

PART A

Report of: **DEVELOPMENT MANAGEMENT SECTION HEAD**

Date of Committee	7th August 2014
Site address:	1 Wellstones Service Yard Watford
Reference Number:	14/00577/FULM
Description of Development:	Erection of extensions to create a 5 storey building for office use and alterations to ground floor to provide 3 car parking spaces.
Applicant:	Hobbs Developments Limited
Date received:	13th May 2014
13 week date (major):	12th August 2014
Ward:	Central

SUMMARY

Full planning permission is sought for the erection of extensions to create a 5 storey building for office use and alterations to the ground floor to provide 3 car parking spaces.

This application follows a previous scheme, submitted in 2013, which sought permission for the erection of extensions to create a 3 storey office building (Ref. 13/00332/FUL). The Council refused this earlier application on grounds that it would prejudice the comprehensive redevelopment of this part of the town centre which has been earmarked for a new retail-led mixed use development known as "Exchange Square". The Council's reason to refuse the application was appealed against and the appeal was allowed in March 2014. The Inspector appointed to determine the appeal found that there was no evidence that the Exchange Square development was progressing. They concluded that there was insufficient evidence to suggest that the site was pivotal to the future plans and considered that the scheme would not unreasonably harm the long term redevelopment of the town centre.

The current proposal differs from the earlier scheme in that a further two storeys of office accommodation are now proposed. This has resulted in a building which has a different appearance and significantly greater height and mass when compared to the scheme considered under 13/00332/FUL. As a result of the additional storeys it is felt that the proposed development would have an adverse impact on the visual amenity of the area and would create an oppressive and dominant building for this setting.

The Development Management Section Head recommends that the application be refused as set out in the report.

BACKGROUND

Site and surroundings

The subject site comprises a single storey building which covers a rectangular-shaped footprint located within the Town Centre. The building footprint occupies the whole of the site with the exception of a small, triangular piece of land on its southeastern side which is undeveloped.

The building is currently vacant. The planning history for the site indicates that in the past it has been used for a range of uses including a petrol filling station, warehouse and light industry. More recently, it is understood that the building had been occupied by a curtain and leather cleaning business and as a workshop for the repair of gaming machines before becoming vacant in 2012.

The site lies approximately 50m southwest of the High Street. Pedestrian access from the High Street into Wellstones is provided through Well's Yard to the north of the site and also via an opening between the properties at 2-4 The Parade and 38 High Street to the east.

The area in which the site is located is characterised by a mix of building types that vary in form, scale and appearance. The site lies within close proximity of the rear of properties which front Exchange Road and the High Street. The site also lies within close proximity to the part 3, 4 and 5 storey Telephone Exchange building.

Within Wellstones there are other single storey structures including a workshop building located 10m to the northwest of the site.

The subject building features a high dual pitched roof with gables on its northeast-facing and southwest-facing ends. On its northwest-facing elevation, there is a concertina type door opening which allows vehicular access into the building from Wellstones. Wellstones is an unclassified, one-way service road which runs between Exchange Road and Market Street. The northwestern and northeastern sides of the building directly adjoin the road.

The site does not encompass any listed buildings and is not located within a Conservation Area. However, there are statutory and locally listed buildings within the vicinity including the Grade II listed property at 14-16 The Parade, which is located approximately 40m northeast of the site.

The site lies within the Primary Shopping Area as identified by Figure 6 (page 54) of the Watford Local Plan Core Strategy 2006-31. The site is also located within the Town Centre Special Policy Area as designated by the Watford Local Plan Core Strategy 2006-31.

Proposed Development

Full planning permission is sought for the erection of extensions to create a 5 storey building for office use and alterations to the ground floor to provide 3 car parking spaces.

The proposal seeks to remove the existing roof of the building, insert a steel frame, and add a further four floors to create offices and ancillary facilities. The existing ground floor brickwork will be rendered, and the four upper floors will be clad with aluminium panelling. The roof will be hipped and finished with slates.



