

<b>Committee date</b>	8 June 2021
<b>Application reference</b> <b>Site address</b>	21/00402/FUL - Junction Court, 9 Station Road, Watford, WD17 1AP
<b>Proposal</b>	Three storey upward extension including the reconfiguration of one unit and addition of nine units. (Amended Description)
<b>Applicant</b>	Cedarmill Developments Limited
<b>Agent</b>	Collins And Coward
<b>Type of Application</b>	Full Planning Permission
<b>Reason for committee Item</b>	Number of Objections
<b>Target decision date</b>	9 June 2021
<b>Statutory publicity</b>	Neighbour Letters
<b>Case officer</b>	Andrew Clarke, andrew.clarke@watford.gov.uk
<b>Ward</b>	Central

## 1. Recommendation

- 1.1 That planning permission be granted subject to a Deed of Variation, executed under s106 of the Town and Country Planning Act 1990 (as amended), and conditions, as set out in section 8 of this report.

## 2. Site and surroundings

- 2.1 The site is located on the eastern side of the junction of Westland Road and Station Road and close to Watford Junction Railway Station. The site is rectangular with a narrow frontage to Station Road and a longer frontage to Westland Road facing Cassiobury House. The site contains a building which is 6 storeys in height and was constructed in 2016. A café occupies the ground floor with a drinking establishment on the first floor. Residential uses occupy the rear of the first floor and the upper levels.
- 2.2 The site is not within a Conservation Area and contains no heritage assets. On the north side of Station Road is Benskins House (O'Neill's Public House) which is a Grade 2 Listed Building and a two storey building at 6 Station Road which dates from 1909 and is locally listed. The site is within Special Policy Area 1 which covers Watford Town Centre. The site is also within a designated Employment Area.

## 3. Summary of the proposal

### **3.1 Proposal**

This proposal seeks to add three additional storeys to Junction Court. The additional storeys would create nine additional units, bringing the total number of residential units to twenty three.

### **3.2 Conclusion**

The proposed upward extension would sit comfortably in the context of Station Road, creating nine good quality residential units in a highly accessible location. The development would cause no significant harm to the amenity of nearby residential uses. The loss of parking spaces to create 36 additional cycle parking spaces encourages sustainable and active travel behaviour.

## **4. Relevant policies**

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

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

4.3 The Council cannot currently demonstrate a 5 year supply of housing and scored below 75% in the most recent Housing Delivery Test results and therefore the 'tilted balance' applies to the determination of this planning application.

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

5.1 Planning permission was granted for the construction of a mixed use, 6 storey building containing 14 residential units on 28<sup>th</sup> June 2012 (application reference 12/00306/FULM). Minor amendments to the proposal were subsequently approved and permission to use part of the first floor as a

drinking establishment was granted in 2017 (application reference 17/00486/FUL).

## **6. Main considerations**

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

- (a) Principle of the development
- (b) Character and appearance
- (c) Housing mix
- (d) Quality of residential accommodation
- (e) Impact on amenity of adjoining residential properties
- (f) Parking and servicing

6.2 (a) Principle of the development

This proposal seeks to create an additional nine residential units to a building which is comprised of 14 residential units with a café at ground floor level and a drinking establishment at first floor level. The subject building was constructed in 2016 following a grant of planning permission in June 2012 (application reference: 12/00306/FULM).

6.3 This original planning permission allowed for the limited release of land within the Clarendon Road employment area (E7a) for mixed use development to help regenerate the area in accordance with Policy E1 of the Watford District Plan. Since this original grant of planning permission a number of mixed-use proposals have come forward in the surrounding area. The upward extension of the building to create additional residential accommodation is therefore accepted at this site where residential use has been established on upper floors.

6.4 (b) Character and appearance

The existing building is of a stepped design with four varying heights. It has five storeys to the front, six to the middle stepping down to four, then three to the rear. The building is finished in brick and render with recessed balconies to the front elevation and terraces to the rear including a communal terrace on the fourth floor.

6.5 This proposal seeks to extend the building upwards. The front part of the building would be extended upwards by three additional storeys with two to the middle and three to the rear. The rearmost part of the building would remain three storeys in height. The communal terrace would be repositioned to the seventh floor and would be of the same design as the existing one at fourth floor level. The brickwork and render would match the existing

building. Appropriate materials which match the existing building will be secured by condition.

