

PART A

Report of: **DEVELOPMENT MANAGEMENT SECTION HEAD**

Date of Committee	17th July 2014
Site address:	1 & 1A Percy Road Watford
Reference Number :	14/00658/FUL
Description of Development:	Demolition of the office building at 1 Percy Road, garage and first floor dwelling at 1a Percy Road and building to the rear of 30 Market Street. Construction of 9 flats - 1 x one bed and 8 x two bed with associated bin store, cycle store and courtyard amenity space.
Applicant:	Robkit Enterprises Limited
Date received:	1st May 2014
8 week date (minor):	26th July 2014
Ward:	Central

SUMMARY

Full planning permission is sought for the construction of 9 flats with associated bin and cycle storage and a courtyard amenity space. The scheme involves the demolition of a building comprising a garage and flat at 1 Percy Road, an office building at 1A Percy Road and an ancillary office building to the rear of 30 Market Street.

The proposal seeks to provide new residential dwellings on a previously developed site located close to the town centre and within a highly sustainable location. The scheme will achieve this without causing harm to the amenities of the surrounding properties or the character of the area.

The proposed flats will provide suitable living environments for their future occupiers and the development will replace a disjointed cluster of buildings with a more attractive, well-designed building that better relates to the street and the residential character of Percy Road. The design is sympathetic to the surrounding built form and respects the character and setting of the nearby listed buildings at the Holy Rood Church complex.

A Unilateral Undertaking has been completed by the owners of the site which secures financial contributions to offset the impact of the development on local services and infrastructure. The Unilateral Undertaking also ensures that future occupiers of the development will not be entitled to parking permits for the surrounding Controlled Parking Zones. This measure will help to reduce any further demand for on-street parking within the area.

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

BACKGROUND

Site and surroundings

The site occupies an irregular-shaped piece of land, measuring 0.0418 hectares in area, which is located to the rear (north) of Nos. 28-36 Market Street. It comprises a complex of single storey and two storey buildings known as 1 and 1A Percy Road and their associated yards. An extract from the Location Plan is provided below.

The building at 1 Percy Road is two storey and features a flat roof. This adjoins the eastern flank of a terrace of two storey dwellings, the nearest of which is 3 Percy Road. It comprises a garage at ground floor level and a flat at first floor level. A triangular shaped yard exists between the eastern side of 1 Percy Road and the buildings known as 1A Percy Road which lie to the east and southeast. These buildings include interconnecting

single storey and two storey buildings which are currently vacant but had, up until recently, been in office use.



Location plan

Immediately to the south of 1 Percy Road there is a hard-surfaced enclosed courtyard. This is accessed via the rear of No. 1A and also via the rear of the ground floor of No. 1.

The site lies within a primarily residential area which is located close to the Town Centre. The High Street is located 200m east of the site.

The site is not located within a Conservation Area and does not encompass any statutory or locally listed buildings. There are, however, a number of statutory listed buildings within

close proximity of the site. These comprise the buildings which form part of the Holy Rood Church complex on the opposite side of Percy Road and include Holy Rood Church (Grade I listed), Holy Rood House (Grade II), the former Holy Rood Catholic School (Grade II) and the former Convent of St Vincent (Grade II).

Percy Road is a one way street allowing vehicles to enter from Francis Road, at its western end, and exit onto Market Street, at its eastern end. This road and many of the surrounding roads are subject to parking restrictions regulated through permits issued to residents within the Controlled Parking Zones (CPZs).

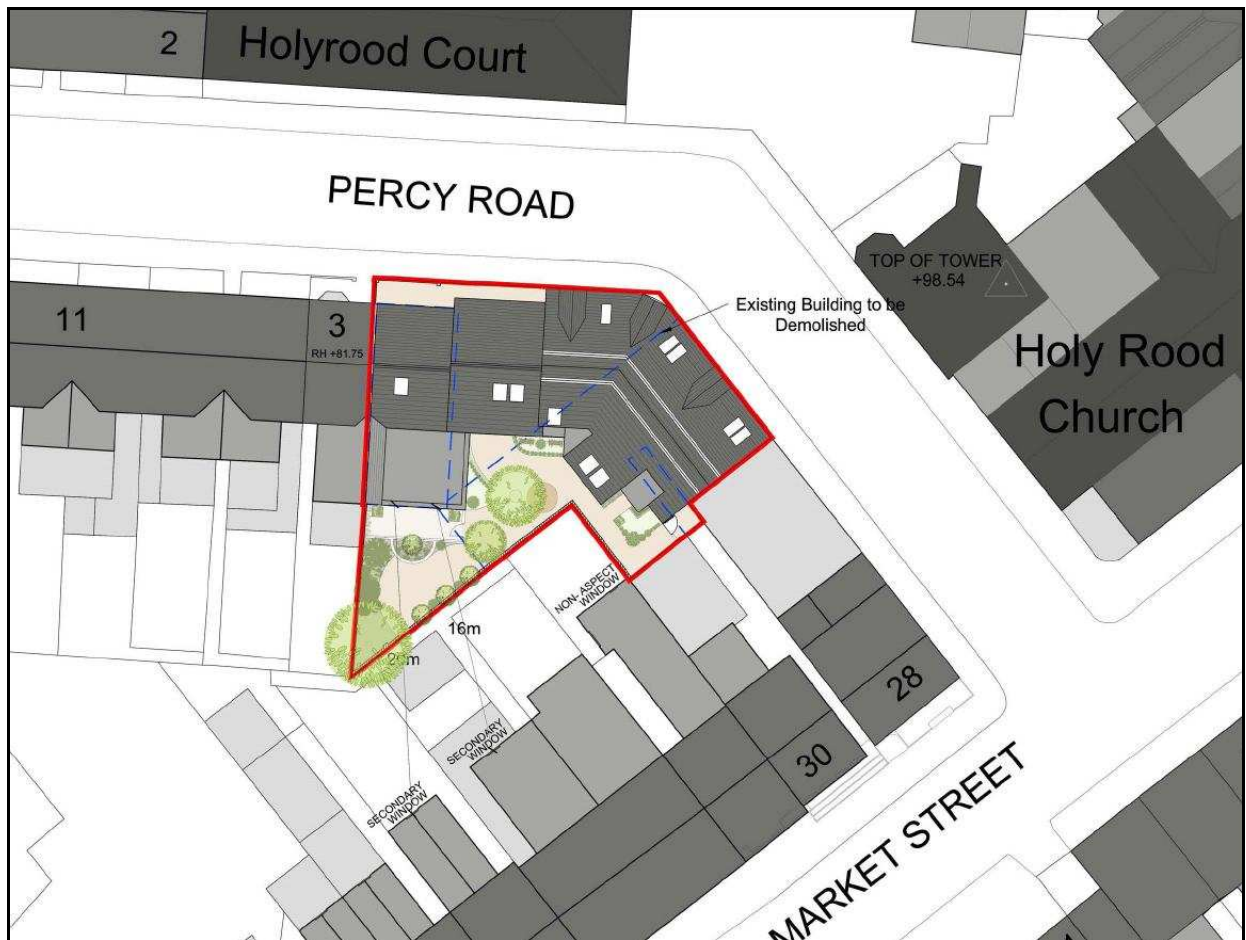
The Watford Character of Area Study identifies the site as being within Character Area 7D. The Study describes the area as being “largely developed between 1890 and 1910” and further states that “the area overwhelmingly retains its Victorian character”.

