

<b>Committee date</b>	Wednesday, 5 February 2020
<b>Application reference</b>	19/00936/VAR – Whippendell Marine, 477-479
<b>Site address</b>	Whippendell Road
<b>Proposal</b>	Variation of Condition 2 of planning permission ref. 18/00269/FULM for the redevelopment of the site to provide 81 apartments in 3 apartment buildings with associated access, parking, amenity space, bin store and bicycle/residential storage areas - minor amendments to the floor plans and elevations of the approved buildings.
<b>Applicant</b>	Miss E Runesson, Ridgepoint Homes
<b>Agent</b>	None
<b>Type of Application</b>	Variation of Condition (s.73)
<b>Reason for committee Item</b>	Major development
<b>Target decision date</b>	19 <sup>th</sup> February 2020
<b>Statutory publicity</b>	Public advertisement and site notice
<b>Case officer</b>	Paul Baxter, paul.baxter@watford.gov.uk
<b>Ward</b>	Holywell

## 1. Recommendation

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

## 2. Site and surroundings

- 2.1 The site is located on the southern side of Whippendell Road just east of the Junction with Sydney Road and extends through to Sydney Road where it has a 'secondary' frontage. The site is rectangular in shape and has an area of 0.6 hectare. It has been occupied by the Whippendell Engineering and Manufacturing Company (WEMCO) since the 1950s and comprises various industrial buildings. The main building fronts Whippendell Road and is 3 storeys with a small 4 storey element. To the rear is a large, 2 storey industrial building. On the Sydney Road frontage are 4 smaller, 2 and 3 storey buildings. The site has 1 vehicular access from Whippendell Road (at the western end) and 4 accesses from Sydney Road.
- 2.2 The immediately adjoining properties on both the Whippendell Road and Sydney Road frontages are 2 storey houses with good sized gardens. Those on Whippendell Road are Victorian terraces and those on Sydney Road semi-detached houses built in the 1950s. Whippendell Road is predominantly residential in character following the recent redevelopment of the Rembrandt House site to the east. To the west is the Printers Avenue mixed use

development. Sydney Road has a very mixed character with the former Watford Laundry works and car repair garages opposite. Further to the east are other commercial sites (the subject of a recent application for residential development).

- 2.3 Further information, including the site plan and drawings, is available in the appendices to the report and on the council's [website](#).

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

#### **3.1 Proposal**

Variation of Condition 2 of planning permission ref. 18/00269/FULM for the redevelopment of the site to provide 81 apartments in 3 apartment buildings with associated access, parking, amenity space, bin store and bicycle/residential storage areas - minor amendments to the floor plans and elevations of the approved buildings. The changes to the internal floor plans have been made to achieve an acceptable fire escape strategy for the buildings.

#### **3.2 Conclusion**

The proposed changes to the elevations will maintain the design integrity and quality of the elevations of the 3 buildings as well as that of the development as a whole. The proposed new flat layouts will provide a good quality of accommodation for future residents. The proposal is therefore considered acceptable.

### **4. Relevant policies**

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

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

- 5.1 The site has a long planning history of works and development from 1949 to 1987 but no recent applications. The first building appeared on the site shortly after the First World War.

18/00269/FULM - Redevelopment of the site to provide 81 apartments in 3 apartment buildings with associated access, parking, amenity space, bin store and bicycle/residential storage areas. Planning permission granted 5<sup>th</sup> June 2018.

This permission is subject to a s.106 unilateral undertaking dated 5<sup>th</sup> June 2018 to secure the following planning obligations:

- i) To secure 24 flats as affordable housing comprising 5 flats (2 x 2 bed and 3 x 3 bed) for social rent, 15 flats (15 x 2 bed) for affordable rent and 4 flats (3 x 2 bed and 1 x 3 bed) for low cost home ownership.
- ii) To secure a financial payment to the Council of £2,000 towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude the site from the controlled parking zone, thereby preventing residents' parking permits being issued to this site;
- iii) To secure a financial payment to the County Council of £2,000 for the monitoring of an approved Travel Plan;
- iv) To secure the provision of fire hydrants to serve the site as required by Hertfordshire County Council;
- v) To secure 1 parking space for the use of a car club vehicle.