Proposed northwest and southwest elevations

According to the details submitted with the application, the development will provide start-up office accommodation for embryonic businesses. Communal facilities will be provided including a reception, toilets, kitchens, lifts, meeting rooms and copying, scanning and printing areas.

The ground floor will provide the main entrance, reception, communal office facilities, meeting rooms, toilets and three car parking spaces within an undercroft element. Refuse and cycle storage enclosures will also be provided at ground floor level. The upper floors will be divided into office suites with communal facilities.

The parking spaces will be accessed on the northwestern side of the building directly off Wellstones.

Relevant Planning History

Ref. 28596 – Petrol filling station – Conditional Planning Permission granted in March 1965.

Ref. 0173/74 – Use to warehousing – Conditional Planning Permission granted in June 1974.

Ref. 78/00648/FUL – Permanent permission for continued use of West's Garage, Wellstones, as a warehouse – Conditional Planning Permission granted in January 1979.

Ref. 81/00192/COU – Change of use from Class x warehouse to light industrial use – permitted development.

Ref. 90/00216/OUT – Outline application for proposed two storey B1 business unit with 10 spaces – Refused Planning Permission in September 1990 for the following reasons:

- 1. The proposed development would give rise to an increase in business floorspace on the site and would not provide an acceptable location and would be contrary to the aims of the County Structure Plan Policy No. 65 of the Approved Hertfordshire County Structure Plan and to Policies E10 and E15 of the Watford District Plan (As Altered) 1985.*
- 2. The proposed development would prejudice proposals for the improvement of Wellstones, a public highway, and would prejudice expressed intentions of the Hertfordshire County Council and the Watford Borough Council for a bus interchange facilities and be contrary to County Council Intention 169 paragraph 7.7.23 of the First Review Herts County Structure Plan and to Policy T7 of the Watford District Plan (As Altered) 1985.*
- 3. The suggested car parking provision would not provide adequate spaces for the proposed development and would not accord with the terms of Policy T17 of the Watford District Plan (As Altered) 1985.*

- 4. The proposed layout of the development would, it is considered, by reason of the location of the car parking and its relation to the alignment of Wellstones and adjoining properties give rise to unsatisfactory manoeuvring likely to adversely affect the safety of users of the adjoining highway and as such would fail to meet the aims and objectives of the chapter on Transport and Policies T15/T16 of the Watford District Plan (As Altered) 1985.*

Ref. 92/00394/COU – Change of use application from B1 - Dance Studio – application withdrawn in November 1992.

Ref. 03/00309/COU – Change of use to Dental Surgery with ancillary offices – Conditional Planning Permission granted in June 2003.

Ref. 13/00332/FUL – Proposed alterations to ground floor involving the creation of 4 car parking spaces and extension at first and second floor levels to create three storey office building – Refused Planning Permission in May 2013 for the following reasons:

- 1. The proposed development would hinder the council's plans for the long-term redevelopment of this part of the Town Centre. Should this application be allowed then this would have the potential to impede the comprehensive redevelopment of this part of the Primary Shopping Area. The area has been earmarked for a new retail-led mixed use development referred to as "Exchange Square" in the Watford Town Centre Study 2005. The proposal would fail to facilitate the delivery of the redevelopment of this key town centre location, contrary to Policy SPA1 of the Watford Local Plan Core Strategy 2006-31.*
- 2. The application fails to demonstrate that adequate refuse and recycling storage to meet the demands of the development can be provided on site without compromising the visual amenity of the area, contrary to the aims of saved Policy*

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

3. *The application fails to demonstrate that a secure and weatherproof means of cycle storage to meet the demands of the development can be suitably provided on site, contrary to the aims of saved Policy T10 of the Watford District Plan 2000 and Policies T3 and T5 of the Watford Local Plan Core Strategy 2006-31.*

The Council's reasons for refusal were appealed against (Appeal Ref. APP/Y1945/A/13/2205052). The appeal was allowed on 7th March 2014.