Proposed development

Full planning permission is sought for the construction of 9 flats with associated bin and cycle storage and a courtyard amenity space. The scheme involves the demolition of the two storey building comprising a garage and flat at 1A Percy Road, the two storey office building at 1 Percy Road and a single storey building to the rear of 30 Market Street which provides ancillary office accommodation.

The proposal seeks to create a new building with a continuous frontage that will face Percy Road. When viewed from the street, the new building will consist of three main components that will gradually rise in height as one travels along the road in an easterly and then southeasterly direction (i.e. heading towards the junction with Market Street).

The part of the building that will adjoin the existing terrace of houses to the west will have the appearance of a two storey dwelling. The eaves and ridge heights of this part of the building will match those of 3 Percy Road. This part of the building will maintain the front building line established by the adjoining terrace and will have a ground floor bay window with two first floor windows above to reflect the elevational treatment of the houses in the adjoining terrace.



Proposed site plan

To the east of this, the building will incorporate an undercroft to allow pedestrian access into the development and to the courtyard amenity space that will be provided behind the main building frontage. Above the undercroft, residential accommodation will be provided at both first and second floor levels. This part of the building will project forward of the main front elevation of the terrace to the west by 0.7m. Its roof will rise 0.31m higher than the terrace.

Further to the east, the building will project a further one metre forward bringing it up to the boundary shared with the footway. The eaves and ridge height of this part of the building will be higher than those parts to the west (ridge height increasing by a further 0.51m). The front elevation of this part of the building will follow the bend in the road until it meets

the adjoining single storey structure which exists at the rear of 28 Market Street. This section will comprise residential accommodation provided over three floors. Dormer windows will be installed on the front roof slope serving those units occupying the second floor level.



3-D view of the proposed development

The courtyard will feature a combination of hard and soft landscaping and will provide a communal amenity space for the residents. Part of the courtyard will also be allocated to provide a private amenity area for the occupiers of Flat 3.

Cycle, refuse and recycling storage will be provided within purpose-built enclosures incorporated into the fabric of the building. These will be accessed from the undercroft.

Amendments

The scheme has been amended during the course of the application at the request of the Council. Below is a summary of the amendments:

- Additional detail provided regarding cycle storage. The agent has confirmed that the cycle store has been designed to accommodate up to 10 cycles using a semi-vertical racking system called a “Neath” Cycle Rack. The racking system has been shown on the plan. These amendments have been made so as to demonstrate that adequate levels of cycle storage to meet the demands of the development will be provided.
- Concerns were raised by the Council regarding the relationship between the tallest part of the building with the lower sections, as detailed on the plans originally submitted with the application. The original design showed a distance of over 1.2m between the top of the window frames and the underside of the soffits. In addition, the eaves line of the taller part of the building was shown to rise more than a metre above the eaves line of the adjoining two storey element which would have resulted in an unusual elevational treatment. It was considered that, when approaching the site along Percy Road from the west, the junction between the 2 storey element and the taller section of building would appear prominent and would create an awkward relationship between the different sections of building. Furthermore, it was apparent from the original drawings submitted with the application that the proposed eaves and soffit detail that would be applied to the tallest section of the building would appear "heavy" and box-like and not in keeping with the other parts of the building and surrounding buildings. Amendments have been made to improve the relationship between the tallest part of the new building and the lower sections. These amendments have included reducing the difference in height of the eaves of the different parts of the building. A smaller gap will now be provided between the top of the first floor windows and the soffits. In addition, the eaves and soffit detailing has been amended to provide a more elegant finish.
- The rooflights have been amended to provide a more vertical emphasis rather than a horizontal emphasis on the front roof slopes so as to help enhance the appearance of the development.

- The dormers have been re-designed so as to reduce their scale and so as to relate better to the other fenestration on the front elevation of the building.
- The fenestration on the front of the building has been revised. This amendment has involved the introduction of new windows and has improved the appearance of the development by providing a more balanced elevational treatment.

