

<b>Committee date</b>	Wednesday, 3 March 2021
<b>Application reference</b> <b>Site address</b>	20/00671/FULM Exchange House, 60 Exchange Road, Watford WD18 0JJ
<b>Proposal</b>	Demolition of existing building and redevelopment to a 5 to 21 storey building to provide 263 residential units (C3), 74sqm (GEA) D1/D2 floor space and associated infrastructure, landscaping, cycle and disabled parking
<b>Applicant</b>	60 Exchange Road Ltd
<b>Agent</b>	Sphere25
<b>Type of Application</b>	Major Development Full Planning Permission
<b>Reason for committee Item</b>	Major Development
<b>Target decision date</b>	22 <sup>nd</sup> March 2021
<b>Statutory publicity</b>	Site notice, paper advertisement and neighbour letters
<b>Case officer</b>	Alice Reade, alice.reamde@watford.gov.uk
<b>Ward</b>	Central

## 1. Recommendation

- 1.1 That planning permission be granted subject to conditions, as set out in section 8 of this report.

## 2. Site and surroundings

- 2.1 The site is located on the corner of the junction of Exchange Road with Upton Road on the north-western edge of the town centre. The site of 0.53 hectares contains a 5 storey office building built in 1964 which is listed as a building of local interest to Watford as a non-designated heritage asset due to its design by Richard Seifert architects and its landmark nature. The office building is served by vehicle accesses from Upton Road and Exchange Road and contains approximately 160 car parking spaces for the office use.
- 2.2 The site fronts Exchange Road which is the multi-lane one way ring road around the town centre. Opposite is the 3-5 storey building of the former telephone exchange. To the north is a recent 9 storey development of commercial ground floor with residential above. Upton Road to the west consists of 3-5 storey buildings of different uses. To the south, the two storey terraced houses of Marlborough Road back onto the site.
- 2.3 The site is not within a conservation area but is close to the Civic Core Conservation Area along the High Street to the north and St Mary's Conservation Area which is to the south east. The wider context also includes listed buildings including 14-16 The Parade to the east (Grade II Listed), Grade

I Listed Holy Rood RC church to the south and Grade I Listed Parish Church of St Mary's.

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

#### **3.1 Proposal**

3.2 The proposal is for the demolition of the existing building on site and the erection of a development as follows:

- i) Residential development within a building of between 5 and 21 storeys
- ii) To contain 263 apartments comprising:
  - 83 no. studios
  - 46 no 1 bed apartments
  - 113 no 2 bed apartments
  - 21 no 3 bed apartments
- iii) A ground floor unit of 74sqm (GEA) of D1/D2 floor space for community/leisure use
- iv) Car parking for 12 cars (9 disabled and 3 car share)
- v) Refuse, cycle and large item storage
- vi) Publicly accessible amenity space and play area to the front of the development

3.3 The scheme was amended during the course of the application (plans 13<sup>th</sup> October 2020) to respond to the comments of the Watford Place Shaping Panel. This included a reduction in massing of the south wing from 7 to 5 storeys, a reduction of the 'shoulder' to the west of the tower and an addition to the tower height from 18 to 21 storeys. These changes maintained the same number of dwellings in the development.

#### **3.4 Conclusion**

3.5 The town centre site is considered as a central and sustainable location suitable for higher density development. The development is significant in its massing and height and this will be a notable addition to the skyline. It is however considered that the proposed development achieves an effective and bold design which is appropriate for this prominent town centre site.

3.6 The development avoids undue harm to neighbouring properties, it offers good quality new homes with an appropriate mix of housing and a 20% provision of affordable housing. Further public benefits including the public accessible amenity area and children's play space at the front of the development and a community/leisure facility.

3.7 The design has incorporated amendments to respond to constructive criticism from the Watford Place Shaping Panel which have improved the scheme. The loss of the locally listed building is seen to be justified by the good design of the scheme and the wider planning benefits the development offers. Subject to appropriate materials, the visual presence of the development in the setting of listed buildings in the area is not considered to be adversely harmful and this less than substantial harm is outweighed by the significant public benefits of the scheme.

#### **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 building has had prior approval granted for a change of use from Class B1(a)(Offices) to Class C3 (Dwellings) to create 126 dwellings within the existing building (Ref 16/01741/OPD).

5.2 The agent sought pre-application advice prior to submitting this proposal.

5.3 The proposed development has been reviewed by Watford's independent Place Shaping Panel by a full panel review on 21<sup>st</sup> July 2020 and then on 14<sup>th</sup> September 2020 by a Chair's review of the amended scheme. The full reports from the two panels are in Appendix 2 and 3 to this report and the findings are discussed within the report.