Relevant Policies

The National Planning Policy Framework (NPPF)

Section 1 – Building a strong, competitive economy

Section 2 – Ensuring the vitality of town centres

Section 4 – Promoting sustainable transport

Section 7 – Requiring good design

Section 8 – Promoting healthy communities

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

There are no policies contained within the Hertfordshire Waste Local Plan that are relevant to this case.

Hertfordshire Minerals Local Plan (saved policies)

There are no policies contained within the Hertfordshire Minerals Local Plan that are relevant to this case.

Watford District Plan 2000 (saved policies)

SE7 Waste Storage, Recovery and Recycling in New Development

SE22 Noise

SE24 Unstable and Contaminated Land

T10 Cycle Parking Standards

T21 Access and Servicing

T22 Car Parking Standards

E2 Employment Use Outside Identified Employment Areas

E5 Environmental Considerations

U15 Buildings of Local Interest

Watford Local Plan Core Strategy 2006-31

WBC1 Presumption in favour of Sustainable Development

SS1 Spatial Strategy

SPA1 Town Centre

SD1 Sustainable Design

SD2 Water and Wastewater

SD3 Climate Change

SD4 Waste

EMP1 Economic Development

T2 Location of New Development

T3 Improving Accessibility

T4 Transport Assessments

T5 Providing New Infrastructure

UD1 Delivering High Quality Design

UD2 Built Heritage Conservation

Supplementary Planning Documents

Watford Character of Area Study - This was approved by the Council's Cabinet as a Supplementary Planning Document on 5th December 2011 and is a material consideration of significant weight in the determination of planning applications.

CONSULTATIONS

Neighbour consultations

Letters were sent to a total of 13 addresses that surround the site. One representation has been received citing the following comments:

- I suppose the replacement of a single storey building by one of 5 storeys could, in some circumstances, be considered acceptable as it would be near other tall buildings. However, I wondered how this would fit into the various studies that have been made over the years into the redevelopment of the whole of the area.

Site Notices

Site notices placed. Expired on 13th June 2014.

Press Advertisement

An advertisement was published in the Watford Observer. Expired on 20th 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:

Grant with Conditions

1. 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 Highways Authority prior to commencement of the development.

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

COMMENTS

The proposal is for the construction of extensions to create a 5 storey building for office use and alterations to ground floor to provide 3 parking spaces.

ACCESS

The site is located on Wellstones service yard. It is an unclassified road and with a speed limit of 30 mph.

The applicant states that there is no new or altered vehicle access proposed development.

PARKING The proposed would result in 3 additional parking spaces being provided in association with the proposed site.

CONCLUSION

The proposals are not considered to greatly impact upon the highway safety or capacity. It is considered acceptable to the Highway Authority.

Contaminated Land Officer

Due to the nature of the application, a contamination condition would not be required in this case.

Thames Water

Waste Comments

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

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 - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Crime Prevention Design Advisor

- I note there will be three parking spaces, and following my telephone conversation with Derek Kent and my comments in connection with possible anti-social behaviour if the car parking spaces were not shuttered off there has been agreement to provide shutters on the car parking spaces when not in use. The shutters would prevent unauthorised parking and prevent ASB problem with drunks and the like using the parking area as a toilet, sleeping area or something worse! I recommend shutters be to the LPS1175 SR2 standards.
- I understand the entry to the reception area is behind the parking spaces and for similar reason as above I would strongly recommend using shutters to close the area off when the offices are closed. I recommend shutters be to the LPS1175 SR2

standards. Once again following a conversation with Derek Kent agreement has been reached to install a shutter preventing access outside office hours.

- I recommend the external reception door be to either PAS24-2012 or LPS1175 SR2.
- The door to the cycle store to be of a similar PAS24-2012 or LPS1175 SR1 construction as I am aware cycles are a commodity in the area, with the keys held by reception or those who will use the cycle store.
- I recommend the ground floor windows are to PAS24-2012 standards with laminated glass having a minimum thickness of 6.4mm.
- Offices are vulnerable because of the electronic equipment being used and therefore it may be worth considering lockable doors to the offices on each floor for the security of individual tenants, the doors having thumb turn opening locks internally for safety of the tenants.
- No doubt an alarm system will be considered and this must be to the latest British and European Standards, perhaps zonally operated on each floor. It may be worth considering CCTV on the ground floor covering the reception entry area.
- There will be tenants within the building and perhaps visitors so electronic access control may be worth considering with audio visual to each floor.