Relevant planning history

Ref. 19861 – Demolition of existing house and erection of warehouse and garage with flat over – Planning Permission granted in June 1958.

Ref. 9/364/83 – Change of use to offices and erection of extension – Refused Planning Permission in October 1983 for the following reasons (N.B: this included the land contained within the current application site and the building at 30 Market Street):

1. *The proposal to create additional office floor space in an area where there is a presumption in favour of residential development on the Proposals Map is contrary to Policies E1, E10 and E16 of the Watford District Plan Alterations 1982.*
2. *The proposal makes unsatisfactory provision for the parking of vehicles likely to be associated with the development in accordance with the adopted car parking standards of the Local Planning Authority as contained in Policy T17.4 of the Alterations to the Watford District Plan.*

The Council's decision to refuse this application was appealed against. The appeal was allowed in May 1984.

Ref. 84/00594/FUL – Erection of ground floor extension – Conditional Planning Permission granted in January 1985.

Ref. 13/01340/PREAPP – Pre-application enquiry for demolition of offices to rear of 30 Market Street, fronting Percy Road - Change of use to residential - construction of 9 flats - 8 x 2 bed and 1 x 1 bed and creation of courtyard – This enquiry was responded to in January 2014. The Council advised that the redevelopment of the site to demolish the existing buildings and provide new residential units is acceptable in principle. However, concerns were raised regarding the layout of the development surrounding matters relating to privacy, light, outlook and the access arrangement.

Relevant Policies

The National Planning Policy Framework (NPPF)

- Section 4 Promoting sustainable transport
- Section 6 Delivering a wide choice of high quality homes
- Section 7 Requiring good design
- Section 10 Meeting the challenge of climate change, flooding and coastal change
- Section 11 Conserving and enhancing the natural environment
- Section 12 Conserving and enhancing the historic environment

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

No relevant policies.

Hertfordshire Minerals Local Plan (saved policies)

No relevant policies.

Watford District Plan 2000 (saved policies)

- Policy SE7 Waste Storage, Recovery and Recycling in New Development
- Policy SE22 Noise
- Policy SE23 Light Pollution
- Policy SE24 Unstable and Contaminated Land
- Policy T10 Cycle Parking Standards

Policy T21	Access and Servicing
Policy T22	Car Parking Standards
Policy T24	Residential Development
Policy T26	Car Free Residential Development
Policy H10	Planning Agreements for Educational and Community Facilities
Policy L8	Open Space Provision in Housing Development
Policy L9	Children's Play Space

Watford Local Plan Core Strategy 2006-31

WBC1	Presumption in favour of Sustainable Development
SS1	Spatial Strategy
SD1	Sustainable Design
SD2	Water and Wastewater
SD3	Climate Change
SD4	Waste
HS1	Housing Supply and Residential Site Selection
HS2	Housing Mix
T2	Location of New Development
T3	Improving Accessibility
T4	Transport Assessments
T5	Providing New Infrastructure
INF1	Infrastructure Delivery and Planning Obligations
UD1	Delivering High Quality Design
UD2	Built Heritage Conservation

Supplementary Planning Documents

SPG6	Internal Space Standards (SPG6)
SPG10	Open Space Provision (SPG10)

Residential Design Guide, Volume 1: *Building New Homes* (RDG)

Watford Character of Area Study

CONSULTATIONS

Neighbour consultations

Letters were sent to a total of 59 addresses that adjoin and surround the site. Six representations have been received citing the following objections:

- Lead to additional on-street parking and will put strain on parking zone G which is already heavily congested;
- No car parking;
- Housing market is already over-supplied with one and two bedroom flats with other flatted developments in area;
- More sustainable scheme would be for family homes with off-street parking;
- Overdevelopment;
- Percy Road has become dangerous with cars speeding down the one-way and the new development will add to this misery;
- General standards in this area are not what they used to be, for example, rubbish being thrown in street, and it will become worse with new development;
- Impact on outlook;
- Gardens along Percy Road being overlooked.

Site Notices

Site notices placed. The period for comment expired on 6th June 2014.

Press Advertisement

An advertisement was published in the Watford Observer. The period for comment expired on 13th June 2014.

Statutory consultations

Hertfordshire County Council (Highway Authority)

Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

Conditions

1) Prior to the commencement of demolition works details of the method of washing of vehicle wheels exiting the site shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Highway Authority and the agreed method shall be operated at all times during the period of site works.

Reason: To minimise danger, obstruction and inconvenience to users of the highway.

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

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

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

Reason: To minimise danger, obstruction and inconvenience to users of the highway.

I recommend inclusion of the following Advisory Notes (ANs) to ensure that any works as part of this development are carried out in accordance with the provisions of the Highways Act 1980 and other relevant processes.

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the

public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN2) Before commencing the development the applicant shall contact Hertfordshire County Council Highways (0300 123 4047) to obtain: i) their permission / requirements regarding access for vehicles involved in the demolition of the existing building; ii) a condition survey of any adjacent highways which may be affected by construction vehicles together with an agreement with the highway authority that the developer will bear all costs in reinstating any damage to the highway.

Comments

The Planning application is to demolish the existing dwellings and construct eight, 2 x bedrooms flats and one 1 x bedroom flat at 1 Percy Road, Watford.

This proposal is for a “car- free “development. The site is located on Percy Road which is an unclassified road with a speed limit of 20m.p.h.

The applicant states that there is no new vehicle access. The increase in the number of dwellings and lack of parking on the site would put additional pressure on the limited existing on-street parking. The Local Planning Authority should decide whether there is sufficient off street parking for it. Furthermore, Percy Road is in a controlled parking zone with both sides subject to permit holder parking only, which is also a one-way street system. However, the proposals are not considered to greatly impact upon the highway safety or capacity.

