

## PART A

Report of: **DEVELOPMENT MANAGEMENT SECTION HEAD**

Date of Committee: **12<sup>th</sup> March 2015**  
Site address: **St Thomas United Reformed Church,  
Langley Road**  
Reference Number: **14/01763/FUL**  
Description of Development: **Proposed demolition of existing church  
building and redevelopment of the site by  
the construction of a new replacement  
church building and enabling  
development comprising nine terraced  
four bedroom houses.**  
Applicant: **St Thomas's United Reformed Church**  
Date received: **12<sup>th</sup> December 2014**  
13 week date (major): **13<sup>th</sup> March 2015**  
Ward: **Nascot**

### **SUMMARY**

The application relates to St. Thomas's United Reformed Church which is situated in Langley Road at its junction with Stratford Road. The site is located within a designated Conservation Area, although the church was built in the 1970s and has a modern appearance. In terms of its scale and bulk, and in regard to both the overall and detailed design, the current church building differs greatly from the other buildings in the area. In particular, the building lacks sufficient fenestration and detailing and hence it presents a rather bleak appearance in the street scene. Further, despite its relative young age, the building suffers from serious structural defects, with water penetration through breached valley roofs at numerous points. The building also lacks appropriate thermal insulation, thereby requiring unwarranted degree of heating, and is therefore highly unsustainable.

The proposed development will include the demolition of the existing building and the redevelopment of the site to provide a terrace of nine houses and a new church building. The proposed houses will be 3-storeys with accommodation within the roof-space. The housing scheme will incorporate an imaginative modern design whilst taking cues from the traditional local features such as gable end pitched roof configuration.

The church building will also be three storeys but with higher floor to ceiling height, and therefore it will appear as the dominant element in the development. Considerable thought has been given to providing a highly innovative and imaginative design for the church building. Externally, well detailed elevations include a stained glass window to the west, additional fenestration on the prominent street elevations and the configuration of the roof format. A particular element of the design is the quasi spire-like scroll structure which will act as a landmark feature at the corner of Langley Road and Stratford Road. Internally, the new church building will provide a worship area, meeting rooms, a café and a multi-use hall. All parts of the building have been designed to be fully accessible to people with impaired mobility or pram users.

The proposed houses are of a high quality of design, set back from the road and benefitting from front and rear gardens. All the houses will be generous in terms of their overall and individual room sizes, and, being double aspect, they benefit from a sufficient amount of natural light and outlook.

The proposal will provide car parking spaces to the rear of the houses with direct vehicular access from Langley Road. The vehicular access will be formed in the middle of the terrace of houses. Two car parking spaces will be allocated for each house and 35 parking spaces will be allocated to the proposed church building. It is considered that the proposal will have no adverse impact upon the free and safe flow of traffic in the locality.

The scheme has been subject to lengthy negotiations with the applicant over several months and has been revised as a result of officers' recommendations on a number of occasions. Given the appearance and poor structural condition of the existing building, it fails to make a positive contribution to the character and appearance of the conservation area and there is no objection in principle to its demolition. In contrast, the proposed development is considered to be of very high quality, highly innovative and imaginative in design, and as a result is considered to enhance considerably the character and appearance of this part of the conservation area. The proposed development responds well to the specific site and location constraints by creating a building of iconic characteristics that fits both with the site and its surroundings.

The proposal will provide additional high quality residential accommodation in a sustainable location as well as providing a new church building which is designed in a way which will enable it to be capable of hosting a variety of community uses. The proposed mixed use development is welcomed in this location. Given its configuration, layout, bulk, scale and location, it will not have an adverse impact on the amenities of adjoining residential occupiers in terms of loss light or overlooking.

The Development Management Section Head recommends that the application be approved, subject to the completion of a planning obligation and with appropriate conditions, as set out in the report.

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## **BACKGROUND**

### **Site and surroundings**

The site comprises a large church, built in 1970s. It is located on the north side of Langley Road at its junction with Stratford Road. The church has a modern design. It is built in brick with shallow pitched roofs incorporating a series of ridges and gullies perpendicular to the road. The elevation is articulated with projections and set backs. However, due to the scarcity of fenestration and other detailing, the building presents a rather bleak frontage to the street scene.

A notable feature of the site is the garden wall which forms the boundary of the site along Stratford Road and partially on Langley Road. This is the original boundary wall of the houses which were demolished to give way to the church. The wall makes a positive contribution to the character of the area, which forms part of the designated Nascot Conservation Area.

Car parking associated with the church is located towards the rear of the church through a vehicular access road on the flank elevation of the church from Langley Road. There are some further car-parking spaces to the front of the church.