Environment Agency

We have assessed this application and have no comments to make based on the information sent to us.

Planning Policy Department

The site is located in a part of the town centre that has been identified as having deficiencies in terms of urban structure (Character of Area Study) and having the potential for integrated redevelopment - LP2 identifies it as part of the R3 site for retail led mixed use development. It is likely that the focus for redevelopment would be the southern part of the site which does not include the application site. It is envisaged that the Wellstones route would develop into a street with more used frontage areas rather than the backs of buildings. The site allocation received two comments which broadly supported the proposed redevelopment of the site (Telereal Trillium for BT land and JM Rowe Investments Ltd) but suggested that the site could accommodate residential as well as other mixed uses and this will be reflected in the next consultation planned for late 2014. JM Rowe Ltd commented that as the land is in multiple ownership it may take time to come forward and this should be acknowledged in the plan; this will be done for the next consultation. One other comment received asked whether the idea of a bus station on the site which has been suggested in previous plans had now been dropped; it is not expected that a bus station would be delivered here. The progress made with the local plan and site allocations and the few comments received which are supportive suggests that the proposal to redevelop this area would be supported and is more likely to come forward during the plan period. The redevelopment of this represents an opportunity to improve and enhance this area (NPPF para 56 and 64 and UD1 Core Strategy). However, to achieve this the design of any schemes needs to respond positively to existing local character and local landmark buildings.

The site lies to the rear of a Grade II Listed commercial property and a number of Locally Listed shops and needs to respond to this local context. The current proposal makes no effort to respond to the heritage assets and will cause harm to their setting. The harm caused needs to be balanced against the potential public benefit the scheme brings. The harm that would be caused can be rectified through an appropriate design for the building.

The proposed design is not contextually responsive and makes use of a pavilion style which would be more appropriate in a suburban business park (although the design would

still be poor there). The building framework should be of the same scale and form as the commercial properties that are in the immediate surrounds and which front the High Street (the BT buildings do not represent an appropriate building form to be used on this site). There is a lack of articulation, particularly in the fenestration, which means it is difficult to read floor heights within the elevations and serves to exaggerate the mass of the building creating an oppressive and dominant building for this setting. The ground floor elevations are not conducive to creating safe and welcoming street form and have the appearance of a bunker; there are more creative ways of dealing with a ground floor car park. The building should respond positively to its setting and look to create stronger relationships with the street and the buildings around it. If elements do need to be secure, such as car parking, these should have openings along the upper part, with grills, rather than a solid mass of brickwork.

I would recommend that the application be refused or that the applicant is invited to withdraw this scheme and engage in formal pre-application discussions to develop an appropriate design for this building.

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.

The *National Planning Policy Framework* (NPPF) sets out the Government’s planning policies for England and seeks to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. The NPPF was

published on 27th March 2012 and is a material consideration in planning decisions. It does not change the statutory status of the development plan as the starting point for decision making. Planning Policy Guidance Notes and Statements have been cancelled and replaced by the NPPF.

The Local Development Framework Core Strategy was submitted to the Secretary of State for Communities and Local Government on 28 February 2012. Hearing sessions were held from 12 to 19 June 2012 and were followed by public consultation on proposed modifications from Monday 31 July to Monday 10 September. The Inspector concluded that the Watford Core Strategy provides an appropriate basis for the planning of the Borough to 2031 providing a number of modifications are made. These modifications were the subject of the summer 2012 public consultation. The Core Strategy is therefore sound and legally compliant in the view of the Inspector. The Core Strategy was formally adopted at a Council meeting on 30th January 2013. It is a material consideration and should be afforded considerable weight in the determination of planning applications.