Planning Obligations

The applicant should be made aware that if planning permission is granted for this development of eight 2 x bedroom flats and one 1 x bedroom flat it will attract a financial contribution of £4,375 toward, but not limited to, sustainable transport measures identified in the Southwest Hertfordshire Transport Plan. This has been derived from the document “Planning Obligations guidance-toolkit for Hertfordshire”.

Conclusion

The development site is small scale and has good public transport accessibility level. The site is located approximately 0.5 mile from the Watford High Street Station (10 mins walking distance). It is near a local neighbourhood centre with shops and other local amenities. Hertfordshire County Council as the Highway Authority does not recommend refusing this application.

Contaminated Land Officer

Our records do not indicate any potentially contaminative uses of the subject site. I recommend a watching brief be undertaken during ground works for any visual / olfactory evidence of contamination (particularly within the vicinity of the garage for any hydrocarbon contamination). Should any contamination be identified, the Council must be informed and the contamination investigated and remediated.

Thames Water

Waste Comments

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

Surface Water Drainage

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated

or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water Comments

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

Crime Prevention Design Advisor

I know the area and the problems of the gates and access at the rear of properties.

I'm pleased to see the walls are being retained, although it is not clear what the boundary fencing will be to 28 & 30 Market Street . I would like to see 1.8 metre close boarded fencing topped with 300mm of trellis and a gate of the same material with Sold Secure Silver Standard hasps and padlocks so as to secure the rear of these properties. We know 65% plus of burglary entries are through the rear of buildings.

Unfortunately the rear courtyard area is not overlooked by what we would deem active rooms i.e. lounges, dining rooms and kitchens in the new development, the area is overlooked by bedrooms in the main. I accept there is the communal entry to four flats but most will go to the door and not look around. I am concerned about the vulnerability of the rear courtyard/garden.

Ideally I'd like to swap the bin store and cycle around and put a gate in the area before the front door of flat 3! I think it worth mentioning to the planners my concerns and my thoughts about a gate to prevent ASB and the rear garden area being used by drinkers from nearby establishments.

The cycle stores will have individual digital locking systems with the code given to the resident to whom it belongs.

My other comments relating to individual flats are:

Flats 3, 6 & 7

- I will be looking for all front doors to have been tested to PAS24-2012 standards [including the communal entry door to 6 & 7]. The front doors to the uppers flats to have a thumb turn inner locking system to allow for easy egress in the event of an emergency.
- Any glazing in or around the doors to be laminated.
- Ideally I will be looking for an audio entry system for the upper flats together with any meters to be external or able to be read remotely.
- I assume there will be a post box on the communal door only.
- I will look for all ground floor rear doors on to the terrace to have PAS24-2012 tested doors and any glazing at ground floor level to be laminated.
- All ground floor windows to be to PAS24-2012 tested standards with only the side bedroom window of flat 3 laminated.

Flats 1, 2, 4, 5, 8 & 9

- I will be looking for all front doors to have been tested to PAS24-2012 standards [including the communal entry door to 4, 5, 8 & 9]. The front doors to the uppers flats to have a thumb turn inner locking system to allow for easy egress in the event of an emergency.
- The rear bedroom door to flat 1 must be a PAS24-2012 tested door which again must have laminated glazing as it is vulnerable being in an isolated position.

- Any glazing in or around the doors to be laminated.
- Ideally I will be looking for an audio entry system for the upper flats together with any meters to be external or able to be read remotely.
- I assume there will be an external post box for the upper flats.
- All ground floor windows to be to PAS24-2012 tested standards.

I note the comments about lighting and this will be very important in view of the undercroft area which could be used as a “youth” shelter in bad weather!”

Conservation & Design – Planning Policy Department

The Council’s Conservation & Design Team has been consulted and has confirmed that there are no objections to the proposal.

Arboricultural Officer

There are no existing trees or soft landscaping on site. The proposals show a reasonable amount of new planting, however this is only indicative. A detailed landscaping scheme should be secured by a condition attached to any consent granted.

APPRAISAL

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

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

Principle of development

The site is located within a primarily residential area and is not situated within a designated Employment Area. The loss of the offices and garage and their replacement

with new dwellings is considered to be acceptable in principle. A residential development in this location would be more compatible with its surroundings than the non-residential uses which exist at present.

Policy HS1 of the Watford Local Plan Core Strategy 2006-31 advises that factors that will support residential allocation in the 'site allocations' document, and which will also be considered in determining applications on windfall sites, will include inter alia: consistency with the spatial strategy; previously developed land; close to good public transport, walking and cycle network routes; location within the town centre or at other strategically located sites. The Policy further advises that factors that will go against residential allocation will include: not previously developed land; land at risk of flooding; existing employment land, open space or other community facilities for which there is still an identified need; land with high biodiversity, landscape or cultural heritage significance; no access to reliable integrated public transport links.

The proposal complies with the provisions of Policy HS1 in that the site occupies previously developed land which is close to good public transport routes. The site is not in an area at risk of flooding, is not existing employment land and does not have high biodiversity, landscape or cultural heritage significance.

Policy SS1 of the Watford Local Plan Core Strategy 2006-31 states that "Outside of the areas covered by specific policies, the emphasis will be on making sure that new development protects residential amenity, protects and enhances the character of the area, maintains and enhances the quality of our open spaces and green infrastructure and protects our built heritage". It is considered that the proposal complies with the objectives of Policy SS1 as set out in the sections that follow.

