Clarendon Road itself, the site is within the designated employment area. As such, a taller building would be considered acceptable in principle in this location. In the context of the surrounding buildings, the proposed building would not necessarily be considered a tall building, nevertheless, it will sit comfortably alongside the existing buildings without appearing unduly prominent.

6.3.2 In terms of design and appearance, negotiations during the application process have focussed on improving the quality of the design, avoiding repetitive window fenestration typical of many hotels and large expanses of featureless blank walls. The use of good quality facing brick as the main treatment is also been sought. Although the design to a large extent remains a function of the long, narrow site and its use, it is considered that the proposed design is now acceptable and will be a high quality addition to the locality.

6.3.3 It is noted that the Council's Urban Design and Conservation Manager considers that the design of the development could be further improved and that the resultant design is a compromise. However, such a comment is far from an objection on the basis of poor design and indeed could be applied to most developments. The objective of the planning system is to balance relevant considerations including design quality and the delivery of development. The height of the building follows the Council's aspirations for the area and is likely to be replicated on other sites nearby, in addition further reduction in height or design alterations are likely to prevent delivery of the development. In this case it is considered the proposed development would sit comfortably alongside other buildings in the street and indeed those which the Local Plan aspires to.

#### 6.4 (c) Impacts on surrounding properties

All of the surrounding properties are in commercial use, either as offices or a hotel. As such, the levels of outlook, privacy and natural light are not considered as important as for residential properties. Whilst the proposed building will be directly visible from one of the Egale House office buildings and the Holiday Inn Express hotel, it will not have any significant adverse impact on these properties.

6.4.1 With regard to Apex House, this building has windows on its rear (northern) elevation sited only 3m from the boundary of the site. These windows will suffer a loss of outlook and natural light as a result of the proposal. However, notwithstanding any Right to Light that may apply (which is not a material planning consideration), it is not reasonable for the outlook and light to these windows over the application site to be maintained at the expense of prejudicing the development of the application site. If the approach was to be taken that existing levels of outlook and light had to be maintained, no future development of the application site would be possible. The offices at Apex House are largely open plan and benefit from outlook and light from windows on the west, south and east elevations that are not affected by the proposal.

6.4.2 For these reasons, it is not considered that the loss of outlook and light to the windows in the north elevation of Apex House justify the refusal of the proposal.

6.5 (d) Impacts on heritage assets

There are no heritage assets on the application site but the site is in close proximity to the listed building of Benskin House to the east. This has a grade II listing and comprises the 3 storey former hotel building facing Watford Junction station and the 2 storey former stables range fronting Station Road and extending along Bridle Path to the rear, although the listing description refers only to the 3 storey former hotel building. The site also includes an open car park at the rear, accessed off Bridle Path, opposite the eastern end of the application site.

6.5.1 The closest part of the proposed building to the listed building is the eastern (rear) end of the building. This is sited 15m from the 2 storey stable block at its closest point. This will change the immediate setting of the listed building although the 2 storey Shire House (with mansard roof) adjoining the application site is only 8m away at its closest point. The proposed building will face directly towards the open rear car park. The stable block is the less important part of the listed building and is not referred to in the listing description. Its setting and context is very different to that of the main 3 storey building.

6.5.2 The main listed building, the former hotel, is sited 66m to the south-east of the application site with the 2 storey stable range sited in between. Views of this building are principally from Station Road, its junction with Clarendon Road and from Woodford Road to the east. In each of these views, the listed building is seen in the context of taller buildings. To the front, adjacent to the building, is the Iveco House building sited above Watford Junction station. It is part 6 storeys, part 9 storeys in height with a large plant room, and visually dominates the junction of Clarendon Road and Station Road. To the rear, the taller buildings of the Holiday Inn Express and Egale House form the backdrop to views of the listed building.

6.5.3 In relation to the matters raised with regard to impacts on the listed building, it is important to consider the public benefit as a whole. The proposed development falls within an area which is critical to the Council's wider strategy to regenerate the station surroundings and main employment area. These current policy aspirations will deliver significant benefits to the borough in terms of providing jobs, homes and a quality built environment and will inevitably result in a change to the skyline which provides a backdrop to the listed building.