To the east of the site there is a relatively new housing development. This block (Elton Park) was built a decade later than the church, creating modestly sized houses with a new access road. Further, directly opposite the site, there is a more recent redevelopment, constructed at a higher density with three storey high buildings. To the north of the site (at the rear) there is a large detached house. This house and two other houses on the north west side of Stratford Road are locally listed.

Apart from the church building which dominates the surroundings, the other notable building here is the public house across the road. This building has a traditional design and displays interesting features. However, its appearance and character is somewhat adversely affected by the car parking spaces to the front and the display of advertising.

The site benefits from a number of mature trees both to the front and to the rear. Most of these trees are subject to Tree Preservation Orders.

The building is not listed, although it is located in the Nascot Conservation Area, and the site also falls within a designated Controlled Parking Zone.



from Langley Road, off the shared access which also serves the parking area for the nine dwellings.

The proposed church will provide a total of 746 sq m of new floor space. The church building will also serve as a community centre, accommodating existing community uses, with the following facilities provided:

- Worship area
- Vestry
- Kitchen
- Café
- Four meeting rooms
- WCs and changing facilities
- Multi-purpose hall/gym
- Plant room

The proposed church building has been carefully designed to accommodate the existing uses in a more efficient manner. The main area currently used by the community is the gym, hall and gallery hall. A 137m<sup>2</sup> hall with sprung timber flooring is proposed as an integral part of the new development. The first floor is dedicated to the hall users and incorporates male and female changing rooms, showers and WCs together with hall storage.

The church worship space is designed to accommodate a maximum of 160 seats. This is comparable to the existing church worship space. Moreover, this space can be flexible for alternative uses if so required as bi-fold doors/screens will separate the meeting room and the worship space which can be opened up to create a larger space if required.

A rear garden entrance to the church is proposed from the car park, with access along a path leading to the main building entrance. A private church garden, including a memorial garden, is retained at the rear of the building. A footpath continues around the building

through a landscaped garden area to the front pedestrian entrance to the rear of the church building.

The existing historic boundary wall in Stratford Road will be retained, with a pedestrian gateway provided. The wall will also be retained around the corner of Stratford Road and Langley Road with a new low brick wall along the Langley Road frontage.

The dwellings are proposed as three storey terraced houses with accommodation in the roof space. They all benefit from the front and rear private garden areas (65m<sup>2</sup>). A pedestrian access into each is provided from Langley Road with a new low brick wall along the Langley Road frontage. The houses are also accessible through the rear from the car park area. Bin storage for each house is provided to the front area. Each of the houses will have cycle storage.

Many of the existing trees will be retained but some will be removed.

### **Planning history**

None relevant.

### **Relevant policies**

#### **National Planning Policy Framework**

- Section 4 Promoting Sustainable Transport
- Section 6 Delivering a wide choice of high quality homes
- 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**

No relevant policies.

## **Hertfordshire Minerals Local Plan (saved policies)**

No relevant policies.

## **Watford Local Plan Core Strategy 2006-31**

- SS1 Spatial strategy
- UD1 Delivering high quality design
- SD1 Sustainable Design
- SD2 Water and Waste Water
- 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
- TLC1 Location of facilities

## **Watford District Plan 2000**

- CS3 Loss of community facilities
- SE7 Waste Storage and Recycling in New Development
- SE22 Noise
- SE23 Light Pollution
- SE37 Protection of Trees
- SE39 Tree Provision in New Development
- T10 Cycle Parking Standards



T21	Access and Servicing
T24	Residential Development
H10	Planning Agreements for Educational and Community Facilities
U17	Setting of Conservation Areas
L8	Open Space Provision in Housing Development
L9	Children's Play Space
U18	Design in Conservation Areas
U19	Small Scale Developments in Conservation Area

### **Supplementary Planning Documents**

Nascot Conservation Area Character Appraisal (2010)

Watford Character of Area Study (2011)

Conservation Areas Management Plan (2013)

Residential Design Guide (2014)

## **CONSULTATIONS**

### **Neighbour consultations**

Letters were sent to 73 properties in Langley Road, Stratford Road, Park Road, Lorane Court and Elton Park. Nine representations have been received raising the following comments:

- Six representations (from addresses in Mildred Avenue, Grandfield Gardens resident, Trowley Rise, Middle Ope, Watford Road and Diamond Road) raise objection to the loss of the existing church and the community facilities which it currently provides.
- One representation (from a resident in Stratford Road) supports the principle of the development and suggests that St Thomas's facilities as well as the building itself are outdated and quite unsightly and that the building is detrimental to the general appearance of the area. The proposed plans are considered to improve upon the

appearance. The main concern relates to the noise pollution from the users of the site which on occasions is detrimental to the amenities of the occupiers of the neighbouring properties and it is hoped this will be addressed in the new design.