## **6. Main considerations**

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

- (a) Scale and design
- (b) Quality of residential accommodation
- (c) Mix of unit sizes

All other aspects of the approved scheme, including affordable housing provision, impacts on surrounding properties, transport, parking and servicing arrangements and environmental considerations remain unchanged.

6.2 (a) Scale and design

The approved scale and design of the proposed buildings was informed by a thorough analysis of the existing industrial buildings and materials on the site and other important industrial buildings in the locality, such as Rembrandt House. All of the buildings as approved are 3 storey, reflecting the scale of the existing buildings, with an enlarged 4<sup>th</sup> storey element on Block A fronting Whippendell Road, acknowledging the status of this road as an important local distributor road. The scale of Block A fronting Whippendell Road is slightly lower in overall height (see below) whilst Blocks B and C fronting Sydney Road

are unchanged.

- 6.3 As approved, Block A exhibits a strong grid pattern within its facades reflecting the pattern seen in the existing building and typical of industrial buildings of this age. The materials chosen also reflect the industrial heritage of the site. On the Whippendell Road frontage, a red brick is proposed as the main material with metal and concrete panels adding variety and interest. In contrast, the rear elevation is in a grey brick, reflecting the fact that the rear elevations of industrial buildings were often in a poorer quality brick and contained less detailing (although in this case, the quality of materials and detailing will be the same as the front elevation).
- 6.4 The main change to Block A is in respect of the ground floor which, as approved, incorporated a higher ground floor height by virtue of additional glazing detailing above the windows and doors on the front elevation. This was often a common historic feature of industrial buildings. The current application proposes to remove this additional line of glazing and to reduce the ground floor height to match that of the upper floors. This is a common approach to low rise residential buildings and, although resulting in a loss of some detailing, is not unacceptable. The overall appearance of the front elevation will retain the design integrity of the building.
- 6.5 As a result of the revised internal floor layouts, minor changes to the window fenestration have also been proposed on the front and rear elevations of Block A. These maintain the character and appearance of the building and are acceptable.
- 6.6 Overall, the scale, design and quality of appearance of Block A is retained and the proposed changes are acceptable. The proposed materials are as originally approved, subject to the approval of samples and details.
- 6.7 For Blocks B and C, these are of a simpler design, robust but less industrial in appearance, reflecting the simpler design of the ancillary buildings found on this frontage (stores, boiler house) and acknowledging the residential nature of the road. These buildings still contain appropriate brick detailing, stone banding and recessed panels to add texture and interest, with both buildings having a raised parapet adjoining the access junction, signalling the sole entrance to the development.
- 6.8 The main external changes to these buildings are to the patio doors to the balconies, which have been made slightly narrower with simplified glazing, and changes to a small number of the windows. Overall, these blocks remain largely unchanged.

#### 6.9 (b) Quality of residential accommodation

All of the amended residential flat layouts will meet or exceed the nationally described space standards for new residential dwellings. All of the flats will also retain good levels of natural light, outlook and privacy. The majority of the flats remain single aspect, largely a consequence of the orientation of the site and the existing pattern of housing on both roads, however, all units will still have a good level of amenity. All of the flats will have private balconies that will provide directly accessible private space for each flat.

6.10 A noise impact assessment was submitted with the original application to assess potential noise impacts from road traffic on Whippendell Road and Sydney Road on the proposed flats. This concluded that additional acoustic double glazing and acoustic air bricks will be required for the flats facing or side on to both Whippendell Road and Sydney Road in order to ensure acceptable internal noise levels are achieved in accordance with British Standard BS8233:2014. Also, in order to allow the flats to be adequately ventilated without the need to open windows, mechanical ventilation will also be required, to provide background and purge ventilation. These additional measures can be secured by condition as before.

#### 6.11 (c) Mix of unit sizes

The development will still provide a mix of 1 bed, 2 bed and 3 bed units, as originally approved. The only change in mix occurs in Block A where the approved block comprised 30 x 1 bed, 16 x 2 bed and 6 x 3 bed units and the proposed layout comprises 28 x 1 bed, 18 x 2 bed and 6 x 3 bed units, a gain of 2 x 2 bed units in place of 2 x 1 bed units. This is considered beneficial and acceptable. The mix of unit sizes in Blocks B and C remains unchanged.