6.5.4 It should also be recognised that it is a common scenario for a listed building in a highly urban area to have a backdrop of other structure (indeed it is unusual for such a building to have a backdrop of clear sky) and such arrangements are

common across cities and towns country wide. While the proposal will change the backdrop of the Listed Building from certain viewpoints, it is not considered this will have an unacceptable impact on the value of this heritage asset which would maintain its integrity, quality and relationship with the station. A change to the backdrop of a Listed Building in such an urban location is considered to be inevitable and the wider benefits of providing regeneration are considered to outweigh any harm in this regard.

6.5.5 In relation to the issue of the spire at the reeds orphanage, the applicant has sent further information which is considered to demonstrate that the proposal will not significantly alter the view of the spire in this view compared when seen alongside other buildings in the surrounding area.

6.5.6 For the above reasons, it is considered that a correct balance of planning considerations lies in favour of granting permission for this development.

6.6 (e) Access and servicing

The site is in a highly accessible location with Watford Junction station and its associated bus interchange located just 130m to the east. This gives access to a wide range of rail and bus services. Further bus services are accessible within the town centre located 800m to the south together with a full range of town centre shops, services and facilities. The site is also easily accessible by foot and cycle. In light of this high level of accessibility and the small site area, the development is proposed to be car-free. This is acceptable in this location. A Travel Plan has been submitted with the application based on Hertfordshire County Council's Travel Plan Guidance and this will promote sustainable modes of travel to the site.

6.6.1 The existing site has two vehicular access points from Bridle Path, one at its eastern end and one at its western end. These will be closed off as part of the development. At the western end of the site, the public highway currently forms an unmade apron between the edge of the carriageway and the site boundary. Adjoining this is an unmade strip of land over which the application site has a right of access. It is proposed that these two areas of land will be resurfaced as part of the proposal. This area is of sufficient size to accommodate a 12m service vehicle which would allow servicing of the hotel clear of the carriageway. This is the smallest size of vehicle used by the operator. The size of hotel proposed would generate 14 service vehicles per week (approximately 2 per day, with no deliveries/collections on Sundays and bank holidays). These would comprise 7 for linen, 3 for food, 1 for beer/wine and 3 for refuse. As the delivery bay is at the western end of the building, all vehicles would access and egress the site from St Albans Road.

6.6.2 An integral bin store will be incorporated into the building at its eastern end. Tracking diagrams for a refuse vehicle have been included in the Transport



Statement to demonstrate that a vehicle can enter and leave this eastern spur of Bridle Path in forward gear, enabling refuse collection to take place.

6.6.3 It is noted that the highways authority have requested a construction traffic management plan to be secured by condition. However, this relates to construction matters which are not material planning considerations and the requirements of such a condition would not meet the relevant tests. As such, this condition should not be imposed.

#### 6.7 Flood risk and drainage

The site is within Flood Zone 1 with minimal risk of flooding from all sources. It is also located within a Source Protection Zone 2, indicating that groundwater beneath the site will directly feed a public drinking water abstraction point. As such, and having regard to the potential for land contamination, the standard conditions requiring a ground investigation and any appropriate remediation measures are proposed. In order to minimise the risk of flooding post-development, a surface water drainage strategy has been approved by the County Council as the Lead Local Flood Authority. This can be secured by condition.

#### 6.8 Sustainability, energy and waste

The site is within Special Policy Area 1: Town Centre and, as such, will be expected to exceed current Building Regulations. The Council's emerging development management policies within the Local Plan Part 2 require all development within Special Policy Areas to achieve an energy performance standard equivalent to BREEAM Excellent.

6.8.1 The applicant has submitted a sustainability statement which sets out how policy objectives will be met by optimizing sustainability through the incorporation of best practice design, construction and operation measures. Key measures include building design in accordance with the principles of energy efficiency and best practice in sustainable design; achieving a net 44% overall reduction in CO2 emissions on Part L of the Building Regulations 2013; achieving a 12.5% overall reduction in water use; and the incorporation of sustainable surface water drainage.