The *Watford Character of Area Study* was approved by the Council's Cabinet as a Supplementary Planning Document on 5th December 2011 and is a material consideration of significant weight in the determination of planning applications.

Principle of development

The site is located within the Primary Shopping Area in the Town Centre, as shown in Figure 6 of the Watford Local Plan Core Strategy 2006-31 (page 54). Paragraph 7.2.8 of the Core Strategy states that "The primary shopping area will be the main focus for retail uses and the wider town centre area for other appropriate town centre uses, including leisure development". The Council accepts that the proposal would provide additional office space within a Town Centre location and that Policy EMP1 expects around half of additional jobs to be within the wider town centre.

The site is located within the Town Centre Special Policy Area (SPA). Paragraph 5.0.1 of the Core Strategy (page 22) advises that the SPAs have special policy status due to there

being a significant level of change expected in the area, or a particular need for some change, either in terms of new development and infrastructure or through wider opportunities for improvements to be made to the physical environment.

Policy SPA1 of the Watford Local Plan Core Strategy 2006-31 states “The new retail provision required to strengthen and consolidate Watford’s regional position in the retail hierarchy should be delivered as a priority within the Primary Shopping Area of the town centre, as defined in Figure 6”. It further states that “The Charter Place redevelopment will provide in the order of 10,000 sqm (net) additional floorspace in the town centre to 2020. The further redevelopment and enhancement of retail provision and floorspace to 2031 includes sites identified in the 2005 Town Centre Study. The council will encourage mid to longer term options for redevelopment and will seek to facilitate the delivery of those options for redevelopment”.

The Watford District Plan 2000 shows the subject property to be located within an area designated as a “Key Development Site” (detailed on the Proposals Map). This is referred to as “RA1 – Exchange Road Site” on page 146 of the Watford District Plan 2000. Policy IMR1 (Identification of Sites for the Preparation of Planning Briefs) of the Watford District Plan 2000 has been deleted. Although Policy IMR1 has been deleted, the newly adopted Core Strategy, and in particular Policy SPA1, makes clear that the Council will seek to facilitate the redevelopment of those sites identified in the 2005 Town Centre Study.

The Watford Town Centre Study 2005 identifies the site and its wider area (including land adjoining Exchange Road including that which is currently occupied by the Telephone Exchange complex and land to the rear of High Street and Market Street frontages) for a new retail-led mixed use development known as “Exchange Square”.

When considering the 2013 application (Ref. 13/00332/FULM), the Council considered that the proposed development to create an enlarged building for office use would hinder the plans for the long-term redevelopment of this part of the Town Centre. It was felt that the scheme would have the potential to impede the comprehensive redevelopment of this

part of the Primary Shopping Area (see “Relevant Planning History” section of the report above). However, this view was not supported at appeal.

In the appeal decision for application 13/00332/FUL, the Inspector comments “Policy SPA1 identifies the Charter Place redevelopment as a specific focus for redevelopment and there is evidence that this scheme is progressing. The policy also encourages and seeks to facilitate additional options within the plan period for redevelopment to provide retail floorspace, and refers to sites that are included in a 2005 Town Centre Study. However, it leaves the identification of development sites for inclusion in future policies and I have not been provided with details of any such policies”. The Inspector further comments “Although it was used as a background document in the preparation of the LPCS [Watford Local Plan Core Strategy 2006-31] and is referred to in Policy SPA1, the TCS [Town Centre Study 2005] does not have the status of a development plan or supplementary planning document”.

The Inspector states “I have taken into account the lack of detail in Policy SPA1 regarding additional retail development sites, and the absence of evidence that the Exchange Square development is progressing. It is not possible from the information made available to conclude that the appeal site in its present form would be a necessary part of the development or, that if it were developed in accordance with the appeal scheme, it would prejudice the development in the long term. Therefore, and notwithstanding the priority towards town centre retail development set out in LPCS Policies SS1 and SPA1, there is insufficient evidence that the appeal site would be pivotal to the future plans and policies that SPA1 indicates may be prepared”.