#### **6. Main considerations**

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

- (a) Principle of development
- (b) Loss of the locally listed building
- (c) Layout, scale and design
- (d) Impacts on heritage assets
- (e) Housing provision
- (f) Quality of residential accommodation
- (g) Impacts on surrounding properties
- (h) Car parking, access and transportation

- (i) Trees and landscaping
- (j) Environmental impacts
- (k) Section 106 and Community Infrastructure Levy (CIL)

6.2 (a) Principle of development

The Special Policy Area for the Town Centre (SPA1 of Watford Local Plan – Core Strategy) applies to the site and this seeks for a balanced provision of town centre facilities and infrastructure throughout the town centre.

The draft Local Plan is currently subject to consultation and carries only limited weight however this will also support opportunities for transformational development within the Town Centre Core Development area which includes this site.

- 6.3 The development of residential dwellings at this site and within this area of town centre is therefore supported in accordance with SPA1 and policy HS1 of the Local Plan Core Strategy. The addition of the community/leisure premises at the site adds an appropriate facility for the proposed and existing residential dwellings. It is also noted that as the site has prior approval for conversion of this existing building to dwellings, this is a further material planning consideration to support the principle of residential-led use of the site.

6.4 (b) Loss of the locally listed building

The development sees the loss of the locally listed building on the site. The current building provides value to the townscape and the town's history in being an example of a bold architectural office building, typical of Richard Seifert architects, designed in the 1960s. Moreover, the significant scale and curved frontage of the build creates a significant landmark at the corner of the town's ring road. It is however considered that the loss of the building is justified in this instance due to the quality of the design of the replacement development and the wider planning benefits it offers in respect of good quality homes, affordable housing and public realm improvements. Following the amendments to the scheme and the second Chair's review of the scheme, the Place Shaping Panel consider that the quality of the design of the amended scheme does sufficiently justify the loss of the locally listed building.

6.5 (c) Layout, scale and design

Policy UD1 of the Watford Local Plan Core Strategy 2006-2031 sets out points to consider in achieving high quality design for new development.

Development should create high quality new places and should respect and enhance the character of its area.

- 6.6 The proposal is for one 'C' shaped building with heights starting at 5 storeys to the west wing fronting on to Exchange Road behind the Marlborough Road properties, stepping up to 7 and 9 storey elements with a 21 storey element at the junction of Exchange Road with Upton Road.
- 6.7 The town centre site is considered as a central and sustainable location suitable for higher density development. The context includes a range of built massing and height with 9 storey Wilmington Close to the north of the site, 2 storey terraces to the south, 3 and 4 storey buildings on Upton Road and the substantial massing of the Telephone Exchange building opposite the site.
- 6.8 The proposed development is significant in its massing and height in this context and this will be a notable addition to the skyline. It is however considered that the proposed development achieves an effective and bold design which is considered to sufficiently relate to the context and will be appropriate for this prominent town centre site. The proposal is in general accordance with the guidance in the Skyline SPD – Watford's Approach to Tall Buildings and is in an area where taller buildings are considered acceptable in principle.
- 6.9 The tallest 21 storey building element will mark the junction of Upton Road with Exchange Road and provide a landmark addition to the town centre skyline. This element will also sit on the corner of the ring road corresponding to the corner of Beechen Grove with Exchange Road where there is approval for a 23 storey building at 37-39 Clendon Road. The building steps down into the site whilst maintaining the elegance of the main tower to respond to Upton Road and the context of lower heights. The 5 storey element onto the south wing of the building is of the same height as the existing building and the landmark presence of this existing building is also recreated in the width of the overall building.
- 6.10 The layout of the development also sees significant improvements to the public realm, functionality and amenity of this area. The existing site frontages to Exchange Road and Upton Road area are dominated by car parking and a hard boundary to the pavement with little active use. The open amenity area and residential frontages will significantly improve the visual appearance and activity of this area.
- 6.11 The overall appearance of the building would be particularly striking featuring the 'saw-tooth' effect to the building as created by the stepped layouts of the dwellings. The visual appearance of the building and its proposed grey finish does however provide some architectural reference to the building it is to replace and to the telephone exchange building opposite the site. The

proposed narrow brick finish would also create a clean contemporary look to the building that would calm the angular nature of the facades. Overall, it is considered that subject to high quality materials and finish, this would create a dynamic architectural addition to the town.

6.12 The proposal was subject to independent design review by Watford's Place Shaping Panel on 21st July 2020 and a Chair's review on 14<sup>th</sup> September 2020. The panel's reports are attached at Appendices 2 and 3.