### **7.0 Community Infrastructure Levy and Section 106 planning obligation**

#### **7.1 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.

The CIL charge applicable to the proposed hotel development is £120m<sup>2</sup>. Based upon the proposed floorspace of 4825m<sup>2</sup> and the existing floorspace to be demolished of 852m<sup>2</sup>, the net additional floorspace is 3973m<sup>2</sup>. This results in a CIL charge of £476,760.

In accordance with s.70 of the Town and Country Planning Act 1990, as amended by s.143 of the Localism Act 2011, a local planning authority, in determining a planning application, must have regard to any local finance consideration, so far as material to the application. A local finance consideration is defined as including a CIL charge that the relevant authority has received, or will or could receive. Potential CIL liability can therefore be a material consideration and can be taken into account in the determination of the application.

## 7.2 **S.106 planning obligation**

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. On and from this date, s.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. In this case, the only requirement is for the provision of fire hydrants, which can be secured by condition.

## 8.0 **Conclusion**

8.1 There is no objection in principle to a hotel use on this site. There is an on-going demand for hotel accommodation within the Borough and the proposal will serve the business community focussed on Clarendon Road and the surrounding employment area as well as the town centre. The design of the proposal has been the subject of detailed discussions and has evolved into a high quality building using brick as the facing material, which is considered appropriate for the site. Having regard to the scale of the building, it is not considered to have any significant adverse impact on the wider setting of the listed building at Benskin House.

8.2 The proposal will have an impact on some of the windows in the adjoining Apex House, an office building adjoining the southern boundary of the site. Windows on the north elevation sited close to the boundary will experience a loss of light and outlook. However, this would be the case with any development of the application site and it is not considered justified to refuse the application for this reason. The offices also have windows on the west, south and east facing elevations that will be unaffected by the proposal. No residential properties will be affected.

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## 9.0 Human Rights implications

- 9.1 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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## 10.0 Recommendation

That planning permission be granted subject to the following conditions:

### Conditions

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

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

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

PL-01A, 02A, 03A, 04A, 05A, 06A, 07A, 08, 09

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

3. No construction works shall commence until full details and samples of the materials to be used for the external surfaces of the building (including walls, roofs, windows and doors) have been submitted to and approved in writing by the Local Planning Authority.

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

4. No construction works shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

- i) details of the window reveals;
- ii) details of the patterned brickwork on the north and south elevations;

The development shall only be implemented in accordance with the approved materials.

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

- 5. No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

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

- 6. No demolition or construction works shall commence until a detailed scheme to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
  - i) a preliminary risk assessment (PRA) which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site;
  - ii) where the PRA in (i) above identifies the need for further investigation, a site investigation scheme to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
  - iii) where a site investigation scheme referred to in (ii) above is required, the results of the site investigation and risk assessment and, based on these, an options appraisal and remediation

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

- iv) where a remediation strategy referred to in (iii) above is required, a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. No changes to these components shall be undertaken without the written approval of the Local Planning Authority. All works shall be carried out in accordance with the approved details.

Reason: In the interests of the health of the future occupiers of the site and to prevent pollution of controlled waters (the site is within Source Protection Zone 2) in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

- 7. Where a remediation strategy has been approved pursuant to Condition 3, no construction works shall commence until a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To verify that all contamination has been successfully removed from site following all remediation works in the interests of the health of the future occupiers of the site and to prevent pollution of controlled waters (the site is within Source Protection Zone 2) in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

- 8. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to, and obtained written approval from, the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination is to be dealt with. All works shall be carried out in accordance with the approved details.

Reason: In the interests of the health of the future occupiers of the site and to prevent pollution of controlled waters (the site is within Source Protection Zone 2), in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

9. The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Innverson Design Ltd dated October 2016,, the following mitigation measures detailed within the drainage assessment:
  1. 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.
  2. Undertake the drainage to include green roofs, permeable paving and attenuation tank.
  3. Implement appropriate drainage strategy based on attenuation and discharge into Thames surface water sewer at 6l/s.