- 6.6 The proposed roofline would be highest to the front and central element, stepping down to the rear adjacent to the domestic street scene on Westland Road. It would retain a stepped design though would be simplified, stepping down to the rear with the central stepped element omitted.
- 6.7 The upward extension would make the building 27 metres high. On the opposite corner of Westland Road is Cassiobury House. This site was granted planning permission for redevelopment in January 2021. The element of the consented building on the adjacent corner would be 32.5 metres high (8 office storeys), with the tallest element of the building extending to a height of 41.5 metres (13 hotel storeys).
- 6.8 To the east the site is adjacent to a three storey Nat West bank building which is 10 metres high to the parapet with a crown roof rising to 11.8 metres behind. Beyond this bank building is the newly constructed TJX headquarters which has a 28 metre high (7 office storey) element closet to the subject site, rising to a maximum height of 47 metres (12 office storeys).
- 6.9 The upward extension would create a larger flank wall facing the Nat West bank, though the height of this bank building is now perceived as being low within the surroundings of recently built and recently consented schemes. The redevelopment of the Nat West building would be welcomed, though the subject scheme is not considered to appear discordant in this context given that it is lower than the closest building elements of both Cassiobury House and the TJX headquarters.
- 6.10 (c) Housing mix  
The additional nine units of accommodation are comprised of 3 x 1 bed (33%), 4 x 2 bed (44%) and 2 x 3 bed (22%) units. The existing building has 14 units and is comprised of 4 x 1 bed (28%), 7 x 2 bed (50%) and 3 x 3 bed (21%) units. An existing 2 bedroom unit would be reconfigured to facilitate the development, this reconfirmed unit would remain a 2 bedroom unit. The mix of accommodation is considered acceptable in this highly accessible location.
- 6.11 The proposed development creates nine additional residential units and is therefore not deemed to be a major application. Affordable housing provision can only be sought on major proposals.
- 6.12 (d) Quality of residential accommodation

Some units are single aspect, though given that all proposed units mirror the footprint of units below and are at a higher level, internal light is considered acceptable. All units would be accessed via the existing stair core with a lift, which would be extended upwards. The one bedroom units would all suit occupancy by two persons, the two bedroom units would suit occupancy by four persons and the three bedroom units would suit occupancy by five persons. All units would meet the minimum internal space standards as set out in the Nationally Described Space Standards and the Residential Design Guide.

- 6.13 In terms of amenity space, the three units to the front would benefit from wide 12 square metre terraces overlooking Station Road. The existing reconfigured flat would lose its terrace to facilitate this proposal. The communal roof terrace which is accessed from the fourth floor would be repositioned to the seventh floor. This communal terrace could be utilised by residents of units which have no private terraces, ensuring all units have access to amenity space.
- 6.14 (e) Impact on amenity of adjoining residential properties  
The only residential property adjoining the site is the house at 1 Westland Road. This property is to the rear of the site. The rearmost 3 storey step of the building would not be extended upward and the private terrace on the rearmost flat roof would not be changed from its consented form in the original 2012 consent. The exiting communal fourth floor terrace would be repositioned up three storeys in the same position. The horizontal separation distance of the communal terrace from 1 Westland Road would remain unchanged. This separation distance meets the separation requirements of the Residential Design Guide.
- 6.15 Given the orientation of the building to the north of the flank wall of 1 Westland Road, the proposed massing would not cause any significant loss of light or outlook to this property or any surrounding residential property.
- 6.16 The development would also not be extended in front of number 4 Westland Road, a Victorian property comprised of four flats which is located on the opposite (west) side of Westland Road.
- 6.17 Within the development, the three additional storeys to the rear would cause some overlooking of the third floor private terrace below, though this is negligible because the additional dwellings above have sideways facing bedroom windows and this terrace is directly below. The repositioned communal amenity space would cause less overlooking to the third floor terrace given its raised position.

- 6.18 (e) Parking and servicing  
The existing building has nine car parking spaces to the ground floor. To facilitate this proposal, two of these spaces would be given over to provide additional cycle storage space. An additional 36 cycle parking spaces would be provided, creating 50 spaces for use by residents of all 23 units.
- 6.19 The loss of two car parking spaces and the provision 50 cycle parking spaces for the building would meet the requirements of emerging Policy ST11.1 of the Final Draft Local Plan. Such a move demonstrates a commitment to sustainable and active travel behaviour.
- 6.20 The applicant has agreed that the development be excluded from the local Controlled Parking Zone in order to ensure future residents are not entitled to parking permits. This has been secured by a s.106 planning obligation.
- 6.21 The existing refuse store is shown to be of a sufficient size to accommodate the increase in refuse requirements. This proposal would use larger 1100 litre bins for recycling and non-recyclable waste.