6.13 Their first review on 21<sup>st</sup> July 2020 found concerns with the scheme and the following key concerns were raised:

- As the existing office building is locally listed, its demolition can only be justified if its replacement provides a significant architectural improvement.
- The architectural language is overly complex, and the combination of colour contrast between balconies and façade, faceted façade elements and stepped massing result in a design that is unsympathetic to its surroundings. The complexity of the form and façade design results in a building that is too prominent for the site, and will dominate views. This would have a negative impact on the setting of listed buildings, particularly the view of Holy Rood Church along Exchange Road, from the north-west.
- The dwellings are not true dual aspect as they do not provide cross ventilation to dwellings.
- Concerns regarding overheating, ventilation and energy issues.
- Suggested improvements for public realm, roof tops and water drainage.

6.14 The scheme was amended in response to these comments to include the following key amendments:

- Massing
  - Reduction to the south wing height down from 7 to 5 storeys
  - Reduction of shoulder to west of the tower
  - Addition to the tower height from 18 to 21 storeys
  - Some 'steps' in the middle section have been removed to reduce complexity
- Architectural approach/Façade –
  - Mix of brick and white concrete balconies has been replaced with a simpler palate of grey brick and metal balcony railings
- Impact to setting of heritage assets
  - Amendments to massing and façade
  - Additional images provided
- Public realm- Additional images provided
- Energy and ventilation – Additional details provided

6.15 A Chair's review panel was undertaken to consider these changes at a meeting on 14<sup>th</sup> September 2020 and found that a significant amount of work had been undertaken to address their comments resulting in positive changes to the scheme. It found that simplified façade design and material changes had resulted in a more appropriate, higher quality building that can justify the demolition of the existing, locally listed building. The massing had improved to better respond to the context, the tower had a greater elegance however the panel advised that it remained to be the judgement of the LPA in respect of finding this location appropriate for a tall building and that detailed matters such as materials and landscaping were key to the success of the scheme.

6.16 (d) Impacts on heritage assets

The development is recognised as being visible in the setting of heritage assets including the Grade I Listed Holy Rood RC church which is to the south and the locally listed building Rigby House to the east. Historic England has raised objection to both the originally submitted scheme and the revised iteration stating that the height would create an adverse impact to the settings of these buildings and particularly the setting of the Grade I Holy Rood church to the south. Similar concerns were expressed by the Place Shaping Panel to the initial scheme, particularly in views of the church from the northeast, and the development has been amended to improve this relationship. Namely, the height of the south wing has been reduced to 5 storeys meaning that when a view is taken south from the development down to Holy Rood church, the south wing of the development recreates the visual impact of the existing building in this setting.

6.17 The tower element and its height has also been referenced in the Historic England objection as creating a feature competing with the Holy Rood church tower. This has been considered by the Place Shaping Panel who found that this impact is dependent on the material palette for the building and suggested a lighter greyer finish. The verified view images of the development show that it is visible in the setting of the church particularly in views from the south looking north up Exchange Road and in views from Percy Road. It is however considered that by virtue of the relative position and distance of the two buildings, the development would not create significant harm to the heritage asset. The harm to its setting is therefore considered to be less than substantial.

6.18 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the National Planning Policy Framework (para 196) requires that this harm should be weighed against the public benefits of the proposal. The development secures notable public benefits including 263 new homes, including 48 affordable homes, public

realm improvements, publically accessible amenity and play space, a community/leisure facility, bus stop improvements and Community Infrastructure Levy. It is considered that, in particular, the creation of new homes, and much needed affordable homes for social rent and shared ownership, should be given significant weight as part of the planning balance. As the council cannot currently demonstrate a 5 year supply of housing and have only delivered 48% of the governments housing target over the past 3 years the NPPF presumption in favour of sustainable development would apply. This means that the council should grant permission for new housing unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when considered against the policies contained within the NPPF. As such, it is considered that the key public benefits of the development outweigh the less than substantial harm to the setting of the Listed Building and the loss of the locally listed building.

6.19 (e) Housing provision

The development accords with Policy HS2 of the Local Plan Core Strategy and would provide an appropriate mix of dwelling sizes as follows:

- 129 no. studios and 1 bed apartments 49%
- 113 no. 2 bed apartments 43%
- 21 no. 3 bed apartments 8%

6.20 Policy HS3 of the Core Strategy requires a 35% provision of affordable housing in all schemes of 10 units or more. The Core Strategy seeks a tenure mix of 65% affordable rent, 20% social rent and 15% intermediate tenures. It is however noted that the emerging policy of the draft Local Plan will seek for 35% affordable housing and a tenure split of 60% social rent and 40% intermediate tenures.