The appeal decision forms a material consideration in the determination of the current application. It is apparent that the Inspector felt that, based on the information before them, there was a lack of evidence to substantiate an objection to the redevelopment of the site.

Since the determination of the earlier application, the Council has commenced consultation on its Local Plan Part 2 which includes the Development Management Policies and Site Allocations documents. The 'first consultation' took place between 4th November and 16th December 2013. The Inspector appointed to determine the appeal for application 13/00332/FUL would not have considered these documents in reaching their decision as the aforementioned consultation period ran after the deadline given to the Council for the submission of appeal documents.

In this respect, there has been a change in circumstances since the Council's determination of the earlier application in that this part of the Town Centre is now identified within the Site Allocations document as being a potential retail site. Page 33 of the Part 2 – Site Allocations First Consultation document describes the potential for "retail led mixed use" (Site Ref. R3 – BT Telephone Exchange).

The progress made with the Local Plan Part 2 and the lack of objection received to the first consultation suggests that the proposal to redevelop this area would be supported and is more likely to come forward during the plan period. It is acknowledged that there are further consultation exercises and processes which need to be carried out before the Local Plan Part 2 is formally adopted, however, the lack of objection at this stage indicates a real prospect that this part of the town centre could be redeveloped as set out in the Site Allocations document. Further evidence to support the potential redevelopment of the area is likely to develop as the Local Plan Part 2 advances towards adoption.

At this stage, however, it is considered that the Local Plan Part 2 is not at an advanced enough stage for this to be afforded substantial weight in the determination of this application. The comments received from the Planning Policy Department (see "Consultations" section above) indicate that the focus for redevelopment would be the southern part of the site which does not include the application site. When considering these factors and also the comments of the Inspector in their appeal decision, it is considered that the Council would not have strong grounds to object to the principle of the development. It is worth noting, however, that this stance could potentially change in the near future with the development of the Local Plan.

Design and layout

The proposal would rely on extensive modifications to be carried out to the existing building in order to allow its transformation from a single storey workshop into a 5 storey office building. The works would involve the construction of a new steel frame which would support the structure. The ground floor walls of the building would be rendered and the walls of the upper floors would be clad with aluminium paneling. A new hipped roof, to be finished with slates, would be constructed and new windows would be installed on all elevations. An undercroft area would be created at ground floor level to create three parking spaces.

It has been taken into account that the previous appeal decision allows a three storey office building to be created on this site. The scheme allowed at appeal incorporated a similar design approach albeit at a reduced scale. The Council did not raise any objection to the appearance of the building when considering the earlier application for a three storey building. However, the current proposal is considered to be materially different from the earlier scheme in that it seeks to provide an additional two storeys of office accommodation. The addition of further storeys has implications on the height, massing and proportions of the building, its overall appearance and its relationship with its surroundings. The additional mass would result in a building which would have a significantly greater visual presence when viewed from its surroundings when compared to that which was allowed under the previous appeal.

The design of the building lacks articulation and offers a fairly bland elevational treatment for a building of this height. It is acknowledged that a similar elevational treatment was applied to the 2013 scheme to which the Council did not object on design grounds. However, this was considered to be less of a concern for the earlier scheme which was lower in height and incorporated smaller expanses of wall surfaces.

It is acknowledged that within the surrounding area there are many 3 and 4 storey buildings nearby including the Telephone Exchange complex which incorporates 5 storey

elements. However, notwithstanding this, the site is located behind the frontages of those buildings located along the High Street and Exchange Road and occupies a position which is not currently characterised by tall buildings. The area which lies between the Telephone Exchange complex and the rear of those buildings fronting the High Street and Exchange Road is generally occupied by single storey structures. It is considered that a five storey building in this location of the proportions proposed would appear out of context in this location.

The submitted plans show that refuse and recycling storage would be provided on site within enclosures at ground floor level. It is felt that such provision would not compromise the visual amenity of the area, in accordance with saved Policy SE7 of the Watford District Plan 2000 and Policy SD4 of the Watford Local Plan Core Strategy 2006-31.