Design and impact on street scene

The Residential Design Guide (RDG) states that "Generally, the need to respond to context is greatest for small infill sites or where larger schemes adjoin existing development". Policies SD1 and UD1 of the Watford Local Plan Core Strategy 2006-31

seek to ensure that all new development is based on an understanding of the local characteristics of the surrounding area. Particular regard should be paid to the height, size, roof pitch, use of materials, textures, finishes, size and scale of window and door openings and the impact on the streetscene. This is supported further by Section 3.1 of the RDG which states that “New housing development and changes to existing properties should be based on a thorough understanding and analysis of the characteristics of the proposal site and its surroundings”. Section 3.8 of the RDG advises that “All forms of residential development need to take into account potential impacts on the amenity of neighbouring property occupiers in terms of effects on levels of natural light, privacy and sense of enclosure”.

At a national level, the Government’s planning guidance places a strong emphasis on the creation of high quality environments through good design. Section 7 of the National Planning Policy Framework (NPPF) states that planning decisions should aim to ensure that developments “will function well and add to the overall quality of the area” and “are visually attractive as a result of good architecture and appropriate landscaping”.

The existing buildings requiring demolition do not contribute positively to the street scene or the wider visual amenity of the area. The buildings have no historical or architectural significance and they appear at odds with the other buildings in Percy Road, which has an overwhelmingly residential character.

The existing flat-roofed two storey building at 1 Percy Road has an uncomfortable relationship with the adjoining terrace of houses located to the west of the site. The development will allow this relationship to be improved through the replacement of the existing building at 1 Percy Road with a new two storey building incorporating a pitched roof and traditional features. The new building will resemble the features and proportions of the adjoining terrace. The eaves height and ridge height of this part of the new building will match those of the adjoining terrace when viewed from the street and this will provide an element of continuity between the existing built form and the new development.

At present, the complex of buildings that exist on site appears somewhat disjointed due to their varying form and orientation. The proposal will allow the existing disjointed built form to be replaced with a development that incorporates a more uniform and coherent design approach for the full extent of the site. This will result in the creation of a high quality environment that will suitably address the street and therefore enhance this part of the street scene.

The new building will serve to act as a transition between the terraced properties along the southern side of Percy Road and the taller building at 28 Market Street. As such, the part of the new building that will adjoin the rear of 28 Market Street will be taller than the part that will adjoin the terraced house at 3 Percy Road. The increase in height will be stepped so as to ensure that there is no severe junction between the different parts of the new building. In addition, the front elevation of the building will be staggered and this will help ensure that there is a suitable transition between the building line of the front of the adjoining terrace of houses and that created by the flank elevation of 28 Market Street.

It is considered that the proposed buildings will offer an attractive appearance that will remain compatible with the surrounding built form. The new windows and doors will be of a style that will remain in keeping with the local vernacular. Three dormer windows are proposed on the roof of the building and these will face Percy Road. It is considered that the dormers will remain proportionate with the scale of the building and will have a suitable relationship with the windows beneath them. Overall, it is considered that an attractive elevational treatment will be achieved.

Details of the materials to be used for the external finishes of the building have been submitted during the course of the application. These include a multi brick for the main elevations with an orange brick to be used for detailing such as the brick banding. The pitched roof surfaces are to be finished with slates. Windows are to be of a sliding sash type. It is felt that the proposed materials will provide a high quality appearance that will remain compatible with the context of the site.

Impact on nearby listed buildings

Policy UD2 of the Core Strategy states “The council will ensure that the borough’s historic environment is identified, conserved, and, where appropriate, enhanced. This will include conservation areas, listed buildings, locally listed buildings, scheduled ancient monuments, archaeological remains and registered parks and gardens, and their settings”.

Paragraph 131 in Section 12 (Conserving and enhancing the historic environment) of the NPPF advises that “In determining planning applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness”.

Annex 2 (Glossary) of the NPPF defines a “Heritage asset” as “A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)”. In this case, the relevant heritage assets include the nearby listed buildings.

Paragraph 132 of the NPPF states “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation”. It further states that “As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.

The proposed development will take place within close proximity of the listed buildings which are located to the north and east of the site and which include Holy Rood Church (Grade I listed), Holy Rood House (Grade II), the former Holy Rood Catholic School (Grade II) and the former Convent of St Vincent (Grade II).

At present, the site does not contribute positively to the setting of these listed buildings. The building at 1 Percy Road incorporates a utilitarian design and has the appearance of an industrial unit. The building at 1A Percy Road features a relatively bland elevation which faces the Church. It is considered that the proposed development will offer an improved setting for the heritage assets given that the new building will provide a well-designed frontage that will incorporate traditional materials and detailing.

Layout

SPG6 outlines the minimum space standards for residential units. The proposed development will comply with the minimum space standards set out by the guidance. Additionally, all habitable rooms provided within the development will benefit from suitable levels of natural lighting and outlook, in accordance with SPG6 and the provisions of the RDG.

Section 7.6 of the RDG advises that “the minimum area for usable communal space is 50 square metres, plus 5 square metres per additional unit over five units”. The submitted plans show the creation of a landscaped courtyard to the rear of the building and this will provide a communal amenity area which exceeds 70 square metres, in accordance with the RDG. It is acknowledged that many of the residential properties within this built up location do not benefit from any private amenity space including some of the flats occupying the upper floors of the buildings fronting Market Street. However, the proposal seeks to ensure that the occupiers of the new development benefit from amenity space. It is considered that the amenity space should receive sufficient levels of natural light given its position to the south of the building. It will be landscaped using a combination of hard surfaces and planting and will provide an attractive environment for residents.

Refuse and recycling storage will be created within a purpose-built enclosure that will be accessed from the undercroft area. The proposed enclosure will ensure that adequate refuse and recycling storage to meet the demands of the development is provided without compromising the visual amenity of the site or its surroundings, in accordance with Policy

SE7 of the Watford District Plan 2000 and Policy SD4 of the Watford Local Plan Core Strategy 2006-31.