6.21 The development has been submitted with a viability assessment which has been reviewed by consultants appointed by the Council. The review undertaken by the council's consultants has confirmed that the viability of the development would not allow for a policy compliant affordable housing provision and concludes that the scheme can afford to provide a commuted sum of £258,717.

6.22 However, in recognition of the need for the proposals to provide sufficient public benefit to justify a building of this scale and height and the less than substantial harm identified to designated heritage assets an offer of on-site affordable housing has been made to include 48 units of affordable housing. This represents 18% of the units of the scheme however as larger units are included, this would represent 20% of the scheme based on habitable rooms.

The provision would include a tenure split in accordance with emerging policy to include a larger social rent provision with 29 (60%) social rent homes and 19 (40%) intermediate ownership. The social rented homes would comprise 3 x 1bed/1person, 9 x 1bed/2person, 4 x 2bed/3person, 6 x 2bed/4person and 7 x 3bed/5person homes. The shared ownership homes would comprise 4 x 1bed/1person, 3 x 1bed/2person, 2 x 2bed/3person, 5 x 2bed/4person and 5 x 3bed/5person homes.

6.23 Although the 20% provision of affordable housing is short of the 35% target in adopted policy, it is considered that this is an offer significantly in excess of the viability assessment findings. The tenure and size of the dwellings would make a significant contribution to meeting local housing needs and overall this does represent a significant public benefit of the scheme. It is further noted that should the existing building be converted to 126 flats under the approved prior approval scheme, the site would deliver no affordable housing meaning that the inclusion of 48 affordable units in this alternative scheme is preferable.

6.24 (f) Quality of residential accommodation

6.25 *Gross Internal Areas*

Section 7.3.6 of the Residential Design Guide sets out the minimum Gross Internal Areas for new dwellings in accordance with the Nationally Described Space Standards (NDSS). The proposal provides a mix of studios, 1 bedroom, 2 bedroom and 3 bedroom units. All of the proposed units would meet the minimum floorspace standard for the dwelling type proposed and are compliant with the NDSS.

6.26 *Dual Aspect*

Although the new Local Plan has no significant weight at this time, it is noted that it will seek more dual aspect dwellings in developments to ensure dwellings provide better light, outlook and ventilation. Due to the form of the building, this development would consist of predominantly single aspect units with 168 single aspect units (64%) and 95 dual aspect units (36%). Of the single aspect units, 60 units (23% of the development) are single aspect north facing. The scheme has however been designed to maximise light and outlook for all units by creating a stepped external wall to all dwellings. As well as creating a dynamic external appearance, this arrangement creates the perspective of dual aspect. For the north facing units, this creates windows to both the north east and north west to maximise light and outlook. This is therefore considered to be an appropriate solution for the scheme in light of the current policy requirements.

6.27 *Light and outlook*

A daylight/sunlight assessment following the British Research Establishment's (BRE) best practice guidance has been undertaken assessing the Vertical Sky Component (VSC), Average Daylight Factor (ADF) and Annual Probable Sunlight Hours (APSH) for the proposed new homes in the development.

6.28 The assessment finds that the majority of the relevant spaces in the proposed development meet the recommended values of VSC. Where the target values are not met, ADF calculations have been carried out. The results demonstrate that the proposal will allow all new flats to receive an adequate level of daylight.

6.29 Some flats on the bottom floors and north facing will receive less than the recommended number of sunlight hours a year (APSH). It is however noted that they would not be deficient in daylight as shown by the ADF calculations and that occupiers would have access to sunlight within the communal amenity area.

6.30 *Amenity areas*

The development includes private amenity areas in the form of gardens, terraces or balconies for all dwellings. The position of the balconies within the stepped external wall of each dwelling creates a highly usable and semi integrated amenity space.

6.31 The communal amenity area also serves as the front approach to the development and as such is proposed as publically accessible as well as landscaped for the use of residents. This use of raised landscaping to Exchange Road will create some defence from the busy road whilst the dwellings provide good natural surveillance over the space and openings in the landscaping to Exchange Road will encourage views into the area. This therefore has the potential to create a useable space for residents and local public whilst all residents also have their private amenity areas.

6.32 *Air Quality*

The development is located in close vicinity of an existing Air Quality Management Area. An air quality assessment has been carried out and the submitted air quality assessment report states that the pollutant levels at sensitive locations across the site were below the relevant thresholds and no mitigation measures were required for future residents.