### **7. Consultation responses received**

#### **7.1 Statutory consultees and other organisations**

None required.

#### **7.2 Internal Consultees**

None required.

#### **7.3 Interested parties**

No representations have been received in response to the statutory publicity.

## 8. Recommendation

That planning permission be granted subject to the completion of a deed of variation to secure the planning obligations contained in the s.106 unilateral undertaking dated 5th June 2018 and the conditions listed below:

### Conditions

1. The development to which this permission relates shall be begun before 5th June 2021.

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 and planning permission ref. 18/00269/FULM.

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

01258\_S\_00 P1, S\_01 P1, S\_02 P1, S\_03 P1  
E18.026.SLP Rev2  
19-3493-1C, 2C, 3B, 4A, 5B, 6A, 7B, 8B  
01258\_P\_04 P1, P\_05 P1  
01258\_EL\_08 P1  
D0328\_001A, 002B, 003B

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

3. No demolition of the existing buildings or construction of the development shall commence until a detailed scheme to deal with the risks associated with the potential 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 which has identified: all previous uses; potential contaminants associated with those uses. A conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site;

- ii) a site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
- iii) the results of the site investigation and risk assessment referred to in (ii) above 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) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) 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: This is a pre-commencement condition to ensure any contamination of the ground is identified and remediated in the interests of the health of the future occupiers of the site, in accordance with Policy SE24 of the Watford District Plan 2000. To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution in line with paragraph 109 of the National Planning Policy Framework. To prevent deterioration of groundwater within the secondary and Principal aquifers present beneath the site. The submitted geo-environmental assessment has identified known and suspected contamination from current and historical land uses. The proposed development includes extensive groundworks and foundation works which will alter the current site conditions, resulting in the creation of new pollutant pathways. This will need to be addressed to better constrain the conceptual site model and provide greater detail to the risk assessment.

4. No construction works shall commence until a verification report demonstrating completion of the works set out in the approved remediation strategy (see Condition 3 above) 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.

Reason: This is a pre-commencement condition to verify that all contamination has been successfully removed from site following all remediation works and that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. To prevent deterioration of groundwater within the secondary and Principal aquifers.

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

Reason: This is a pre-commencement condition to ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. To prevent deterioration of groundwater within the secondary and principal aquifers.

6. 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, in accordance with Policy SE24 of the Watford District Plan 2000.

7. No infiltration of surface water drainage associated with the development is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilised contaminants. To prevent deterioration of

groundwater within the secondary and principal aquifers onsite. Infiltration of surface water has the potential to mobilise contamination present within the soil.

8. Piling or other intrusive ground works (investigation boreholes, tunnel shafts, ground source heating and cooling systems) using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. A piling risk assessment and appropriate mitigation measures should be submitted for approval. The development shall only be carried out in accordance with the approved details.

Reason: To ensure that any proposed piling or deep foundations do not harm groundwater resources. Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution.

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

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies.

10. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Surface Water Drainage Strategy (133191-R1(1)-FRA, dated February 2018) by RSK and the following mitigation measures detailed within the Flood Risk Assessment:
  - i) 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.
  - ii) Implementing appropriate drainage strategy based on discharge into Thames Water sewer.

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.

11. No development (excluding demolition works) shall take place until the final design of the drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
  - i) Detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features including any connecting pipe runs and manholes.
  - ii) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: This is a pre-commencement condition to ensure the design of the surface water drainage scheme is able to prevent any increased risk of flooding, both on and off site.

12. No development (excluding demolition works) shall commence until a noise mitigation scheme for each of the residential dwellings requiring acoustic double glazing, based upon the recommendations of the Noise Assessment Affecting the Proposed Residential Development (Report Ref. GA-2017-038-R1-RevA dated 16th February 2018) by Grant Acoustics, has been submitted to and approved by the Local Planning Authority. The scheme shall include the details and specifications of the sound reduction performance of all glazed and non-glazed elements of the building facades. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition to ensure appropriate noise mitigation measures are built into the development to ensure good indoor ambient noise levels are achieved in accordance with BS 8233:2014 for the future occupiers of the dwellings.