## 7. Consultation responses received

### 7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment
HCC Highways	No objection.

### 7.2 Internal Consultees

Name of Internal Consultee	Comment
Waste and Recycling	Refuse requirements noted.

### 7.3 Interested parties

Letters were sent to 173 properties in the surrounding area. Responses have been received from 11 persons at 10 addresses. The main comments are summarised below, the full letters are available to view online:

Comments	Officer response
Development is not in keeping with the area	See paragraphs 6.4 to 6.9 of this report.
Loss of Light / Privacy and	See paragraphs 6.14 to 6.17 of this

Outlook to residential dwellings	report.
Inadequate parking provision.	See paragraph 6.18 to 6.20 of this report.
Refuse Store not large enough	See paragraph 6.21 of this report.
Disruption from construction	The Environmental Protection Act, the Control of Pollution Act and the Highways Act control the matters of disruption raised.
Pressure on local services	The development is CIL (Community Infrastructure Levy) liable. This levy is used to help the local authority to deliver the infrastructure needed to support development in their area.
Creation of wind canyon effect	The height of the building would not require testing for wind canyon effect with Cassiobury House.
Non-compliance with permitted development regulations on upward extensions	This full planning application is not assessed against permitted development criteria.

## 8. Recommendation

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 a financial payment to the Council of £2,000 (two thousand pounds) 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.
- ii) To secure a financial payment to the Council of £350 (three hundred and fifty pounds) towards the Council's administrative and monitoring costs

### Conditions

1. The development to which this permission relates shall be begun within a period of 3 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:-

20015-PA-001 Location Plan. Rev: B  
20015-PA-010 Existing Ground Floor Plan. Rev: A  
20015-PA-011 Existing First Floor Plan. Rev: A  
20015-PA-012 Existing Second Floor Plan. Rev: A  
20015-PA-013 Existing Third Floor Plan. Rev: B  
20015-PA-014 Existing Fourth Floor Plan. Rev: B  
20015-PA-015 Existing Fifth Floor Plan. Rev: A  
20015-PA-016 Existing Roof Plan. Rev: A  
20015-PA-020 Existing West Elevation. Rev: B  
20015-PA-021 Existing East Elevation. Rev: A  
20015-PA-022 Existing North & South Elevations. Rev: A  
20015-PA-023 Existing North & South Context Elevations. Rev: -  
20015-PA-024 Existing East & West Context Elevations. Rev: -  
20015-PA-030 Ground Floor Plan. Rev: E  
20015-PA-031 First Floor Plan. Rev: C  
20015-PA-032 Second Floor Plan. Rev: C  
20015-PA-033 Third Floor Plan. Rev: C  
20015-PA-034 Fourth Floor Plan. Rev: C  
20015-PA-035 Fifth Floor Plan. Rev: C  
20015-PA-036 Sixth Floor Plan. Rev: C  
20015-PA-037 Seventh Floor Plan. Rev: C  
20015-PA-038 Roof Plan. Rev: C  
20015-PA-040 West Elevation. Rev: C  
20015-PA-041 East Elevation. Rev: C  
20015-PA-042 North & South Elevation. Rev: C  
20015-PA-043 Proposed North & South Context Elevations. Rev: -  
20015-PA-044 Proposed East & West Context Elevations Rev: -  
20015-PA-045 Future North & South Context Elevations Rev: -

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

3. No construction works shall commence until details of the materials to be used for all the external finishes of the building, including brickwork, render, doors and windows, have been submitted to and approved in

writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved materials.

Reason: In the interests of the character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31. This is a pre-commencement condition as the materials need to be agreed with the Local Planning Authority before construction commences.

4. No dwelling hereby approved shall be occupied until a hard and soft landscaping scheme for the site, including tree and shrub details, all hard surfacing materials and details of the communal roof terrace, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out not later than the first available planting and seeding season after completion of the development. Any trees or shrubs whether new or existing which 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, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

5. The cycle stores shown on drawing number: 20015-PA-030 Ground Floor Plan. Rev: E shall be constructed in accordance with the approved drawings prior to the first occupation of any of the residential units hereby consented.

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

### Informatives

1. IN907 – Positive and proactive statement
2. IN909 – Street naming and numbering
3. IN910 – Building Regulations
4. IN911 – Party Wall Act
5. IN912 – Hours of Construction
6. IN913 – Community Infrastructure Levy Liability
7. IN914 – Section 106 Agreement/Undertaking