Impact on street-scene

The site sits directly adjacent to Wellstones which is a one-way service road running between Exchange Road and Market Street. Wellstones wraps around the northwestern and northeastern sides of the building.

The existing streetscene is largely characterised by the rear of those premises fronting the High Street, parts of Exchange Road and Market Street. It is also dominated by the large Telephone Exchange building which provides a backdrop to the streetscene when looking westwards from the site. There are other single storey structures in the vicinity of the site including workshops and buildings used for non-residential purposes.

It is considered that the existing building has no architectural or historical significance. It has a relatively simple, unarticulated appearance which is the result of its utilitarian design. The building in its current form does not appear dominant given its fairly modest height. It features a pitched roof, with an eaves height of 3.5m and a ridge height of 8m. In contrast, the proposed building would rise to a height of 17.3m at its ridge (with an eaves height of 14m) and would therefore be significantly taller than the existing structure. The proposed building would also be significantly taller than the scheme allowed at appeal which was shown to have an eaves height of 8.4m and a ridge height of 11.6m.

No objection was raised by the Council regarding the height of the building proposed under application 13/00332/FUL. However, the additional height and mass proposed under this current application created by the addition of two further storeys would upset the overall proportions of the previously allowed design for a three storey building and would result in a structure that would appear unduly prominent in this location.

No streetscene or section drawings have been submitted with the application to show the relationship of the building with surrounding structures. Consequently, it has not been demonstrated that the new building would have a suitable relationship with its surroundings.

Some of the nearby buildings located to the northeast of the site which front the High Street are only two and three storeys high. The proposed five storey building would rise substantially higher than these lower buildings and would have the potential for its upper portion to be visible from surrounding roads including parts of the High Street and Clarendon Road. It is acknowledged that, at present, the Telephone Exchange provides a backdrop when views are afforded towards the site from the High Street and Clarendon Road. However, the site lies nearer to the High Street than the Exchange and has the potential to appear more prominent when viewed from parts of the High Street and Clarendon Road to the northeast.

Impact on setting of listed buildings

There is a Grade II statutory listed building located to the north of the site (14-16 The Parade). There are also nearby locally listed buildings located to the north and east of the site including those at 8-10 The Parade and 44-56 High Street.

The current proposal makes no effort to respond to these heritage assets and will cause harm to their setting, contrary to Policy U15 of the Watford District Plan 2000 and Policy UD2 of the Watford Local Plan Core Strategy 2006-31. Although, the development would be separated from the listed building at 14-16 The Parade by a distance of 42m, it is felt

that the new building would have an overbearing impact on the setting of this building and the nearby locally listed buildings given its overall height and design.

Impact on neighbouring properties

The proposed development would result in no significant harm to the amenities of neighbours.

The nearest ground floor windows on the main Telephone Exchange building serve a corridor, stairwell and reception area. Whilst the proposed new building may reduce levels of light and outlook to these windows and to some of the windows on the upper floors it is felt that this would not result in any significant impact on the occupiers or function of this building.

Those buildings located nearest to the site are in non-residential use and there would be no detrimental impact on the amenities of their occupiers.

The proposed building would be sited a sufficient distance from the nearest residential properties so as not to result in any considerable loss of light or outlook to nearby residents.

It is considered that the proposed development would not prevent the existing surrounding businesses from being able to continue with their current operations. Additionally, the existing commercial uses fronting the High Street would remain unaffected by the proposal and therefore there would be no adverse impact on the vitality and viability of the shopping frontage.

New windows within the proposed building would increase the potential for overlooking into neighbouring properties. However, the nearest surrounding properties are not in residential use and some mutual overlooking in a town centre environment such as this is considered acceptable. In any case, most of the surrounding buildings are separated from the site a sufficient distance so as not to suffer any substantial loss of privacy.