13. No development (excluding demolition works) shall commence until the specification of a mechanical air supply/extract system for each of

the residential dwellings requiring acoustic double glazing, based upon the recommendations of the Noise Assessment Affecting the Proposed Residential Development (Report Ref. GA-2017-038-R1-RevA dated 16th February 2018) by Grant Acoustics, has been submitted to and approved in writing by the Local Planning Authority. The system must be capable of providing background and rapid ventilation for cooling with the windows of the respective dwellings remaining closed. The system must not compromise the sound insulation of the façades. No dwelling shall be occupied until the approved ventilation system has been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition to ensure appropriate ventilation measures are built into the development to ensure good indoor ambient noise levels are achieved in accordance with BS 8233:2014 for the future occupiers of the dwellings.

14. No development (excluding demolition 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, doors, balconies and privacy screens) have been submitted to and approved in writing by the Local Planning Authority. These should be based upon the details given in the Design and Access Statement dated February 2018 by JTP. The development shall only be constructed in the approved materials.

Reason: This is a pre-commencement condition to ensure high quality materials are used for the buildings 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.

15. No dwelling shall be occupied until an updated management and maintenance plan for the all the SuDS features and structures of the approved surface water drainage strategy has been submitted to and approved in writing by the Local Planning Authority. This shall include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime. It shall be supported by a full set of as-built drawings, a post-construction location plan of the SuDS components cross-referenced with a maintenance diagram.

Reason: To ensure the design of the surface water drainage scheme is able to prevent any increased risk of flooding, both on and off site.

16. No dwelling shall be occupied until a detailed soft landscaping scheme for all the land within the site (based upon the Proposed Landscape Masterplan, drawing no. D0328\_003 B dated January 2018, by Neil Tulley Associates) has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the amenity play area and, where practicable, enhanced tree and hedge planting along the western and eastern site boundaries. 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.

17. No dwelling shall be occupied until a detailed hard landscaping scheme for all the land within the site (based upon the Proposed Landscape Masterplan, drawing no. D0328\_003 B dated January 2018, by Neil Tulley Associates) 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.

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

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

19. No dwelling shall be occupied until the following works have been completed in full:

- i) the existing vehicular crossover on Whippendell Road at the western end of the site frontage has been removed, the footpath has been reinstated and the controlled parking zone bay has been extended to incorporate this part of the highway.
- ii) the existing vehicular crossovers on Sydney Road have been removed, the footpath has been reinstated and the controlled parking zone bay has been extended to incorporate these parts of the highway.
- iii) the new access junction on Sydney Road to serve the development has been constructed in full, as shown on drawing no. 01258\_P\_00 P2.
- iv) the servicing bay on Whippendell Road has been formed, to be effective between the hours of 8.00am and 6.30pm, Mondays to Saturdays only, as shown on drawing no. 171015-02F within Appendix C of the Transport Statement dated February 2018 by Motion.
- v) the 83 parking spaces have been provided as shown on drawing no. 01258\_P\_00 P2, to include 8 unallocated spaces served by active electric charging points.

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

20. No dwelling shall be occupied until a detailed Travel Plan, based upon the Travel Plan by Motion (dated 23 February 2018) submitted with the application and the Hertfordshire County Council document 'Hertfordshire Green Travel Plan Guidance', has been submitted to and approved by the Local Planning Authority. The approved Travel Plan shall be implemented at all times. Reason: To ensure the development encourages a wide range of sustainable travel choices to reduce the impact of travel and transport on the environment, in accordance with Policy T3 of the Watford Local Plan Core Strategy 2006-31.

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

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

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

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

#### Informatives

1. IN907 Positive and proactive statement
2. IN913 Community Infrastructure Levy Liability
3. IN914 Section 106 Unilateral Undertaking
4. IN909 Street Naming and Numbering
5. IN912 Hours of Construction
6. IN915 Highway Works