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 and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants, in accordance with Policy SD2 of the Watford Local Plan Core Strategy 2006-31.

10. No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
  1. Detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
  2. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To prevent the increased risk of flooding, both on and off site, in accordance with Policy SD2 of the Watford Local Plan Core Strategy 2006-31.

11. No construction works shall commence until a detailed scheme for the provision of mains water services to serve the development, including, where necessary, fire hydrants, has been submitted to and approved in writing by the Local Planning Authority. No occupation of the development shall take place until the approved mains water scheme has been provided in full.

Reason: This is a pre-commencement condition in order to ensure adequate mains water services, and in particular fire hydrants, are provided to serve the development.

12. The development shall not be occupied until a final Travel Plan, based upon the submitted Travel Plan by RGP (Ref. RLR/WHIT/16/3182/TP02, dated July 2016), has been submitted to and approved in writing by the Local Planning.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.

13. The development shall not be occupied until a detailed soft landscaping scheme for all the land within the site has been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of 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.

14. The development shall not be occupied until a detailed hard landscaping scheme for all the land within the site, including details of all site boundary treatments, has been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details.

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.

15. The development shall not be occupied until the refuse and recycling bin store, as shown on approved drawing no. PL-02A, has been constructed and made available for use. These facilities shall be retained as approved at all times.

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

16. The development shall not be occupied until the following works, as shown in principle on approved drawing no. PL-01A, have been laid out and constructed in full:
  - i) The closure of the existing access at the eastern end of the site and the reinstatement of the footpath.
  - ii) The closure of the existing access at the western end of the site and the formation of the servicing lay-by.

Reason: In the interests of highway safety and convenience, in accordance with saved Policy T21 of the Watford District Plan 2000.

17. No plant or equipment shall be sited on the external elevations of the building unless details of the plant or equipment have been submitted to and approved in writing by the Local Planning Authority. The details shall include size, appearance, siting and technical specifications relating to noise and odour control as appropriate.

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

### Informatives

1. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health & Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990.

In order to minimise impact of noise, any works associated with the development which are audible at the site boundary should be restricted to the following hours:



- Monday to Friday 8am to 6pm
- Saturdays 8am to 1pm
- Noisy work is prohibited on Sundays and bank holidays

Instructions should be given to ensure that vehicles and plant entering and leaving the site comply with the stated hours of work.

Further details for both the applicant and those potentially affected by construction noise can be found on the Council's website at:

[https://www.watford.gov.uk/info/20010/your\\_environment/188/neighbor\\_complaints\\_%E2%80%93\\_construction\\_noise](https://www.watford.gov.uk/info/20010/your_environment/188/neighbor_complaints_%E2%80%93_construction_noise).

2. This development may be considered a chargeable development for the purposes of the Community Infrastructure Regulations 2010 (as amended). The charge is non-negotiable and is calculated at the time planning permission is granted. The charge is based on the net increase of gross internal floor area of the proposed development.

A person or party must assume liability to pay the levy using the assumption of liability form 1 which should be sent to the CIL Officer, Regeneration and Development, Watford Borough Council, Town Hall, Watford, WD17 3EX or via email (semeta.bloomfield@watford.gov.uk).

If nobody assumes liability to pay the levy this will default to the land owner. A Liability Notice will be issued in due course. Failure to adhere to the Regulations and commencing work without notifying the Council could forfeit any rights you have to appeal or pay in instalments and may also incur fines/surcharges.

3. All new developments granted planning permission and to be constructed require naming or numbering under the Public Health Act 1925. You must contact Watford Borough Council Street Naming and Numbering department as early as possible prior to commencement on [streetnamenumbers@watford.gov.uk](mailto:streetnamenumbers@watford.gov.uk) or 01923 278458. A numbering notification will be issued by the council, following which Royal Mail will assign a postcode which will make up the official address. It is also the responsibility of the developer to inform Street Naming and Numbering when properties are ready for occupancy.
4. 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. The Council also gave advice on the proposal and sought amendments during the application process.

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**Drawing numbers**

PL-01A, 02A, 03A, 04A, 05A, 06A, 07A, 08, 09

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