Access, parking and transportation

The proposal seeks to provide 3 on-site parking spaces that would be accommodated within an undercroft. The spaces would be arranged side-by-side in a row. As such, a large proportion of the northwest-facing elevation of the building at ground floor level would be open to allow these spaces to be accessed. Such a proposed arrangement would rely on cars either reversing into the spaces from Wellstones or reversing out onto the road from the spaces. In either case, manoeuvring would have to be carried out on the road. This would not present an ideal situation as users of Wellstones could be inconvenienced and obstructed by drivers entering and leaving the subject premises. However, the road is unclassified and is one-way and it is felt that the proposal would not cause any significant obstruction to users of the adjacent highway given the overall scale of the development. It has also been taken into account that the property currently benefits from a vehicular access on its northwestern side, albeit that this is not as wide as that proposed. Nonetheless, the existing access allows vehicular movements to take place on this side of the building. Based on this, it is felt that the development would not lead to any significant increase in danger or inconvenience to highway users. The local Highway Authority has been consulted and has confirmed no objection to the proposed development.

The site is located within the Town Centre, close to bus stops and Watford Junction and Watford Underground Stations. As such, the site is in a sustainable location which is well-served by passenger modes of transport. There are a number of public car parks within close proximity of the site also. Consequently, it is considered that the proposed parking provision would be adequate for a building of this type and in this location. The car parking standards set out within Appendix 2 of the Watford District Plan 2000 set out a maximum provision of 1 space per 30m² gross floor area of office space. The scheme would not exceed the maximum parking provision.

The submitted drawings indicate that a secure and weatherproof means of cycle storage would be provided by way of an enclosure at ground floor level. Appendix 2 of the Watford

District Plan 2000 advises that for office space, 1 short term cycle space should be provided per 500m² gross floor area plus 1 long term space per 10 full time staff. Although it is unknown at this stage as to how many staff would be employed in the building, it is considered that the cycle storage enclosure proposed would be of a sufficient size to be able to meet the demands of the development.

In terms of access, the proposed building would feature a lift, providing access to all floors, and would provide disabled toilet facilities. The main entrance would feature a level threshold and an opening wide enough for the passage of a wheelchair. As such, it is considered that the building would be able to accommodate wheelchair users and offer a suitable access arrangement.

Conclusion

The proposed building, by reason of its height, scale and design, would fail to integrate suitably with the surrounding built form and would cause harm to the setting of the nearby statutory and locally listed buildings situated along the High Street. The building would be significantly taller than that previously allowed on this site and the additional height and mass would result in a structure that would appear unduly prominent in this location. The proposal would fail to enhance the character and appearance of the area.

Human rights implications

The refusal of planning permission will have a significant adverse impact upon the human rights of the applicants to develop their land. However, in this instance it is considered that the adverse impact of the development upon the human rights of the third parties outweighs the impact upon the human rights of the applicants.

RECOMMENDATION

That planning permission be refused for the following reason:

1. The proposed building, by reason of its height, scale and design, would fail to integrate suitably with the surrounding built form and would cause harm to the setting of the nearby statutory and locally listed buildings situated along the High Street which it would dominate. The development would result in a structure that would appear unduly prominent in this location and it is considered that the scheme would fail to enhance the character and appearance of the area. The scheme contravenes the provisions of Policy U15 of the Watford District Plan 2000, Policies UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31 and the objectives of Sections 7 and 12 of the National Planning Policy Framework (NPPF).

INFORMATIVES:

1. In dealing with this application, Watford Borough Council has considered, in a positive and proactive manner, whether the planning objections to this proposal could be satisfactorily resolved within the statutory period for determining the application, 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. However, for the reasons set out in this decision notice, the proposal is not considered to achieve an acceptable and sustainable development. The Council would nevertheless encourage discussion of alternative acceptable proposals by making use of the pre-application advice service, details of which are available on the Council's web site.

Drawing Numbers

Site Location Plan (unnumbered)

1758/01

1758/02

1758/03

1758/04

1684/05 A 17 13 F

Other documents

Joint Planning and Design and Access Statement

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