Impact on neighbouring properties

The proposed development will not give rise to any significant harm to the amenities of neighbours in accordance with the provisions of the RDG and Policy SS1 of the Watford Local Plan Core Strategy 2006-31.

The neighbouring property at 3 Percy Road features a part single storey and part two storey rear projecting element. The nearest part of the proposed new building will not extend beyond the rear of this neighbouring property. The development will not infringe 45 degree lines taken from the nearest habitable room windows on the rear elevation of 3 Percy Road and will not result in any significant loss of light or outlook to this property, in accordance with the guidance contained within Section 7.5.2 of the RDG.

Sufficient distances will be retained between the proposed building and the surrounding properties so as to ensure that neighbours do not experience a significant loss of natural light or outlook.

The proposed development will involve the demolition of the existing buildings on the site. The new building will be separated a greater distance from some of the surrounding properties when compared to the existing development on site and this is likely to improve levels of light and outlook for some neighbours.

The proposal will not give rise to any significant impact on the privacy of neighbours. Currently, there are first floor windows serving the flat at 1 Percy Road and the offices at 1A Percy Road that allow views to be afforded from the site towards neighbouring properties located along Market Street and Percy Road. Whilst the proposal will allow some views to be afforded towards neighbouring properties, the situation created by the development will be no worse than that which exists at present.

The southeast-facing elevation of the existing building at 1A Percy Road currently features first floor windows which face the windows on the rear elevation of 28 Market Street. The proposed building will not have any windows in its southeast-facing flank elevation and therefore levels of privacy for the occupiers of the units at 28 Market Street are likely to be improved as a result of the development.

The existing southwest-facing elevation of 1 Percy Road features a large first floor window which is sited less than 7m from the boundary shared with 3 Percy Road at its nearest point. In contrast, a distance of over 16m will be provided between the first and second floor windows serving the bedrooms within Flats 4 and 8 and the boundary shared with 3 Percy Road. This will provide a suitable separation distance, which is considerably greater than that provided between the existing first floor windows and the boundary shared with 3 Percy Road.

The front of the new building will come within 12.2m of the building located to the north of the site which is known as Holyrood Court. It is acknowledged that views from the windows on the front of the new building will be able to be afforded towards those windows on the front of Holyrood Court. This may result in some mutual overlooking between the new units and those existing properties to the north. However, it is common in urban environments such as this for some mutual overlooking to occur, particularly from one side of a street to the other. Indeed, a similar arrangement exists immediately to the west of the site between the terraced houses on the opposite sides of Percy Road. The windows on the front elevations of the existing buildings allow some views to be afforded towards Holyrood Court at present but the proposed development will not result in a significant adverse impact on the living conditions of the occupiers of this neighbouring building in this respect.

Transportation, access and parking

The proposal does not seek to create any new vehicular access. The existing access from Percy Road will be closed and therefore there will be no vehicular movements into and out of the site. The Highway Authority has been consulted and has confirmed that there are no objections to the proposal.

No on-site parking will be provided. Saved Policy T26 of the WDP2000 advises that “Car free residential development will be considered in suitable locations which are highly accessible by passenger transport, close to amenities and services, subject to the provision of satisfactory site covenants, on-street parking controls and measures to control displaced parking in adjacent areas”. Saved Policy T24 of the WDP2000 advises that “Developments will be deemed to have good access to transport if they are within walking distance of existing passenger transport services, i.e. located within 400 metres of a bus stop, or within 800 metres of a train station or interchange”. This policy further advises that where development is proposed within an existing Controlled Parking Zone (CPZ), the Council will remove the rights of future occupiers to receive permits for on-street parking wherever insufficient off-street parking is proposed.

The site is located within a CPZ. It lies approximately 190m west of the High Street which offers a number of shops and services. There are a number of bus services operating within the surrounding area that are within 400m of the site including those which stop regularly along Exchange Road and along the High Street close to its junction with Market Street. The site is also within easy reach of the Watford Underground and High Street Stations.

Given the site's location, which is within easy reach of the Town Centre, bus stops and train stations, a car-free development is acceptable subject to the completion of a S.106 planning obligation to prevent new occupiers being entitled to parking permits. Such an obligation has been entered into by the owners of the site. The completion of this obligation will help to ensure that the proposed development will not give rise to additional demands for on-street parking, in accordance with Policy T24 of the Watford District Plan 2000.

It is apparent that there is not enough space within the confines of the site to allow refuse collection and delivery vehicles to wait clear of the highway whilst serving the development. Whilst this is not an ideal situation, it is one which is commonplace throughout the built-up parts of the Borough. There is inadequate space on the site at

present to allow delivery and service vehicles to wait clear of the highway, so the situation will not be made worse by the development.

Policy T10 of the Watford District Plan 2000 requires that a minimum of 1 cycle space be provided per dwelling. Cycle storage will be provided within a purpose built enclosure that will be accessed from the undercroft. This will provide a secure and weatherproof means of cycle storage for the occupiers of the units, in accordance with Policy T10 of the Watford District Plan 2000.

Access to the site will be achieved via entrances along Percy Road. In addition, an access route from Market Street, running between the buildings at No.s 28 and 30, will be maintained. These proposed access arrangements are acceptable.

As referred to above, a unilateral undertaking has been completed by the owners of the site to secure a financial contribution towards the implementation of the South West Hertfordshire Transport Strategy and sustainable transport measures in the Borough of Watford, in accordance with Policies T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31 and Policy T24 of the Watford District Plan 2000.

Trees and landscaping

There are currently no trees, hedges or other soft landscaping present on the site. The scheme provides the opportunity for some soft landscaping to be introduced. Not only will new planting help to create an attractive environment but it could also help surface water drainage by introducing permeable surfaces.