6.33 (g) Impacts on surrounding properties

6.34 *Marlborough Road*

Along the south boundary of the site is a public path to the south of which are the Victorian terrace properties of Marlborough Road with Nos 36 to 60 (evens) backing on to the site. The development would be to the north of these properties, avoiding any overshadowing, and the south wing of the development at 5 storeys would be of a similar height to the building it is to replace. As such, it is not considered that the development would result in notable loss of light or outlook to the rears of the Marlborough Road properties.

- 6.35 The Residential Design Guide seeks for developments to maintain a 27.5m back to back distance with existing properties to maintain privacy between new and existing properties. However, this is guidance and it is recognised that this can be difficult to achieve in urban areas such as central Watford. The existing dwellings at Marlborough Road include typical Victorian outriggers with one upper floor window each in the outrigger and the remaining first and second floor windows in the main elements of the building. The proposed development would have a minimum distance from the closest corner of its balconies of 23m to the rear outrigger windows of Marlborough Road properties. This is below the 27.5m minimum guidance however it is noted that this distance increases to a 31m minimum distance to the remainder of the first floor windows and 32m to second floor dormer windows. It is therefore considered that on balance, the impact to privacy of the rear of the Marlborough Road properties is not adversely harmful to the living environments of these properties.
- 6.36 *Wilmington Close*  
To the north- east of the site and to the opposite side of Upton Road is a recently built development of 9 storeys comprising Wilmington Court which has commercial premises at ground floor and flats at upper floors. The front to front relationship of these developments includes a minimum 20m distance across Upton Road and this is an acceptable front to front relationship which would not create adverse loss of privacy to Wilmington Close dwellings.
- 6.37 It is however noted that the Wilmington Close flats, particularly at upper floors, currently enjoy a particularly open south facing aspect. The views from some flats will be changed by the proposed development however due to the relative distance and the oblique relationship, these flats would retain a good level of outlook. To assess the impact of the development to the sunlight and daylight of Wilmington Court, a daylight/sunlight assessment following the British Research Establishment's (BRE) best practice guidance has been undertaken assessing the Vertical Sky Component (VSC), Average Daylight Factor (ADF) and Annual Probable Sunlight Hours (APSH) to its existing residential windows.

- 6.38 The VSC measures the percentage of sky visible from the centre of the window. The ADF is a measure of the distribution of daylight within a room, and accounts for factors such as the size of a window in relation to the size of the room and the number of windows. This assessment has found that the majority of the VSC and ADF values of Wilmington Close windows would not be reduced below 80% of their existing value. This means that any loss of light is unlikely to be noticeable.
- 6.39 The only windows that will experience loss of daylight greater than 20% would be the one bedroom window for each flat located in the recessed part of the Wilmington Close building. As this affects the one bedroom to each flat only, it is not considered that this would represent an overall adverse impact to the living environments of these dwellings. It is also noted that some degree of impact to existing recent developments is reasonably justified in an urban town centre location to facilitate town regeneration and deliver new homes.
- 6.40 (h) Car parking, access and transportation  
The site is in a sustainable town centre location, close to amenities and public transport links. In accordance with Policy T26 of the Core Strategy, the site is within an area that would be suitable for car-free residential development and parking in surrounding roads can be prevented by the exemption of residents from parking permit entitlements.
- 6.41 The development does however include 12 car parking spaces being 9 for wheelchair/disabled users and 3 spaces for a car share scheme to be funded for 3 years by the applicant. Electric vehicle charging is secured by condition. The existing vehicle access to the site from Exchange Road will be removed and the Upton Road access relocated to serve the parking and servicing area at the rear of the building. The turning areas within the site allow for refuse vehicles.
- 6.42 As set out in the submitted transport assessment, the development will see a significant reduction of car traffic at the site due to the net loss of car parking spaces. Following the provision of additional information in the Transport Technical Note, the Highway Authority has no objection to the development.
- 6.43 The application is accompanied by a Travel Plan for the proposed development detailing how the scheme will actively promote sustainable modes of travel to the site for residents and visitors. Hertfordshire County Council require additional details in the Travel Plan and a contribution of £6,000 for the long term monitoring of the Travel Plan. This is detailed in the S106 requirements.

6.44 (i) Trees and landscaping

The site does not contain any trees preserved by TPO or conservation area status and does not include any trees considered as significant for retention. There are trees on adjacent land which will be required to have protection during the construction.

6.45 The landscaping scheme is indicative and is to be secured by condition to ensure that the area includes landscaping for amenity and ecology enhancement of the site. It is noted that there will be some shadowing within the space due to the orientation of the development however this is reasonable and should be reflected in the landscaping scheme to ensure shade tolerant planting in more shaded areas.

6.46 (j) Environmental impacts

The application is accompanied by reports detailing assessments in respect of contamination, flood risk, surface water drainage, bat survey, ecology assessment, wind assessment, overheating assessment, energy and sustainability, air quality and noise impact. These technical matters have been demonstrated to be acceptable to support the planning application and relevant requirements are secured by condition.

6.47 (k) Section 106 and Community Infrastructure Levy (CIL)

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. The CIL charge covers a wide range of infrastructure as set out in the Council's Regulation 123 list, including highways and transport improvements, education provision, youth facilities, childcare facilities, children's play space, adult care services, open space and sports facilities. CIL is chargeable on the relevant net additional floorspace created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted. The CIL charge applicable to the proposed development is £120 per m<sup>2</sup> (subject to indexation).

6.48 S.106 planning obligations can only be used to secure affordable housing provision and other site specific requirements. The planning obligations for this development are set out in Section 8 of this report.

## 7. Consultation responses received

### 7.1 Statutory consultees and other organisations

Consultee	Comments	Officer response
HCC Highway Authority	Initial comments raised objection to the scheme and	Noted

	required further information. This information was provided by the applicant and has addressed the concerns of the Highway Authority. They have confirmed they now remove their objection subject to conditions and s278 and s106 requirements.	
HCC Lead Local Flood Authority	Relevant and acceptable details have been provided and conditions provided.	Noted
HCC Waste and Minerals	General comments made.	Noted
HCC Growth and Infrastructure	Community Infrastructure Levy applicable.	Noted
Historic England	Objection due to the harm of the building in the setting of Listed Building Holy Rood church. Increased height of tower has worsened impact.	Discussed in report.
Crime Prevention	Officer has met with architects and scheme will be built within minimum standards of Secured by Design.	Noted
Thames Water	No objection.	Noted
Environment Agency	The site is not within a high risk area for ground water contamination and no further comments/conditions necessary.	Noted
Herts Ecology	Bat emergence survey carried out satisfactorily. Light impacts require mitigation to bats in area.	Noted

## 7.2 Internal Consultees

Consultee	Comments	Officer response
Contamination officer	Air quality impacts are demonstrated as negligible or not significant. No objection	Noted

	subject to recommended conditions.	
Head of Housing	The scheme of 263 units should provide 92 affordable units. Viability outcome is noted and provision offered for 48 units, representing 20% of the scheme by habitable rooms and providing 29 social rent and 19 shared ownership units is supported.	Noted
Waste and recycling officer	Bin requirements are: 34 x 1100l for refuse 34 x 1100l for recycling and 34 x 140l for foodwaste Garden waste optional and chargeable. Vehicle tracking in site needs to be shown.	Noted. Vehicle tracking for a refuse vehicle has been shown in the additional Transport Technical Note and is to the satisfaction of the Highway Authority.
Environmental Health	No comments received.	The submitted technical assessments are sufficient to confirm appropriate noise and air quality impacts.
Arboricultural officer	Some limited sunlight in courtyard and no assessment of private gardens or play area. Detailed soft landscaping plan will be needed.	Noted

### 7.3 Interested parties

The application was advertised by letters to neighbours, site notices and paper adverts which were made for the original application and for the revised scheme submitted during the course of the application. The following is a summary of the representations that have been received:

Number of original consultations:	415
Number of revised consultations:	415
Number of objections:	8
Number in support:	0
Number of representations:	1
TOTAL REPRESENTATIONS:	9

<b>Objection comment</b>	<b>Officer comments</b>
The building is locally listed and should be retained.	The value of the locally listed building is noted however it is considered that the development offers a high quality design and wider public benefits that on balance serve to justify the loss of the building.
The existing building contributes to the streetscene by way of its curve- the proposed development does not improve this.	The proposed development has sought to reflect attributes of the existing building in creating a similar 5 storey element to the south of the site and in its bold architectural design with grey materiality.
Height is too tall, overdevelopment and not in keeping with the surrounding area.	It is a tall building however this is considered to be of good design and appropriate for the prominent town centre location. The development height also ensures the scheme makes effective use of the brownfield site and delivers public benefits including a significantly improved public realm and on site affordable housing.
Loss of light, outlook and privacy to Wilmington Close flats.	Although some impact to the Wilmington Close properties is noted, it is not considered that this would be to an adverse degree as discussed in full in the report.
No affordable housing is offered.	An affordable housing offer has been made of 48 units representing 20% of the development based on the habitable room provision.
Dwellings of 41m2 are too small.	The studio units meet the national minimum space requirement of

	37sqm for 1 bed 1 person studios of this nature.
Will increase on road parking issues.	The occupiers of the development would not have entitlement to park cars in the surrounding roads subject to Controlled Parking orders.
Lack of parking will not meet needs of future residents of the development.	The low level of parking seeks to minimize car use and traffic and maximize the opportunities for non car use. Residents would have access to town centre amenities, public transport, car club facilities and cycle storage to support cycle choices.