The submitted drawings show a reasonable amount of new planting; however, this has been shown only indicatively. A detailed landscaping scheme will therefore be required should permission be granted. This would be secured by condition.

Education, childcare, library facilities, youth facilities

The owners of the site have entered into a planning obligation to secure financial contributions towards local services, in accordance with the requirements of Policy H10 of the Watford District Plan 2000. This would be secured by a Unilateral Undertaking.

Public open space and children's playspace

The subject site is too small to warrant the provision of children's playspace and public open space within its confines. The owners of the site have entered into a planning obligation to secure financial contributions towards the provision of children's playspace and public open space which can be provided off-site, in accordance with the provisions of SPG10 and Policies L8 of the Watford Local Plan Core Strategy 2006-31.

S.106 contributions

The development which forms the subject of this application is one where, in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31, the Council will normally require the applicant to enter into a planning obligation to provide contributions towards the provision or improvement of community facilities and infrastructure. Under Regulation 122 of the Community Infrastructure Levy Regulations 2010, where a decision is made which results in planning permission being granted for development, a planning obligation may only constitute a reason for granting planning permission for that development if the obligation is:

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

Policies L8, L9 and H10 of the Watford District Plan 2000 and Policies T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31, together with *SPG 10: Open Space Provision* recognise that cumulative small developments within the urban area of Watford

can produce significant additional demands for services and facilities in the same way that a smaller number of larger developments would. However, unlike larger developments which can often accommodate some provision of these services and facilities within the site, smaller developments are clearly unable to do so and it would be unreasonable to expect them to. It is therefore reasonable to expect the applicant in such cases to make a financial contribution towards improved services and facilities within the Borough.

Most new residential developments within Watford comprise fewer than 50 dwellings. The Council seeks financial contributions on a per unit basis from all new residential developments. This is considered to be a reasonable approach as it ensures that all such developments make contributions on an equal basis, with actual payments determined by the number and, in some cases, the size of the units proposed. This approach therefore does not disadvantage applicants proposing larger developments within the Borough, but rather ensures that all applicants make payments in proportion to the additional demand on services and facilities that their development will generate.

The Council's approach to seeking financial contributions by means of a planning obligation is fully in accordance with the advice set out in paragraphs 203 to 205 of the National Planning Policy Framework. In each case, the contributions received are pooled together in order to accumulate sufficient funds for the Council and the County Council to undertake capital works within the Borough. Given the small size of the Borough, this is considered to be a reasonable and acceptable approach to the provision of new or improved services and facilities and accords with paragraphs 203 to 205 of the National Planning Policy Framework.

The contributions in the case of the development to which this application relates are set out below. As these contributions have been calculated in accordance with the Hertfordshire County Council's Planning Obligations Toolkit (adopted January 2008) and the relevant policies of the Watford District Plan 2000 and Watford Local Plan Core Strategy 2006-31, they are directly related to the development, are fairly and reasonably related in scale and kind to the development and are necessary to make the development

acceptable in relation to those policies. Accordingly, the requirement for such contributions meets the tests in Regulation 122 of the Community Infrastructure Regulations 2010, and, consequently, the planning obligation can be taken into account as a material planning consideration in the determination of the application.

The following contributions (subject to indexation) have been secured through the completion of a Unilateral Undertaking given by the owners of the site.

Education

Primary	Secondary	Nursery	TOTAL
5,805	3,155	1,397	£10,357

Childcare	£407
Youth facilities	£94
Library facilities	£980
Sustainable transport	£3,875
Total payable to Hertfordshire County Council	£15,713
Public open space	£19,776
Children's play space	£6,895
CPZ amendment	£2,000
Monitoring	£350
Total payable to Watford Borough Council	£29,021

Consideration of objections received

Six representations were received and these are summarised in the "Consultations" section of the report above. Many of the issues raised have been discussed in the "Appraisal" section of the report. However, those issues that have not already been referred to, or which require further discussion, are outlined in the table below.

Objections	Officer's response
<p>Housing market is already over-supplied with one and two bedroom flats with other flatted developments in area.</p>	<p>It is acknowledged that there are a number of other flatted developments within the area. However, the Core Strategy (see, for example, Policies HS1 and HS2) supports higher density developments including flats around the town centre and in locations which have good access to passenger modes of transport. The proposal meets these policy objectives. The Council's Strategic Housing Market Assessment has identified a need for a mix of dwellings by size and tenure within the Borough.</p>
<p>Overdevelopment.</p>	<p>The proposed flats will meet the minimum internal space standards set out by SPG6. In addition, the amount of amenity space proposed exceeds the minimum requirement which is set out by the RDG.</p>
<p>Percy Road has become dangerous with cars speeding down the one-way and the new development will add to this misery.</p>	<p>There is no evidence to suggest that the proposed development will directly impact drivers' behaviour.</p>
<p>General standards in this area are not what they used to be, for example, rubbish being thrown in street, and it will become worse with new development.</p>	<p>It is unlikely that the development will result in a significant increase in rubbish being thrown in the street. The proposal will enhance the appearance of this part of the street and will introduce a residential frontage which is likely to provide a greater level of natural surveillance when compared to the existing offices. Anti-social behaviour such as litter throwing is likely to be discouraged in front of private residential properties.</p>

Conclusion

The proposed flats will provide suitable living environments for their future occupiers and the development will replace a disjointed cluster of buildings with a more attractive, well-designed building that better relates to the street and the residential character of Percy Road. The design is sympathetic to the surrounding built form and respects the character and setting of the nearby listed buildings at the Holy Rood Church complex.