## 8.0 Recommendation

8.1 That, pursuant to a planning obligation under s.106 of the Town and Country Planning Act 1990 having been completed to secure the following Heads of Terms, planning permission be granted subject to the conditions listed below:

### Section 106 Heads of Terms

- i) To secure 48 units of the development to be Affordable Housing units comprising:
 

29 no. social rented units of 3 no. 1B1P, 9 no. 1B2P, 4 no. 2B3P, 6 no. 2B4P and 7 no. 3B5P; and

19 intermediate ownership units of 4 no. 1B1P, 3 no. 1B2P, 2 no. 2B3P, 5 no. 2B4P and 5 no. 3B5P.
- 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 an updated Travel Plan and financial payment to Hertfordshire County Council of £6,000 for the long term monitoring of the Travel Plan for the site.

- iv) To maintain the 3 spaces identified on plan PL100 for car club space parking, to facilitate the arrangement of an on site car club and to provide funding for the membership of each dwelling for this car club for 3 years membership from the date of first occupation. At the point of occupation, should the car club be reasonably demonstrated as not viable, a payment of the equivalent cost of the car club shall be made to Watford Borough Council for contributions towards alternative sustainable transport infrastructure.
- v) To secure financial contributions for the improvements to Bus Stops K and L on Exchange Road, adjacent to the site's frontage to include Kassel kerbing and a display screen at each stop;
- vi) To secure the provision of fire hydrants to serve the site as required by Hertfordshire County Council.

## **Conditions**

### **1. Time Limit**

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

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

### **2. Approved Drawings and Documents**

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

- PL001, PL002, PL003, PL010, PL011, PL012, PL013, PL014, PL015, PL020, PL021, PL022, PL023, PL099, PL100, PL101, PL102, PL103, PL104, PL105, PL106, PL107, PL108, PL109, PL110, PL111, PL112, PL113, PL114, PL115, PL116, PL117, PL118, PL119, PL120, PL121, PL122, PL201, PL202, PL203, PL300, PL301, PL305, PL306, PL307, PL308, PL400, PL401, PL402, PL403, PL404, PL406, PL500, PL501, PL502, PL503, PL503A, PL504, PL505, PL506, PL508, PL509, PL510, PL511, PL512, PL513, PL518, PL519, PL520, PL521, PL521A, PL522, PL522A, PL523, PL525, PL525A, PL526, PL531, PL532, PL 533, PL534, PL535, PL535 A, PL536, PL538, PL539, PL600, PL601
- Design and Access Statement dated 7<sup>th</sup> October 2020
- Landscaped Strategy dated 5<sup>th</sup> October 2020

- Energy and Sustainability Statement by Cudd Bentley Dated: 21<sup>st</sup> May 2020
- Overheating Assessment by Cudd Bentley dated May 2020
- Noise Impact Assessment by Create Consulting Engineers, Rev C dated May 2020

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

### 3. Surface Water Strategy

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy prepared by Create Consulting Engineers Ltd reference EW/CC/P19-1912/02 Rev B dated May 2020 and the following mitigation measures detailed within the Flood Risk Assessment:

1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 2 l/s during the 1 in 100 year event plus 40% of climate change event.
2. Providing storage 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 providing a minimum of 277 m<sup>3</sup> (or such storage volume agreed with the LLFA) of total storage volume in permeable paved area.
3. Discharge of surface water from the private drain into the Thames Water sewer network.

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.

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

### 4. Surface Water Drainage Scheme

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, 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 cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs. Also to include corresponding detailed post-development network calculations for all storm events up to and including the 1 in 100 year + 40% climate change event.
2. Evidence of consideration of the inclusion of blue roofs.
3. 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. Construction Management Plan

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

6. Construction Traffic Management Plan and Access Route

No development shall commence until a Construction Traffic Management Plan and Access Route, which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway, is submitted to and approved in writing by the Local Planning 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. Implementation of approved details.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

7. Car Parking Management Plan

Prior to the first occupation of each approved use within the development, a Car Parking Management Plan shall be submitted to the Local Planning Authority and approved by it in writing. The plan should describe how parking will be distributed and managed on the site and the location of electric vehicle charging points. The plan should also include the commitment to ensure that the accessible car parking space closest to the entry would be reserved for use by any tenants requiring an accessible space who have a van.

Reason: To ensure safe and suitable planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

8. Existing Access Improvements

Prior to the first occupation of the development hereby permitted the vehicular access (indicated for improvement on drawing number 19047-MA-XX-XX-DR-C-0009-P02 shall be upgraded to a minimum width of 5.67 metres and provided with kerb radii of 2 metres in accordance with the Hertfordshire County Council residential access construction specification for the first 15 metres as measured back from the near channel edge of the adjacent carriageway. Prior to use arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure construction of a satisfactory access and in the interests of highway safety, traffic movement and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

9. Existing Access Closure

Prior to the first occupation of the development hereby permitted vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing number PL100 only. Any other access(es) or egresses shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

#### 10. Scheme for Contamination Risk

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

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
- 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. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

iii) The site investigation results and the results of the detailed risk assessment at (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 (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

#### 11. Verification Report

Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

#### 12. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the Scheme for Contamination Risk approved under condition 10, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 10, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 11.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

#### 13. Materials

No external facing materials shall be installed on the building until full details of the materials to be used for all the external surfaces, including for balcony/terrace enclosures and plant enclosures at roof level, have been submitted to and approved in writing by the Local Planning Authority.

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

#### 14. Detailed Drawings

No external facing materials shall be installed on the building until detailed design drawings of all external surfaces including brick detailing, window reveals, rainwater collection and enclosures at roof level have been submitted to and approved in writing by the Local Planning Authority.

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

#### 15. Hard landscaping

No part of the development shall be occupied until full details of a hard landscaping scheme, including details of the materials and drainage of all hardstanding, children's play area and the site boundary treatments have 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. Detailed scheme shall be based upon the Landscaped Strategy dated 5<sup>th</sup> October 2020 and approved drawing number: PL100-200928.

Reason: In the interests of the visual appearance of the site and the local area pursuant to Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

#### 16. Soft Landscaping

No part of the development shall be occupied until a detailed soft landscaping scheme for the site and a landscape management and maintenance plan, has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be based upon the Landscaped Strategy dated 5<sup>th</sup> October 2020 and approved drawing number: PL100-200928 and shall include details of the green roofs and details of planting appropriate for the sunlight conditions for the relevant areas. The approved soft 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 and to ensure amenity and ecology enhancements, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

#### 17. Tree Protection

No development on site shall commence until details and a method statement in respect of tree protection measures (including ground protection) relating to trees located within and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority. The tree protection measures approved under this condition shall be implemented prior to the commencement of any works and shall be maintained as such at all times whilst the construction works take place.

Reason: To ensure the existing trees which make a positive contribution to the visual amenity of the area are retained and not harmed by the development in accordance with saved Policy SE37 of the Watford District Plan 2000.

#### 18. Refuse and recycling

No part of the building shall be occupied until the refuse and recycling facilities shown in the Design and Access Statement and in drawing numbers PL100 and PL099, have 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.

#### 19. Cycle and large item storage

No part of the development shall be occupied until the cycle parking facilities and large item storage facilities shown in the Design and Access statement and in drawing numbers: PL100 and PL099, have been constructed and made available for use. These facilities shall be retained as approved at all times.

Reason: To encourage travel by cycle and to provide sustainable travel alternatives, in accordance with saved Policy T10 of the Watford District Plan 2000 and Policy T3 of the Watford Local Plan Core Strategy 2006- 31.

#### 20. Communal Satellites/aerials

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

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

#### 21. Community use

The ground floor premises identified as for community/leisure use shall be used only for community and leisure facilities within subparagraphs E(d), E(e) and E(f) of Use Class E of the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. Or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of the amenity of residents in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and to secure the scheme benefits as included in the development.

#### 22. Front amenity area access

No boundary treatment, other than that approved in the landscaping plan, shall be installed along the east boundary to Exchange Road unless otherwise approved in writing by the Local Planning Authority. The amenity area shall remain accessible as shown in drawing PL100, the Landscaping Strategy and Design and Access Statement.

Reason: In the interests of the visual appearance of the site and the local area pursuant to Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

1. IN907 – Positive and proactive statement
2. IN909 – Street naming and numbering
3. IN910 – Building Regulations
4. IN911 – Party Wall Act
5. IN912 – Hours of Construction
6. IN913 – Community Infrastructure Levy Liability
7. IN915 – Highway Works – HCC agreement required