A Unilateral Undertaking has been completed by the owners of the site which secures financial contributions to offset the impact of the development on local services and infrastructure. The Unilateral Undertaking also ensures that future occupiers of the development will not be entitled to parking permits for the surrounding Controlled Parking Zones. This measure will ensure that this development does not give rise to additional demand for on-street parking in the area.

Human rights implications

The Local Planning Authority is justified in interfering with the applicant's Human Rights in order to alleviate any adverse effect on adjoining properties and their occupiers and on general public amenity. With regard to any infringement of third party Human Rights, these are not considered to be of such a nature and degree as to override the Human Rights of the applicant and therefore warrant refusal of planning permission.

RECOMMENDATION

That planning permission be granted, subject to the following conditions:

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

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

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

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

3. Notwithstanding the information already submitted, no works of construction shall commence until details of (a) the materials to be used for all the external finishes of the building, the new brick wall and all hard surfaced areas, (b) the reveal treatment to be applied around all windows and doors and (c) the external finish of the dormers and the eaves/soffit treatment, including in the case of (b) and (c) drawings illustrating the relevant details at a scale of 1:20, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.

Reason: To ensure that the development is constructed using high quality materials and finishing that respond to the site's context and make a positive contribution to the character and appearance of the area and the setting of the nearby listed buildings, in accordance with Policies UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31.

4. No development shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of contractors' parking, the delivery and

storage of materials, wheel washing facilities, measures to mitigate noise and dust and a contact procedure for complaints. The Plan as approved shall be implemented throughout the construction period.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties and to minimise any obstruction of the adjoining highway during the time that the development is being constructed, pursuant to Policies T24 and SE22 of the Watford District Plan 2000.

5. Notwithstanding the information already submitted, no works of construction shall commence until full details of both hard and soft landscaping works, including details of any new planting, any changes to ground levels, all pathways, amenity areas/paving, lighting and, where required, a phasing programme have been submitted to and approved in writing by the Local Planning Authority.

The approved landscaping scheme, with the exception of the planting, shall be completed prior to any occupation of the development or in accordance with an approved scheme of phasing. Any proposed planting shall be completed not later than the first available planting and seeding season after first occupation of any part of the development. For the purposes of this condition a planting season is the period from 1 October in any one year to 31 March in the next following year. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

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

6. Notwithstanding the provisions of Part 2 of the Second Schedule to the Town and Country Planning General Development Order 1995, as amended (or any Order revoking or re-enacting that Order), no gates, fences, walls or other means of enclosure shall be installed within the undercroft entrance or anywhere else on the site without the prior written approval of the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with Policy UD1 of Watford Local Plan Core Strategy 2006-31.

7. No part of the development shall be occupied until the cycle, refuse and recycling storage enclosures have been laid out and constructed in accordance with the approved drawings and made available for use, and these facilities shall thereafter be kept clear of any obstruction and shall not be used for any other purposes.

Reason: To ensure that suitable cycle, refuse and recycling storage facilities are provided for the occupiers of the development and in the interests of visual amenity, in accordance with Policy T10 and SE7 of the Watford District Plan 2000 and Policies UD1 and SD4 of the Watford Local Plan Core Strategy 2006-31.

8. No part of the development shall be occupied until details of the closure of the existing vehicle access to Percy Road (by raising the existing dropped kerb and reinstating the footway, verge and highway boundary to the same line, level and detail as the adjoining footway, verge and highway boundary) have been submitted to and approved in writing by the Local Planning Authority and the works have been constructed and completed in full, in accordance with the approved details.

Reason: In the interests of highway safety in accordance with Policy T24 of the Watford District Plan 2000.

9. No works of construction shall commence until details of a lighting scheme for the development have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be installed as approved before the first occupation of any part of the development and thereafter shall be maintained as approved.

Reason: To meet the needs for safety and security for users of the site and in the interests of amenity in accordance with Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

Informatives

1. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended.
2. This planning permission is accompanied by a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure financial payments towards the provision or improvement of public open space, childcare, education, youth facilities, library facilities and sustainable transport measures within the Borough of Watford and the provision of any fire hydrants that are necessary to serve the development, in accordance with the provisions of Supplementary Planning Guidance 10 (SPG10), Policies L8 and H10 of the Watford District Plan 2000 and Policies T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31. In addition, the legal agreement secures a contribution towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude future residents of the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the site, in accordance with Policy T24 of the Watford District Plan 2000.

3. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the Hertfordshire County Council website at <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
4. Before commencing the development the applicant shall contact Hertfordshire County Council Highways (0300 123 4047) to obtain i) their permission/ requirements regarding access for vehicles involved in the demolition of the existing buildings; ii) a condition survey of any adjacent highways which may be affected by construction vehicles together with an agreement with the highway authority that the developer will bear all costs in reinstating any damage to the highway.
5. The developer is advised that a watching brief be undertaken during ground works for any visual/olfactory evidence of contamination (particularly within the vicinity of the garage for any hydrocarbon contamination). Should any contamination be identified, the Council's Contaminated Land Officer must be informed without delay, advised of the situation and an appropriate course of action agreed. The Council's Contaminated Land Officer can be contacted on 01923 278435.
6. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work

would be over the line of, or would come within 3 metres of, a public sewer.

Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

7. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

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

Drawing Numbers

PR/14/LP01; PR/14/EX01; Sheet Number 1 (Topographical Survey);
Sheet Number 3 (Elevations Survey); PR/14/L01B; PR/14/L02C; PR/14/L03C;
PR/14/L04B; PR/14/L05A; PR/14/L10C; PR/14/L11A; PR/14/L12B; PR/14/P01;
PR/14/P02; PR/14/P03A; PR/14/P04A

Other documents

Design, Access and Planning Statement

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