- One representation (from a resident in Langley Road) suggests that there are insufficient car parking spaces for the residents and expresses concern that parking will overspill into the car parking set aside for the church.
- One representation (from a resident in Langley Road) which questions the design principles behind the scroll feature and suggesting that such a feature may take up too much space. It is also questioned whether the building will be built to last or whether, as with the current building, it will have a short lifespan.

### **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:

1. Upon completion of the development and the/altered access brought into use, all other existing access points not incorporated in the development hereby permitted shall be stopped up by raising the existing dropped kerb and reinstating the footway and highway boundary to the same line, level and detail as the adjoining footway, verge and highway boundary. Reason: To limit the number of access points along the site boundary for the safety and convenience of the highway user.
2. Prior to the commencement of the development, a 'Construction Traffic Management Plan' shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. Reason: In the interests of highway safety and so that there shall be no adverse effect upon the free and safe flow of traffic along the highway in the vicinity of the site.

3. The development shall not begin until details of the layout and construction of the access to Langley Road have been submitted to and approved in writing by the Local Planning Authority in conjunction with the Highway Authority. Reason: To minimise danger, obstruction and inconvenience to users of the highway and the access.

#### *Planning Obligation*

The applicant should be made aware that if planning permission is granted for this development of 9 4-bedroom Houses it will attract a financial contribution of £13,500 (additional 9 “4-bed” house X 1500=13,500) 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”.

#### *Access*

A Transport Statement was submitted in support of this planning application. The existing site has one access point from Langley Road. The proposal is to create a new entrance from Langley Road and close the existing access. The applicant states the proposed access would have a width of 5.0m and it is not clear whether this would be shared surface. Hertfordshire County Council has no objection to the development, but a number of issues with the proposed site access layout still need to be addressed (see condition 3).

#### *Parking*

The proposed car parking will comprise 18 spaces for the housing units, 9 allocated and 9 visitor parking, and 35 spaces for the church including 2 disabled bays. The parking and access arrangements as shown on drawing number 101P are acceptable. There is sufficient turning space and vehicles will be able to enter and leave the site in a forward gear. The LPA as parking authority will determine the appropriate level of parking for this proposal. However the Highway Authority considers that the proposed level of parking should prevent any overspill onto the surrounding highway.

### *Conclusion*

The proposals are not considered to result in any severe adverse impact on the public highway and are considered acceptable to the Highway Authority.

### Arboricultural Officer

The proposals indicate the loss of eleven trees, four of which are subject to TPO No 27: eight of the eleven trees are on the Langley Road frontage. Of these trees there are two beech shown for removal (trees T7 and T10 on survey, T16 and T14 of the TPO) both of which score above the benchmark score (15) in the amenity evaluation for making an order on a tree and as such efforts to retain them should be made. The other non-protected trees and two protected hornbeam along this frontage could be lost with a much less significant effect upon the treescape.

To achieve the retention of these two trees some of the proposed dwellings would need to be moved back to get them outside the root protection areas of the trees and some alteration to the front boundary treatment may be necessary to accommodate further trunk expansion; this may need to take the form of a fence/railings rather than the wall as at present. It may also be necessary to prune both trees back on the building side to provide clearance.

Should permission be granted for this the details set out in the submitted arboricultural method statement regarding tree protection and no-dig construction should be made a condition of the permission as should a condition requiring a detailed landscaping scheme to be submitted and approved prior to work commencing on site.

### Conservation and Design

The information received initially with the application was felt to be insufficient to allow the scheme to be determined given its position within the conservation area and the more adventurous nature of the architecture. Although additional details were submitted in February 2015, there are still concerns regarding the level of information provided regarding viability and the cost of the scheme.

The new building continues to provide facilities for worship alongside more general facilities which would be available for community uses (albeit a smaller amount of floor space overall but the new facilities should be better quality) which will allow the existing users to continue to use facilities in this location (it would be useful to find a way of ensuring that existing users are able to access the new facilities).

### *Church building*

This building will sit in a prominent position within the street scene and it is important to ensure that it meets the tests for new buildings in conservation areas in terms of the design and deliverability of a scheme of sufficient quality. The existing church building has limited value in terms of the conservation area and there is no objection to its loss. There is no requirement for the new building to follow a vernacular style on this site and a modern design, providing the massing and scale is appropriate, is acceptable in principle as a design approach for the site.

The design of the new building is contemporary and includes a prominent feature on the corner of Langley Road and Stratford Road which provides a landmark in the street scene; the scale and massing of the proposed building is acceptable in this location. The detailed design has been the subject of extensive pre-application discussion and further details were requested during the course of the application. The design has been considered by English Heritage at both pre-application and application stage. The conservation team and English Heritage are now broadly happy with the design of the new building subject to conditions relating to details and materials:

- Details have been supplied in relation to the construction of the scroll feature and this should be adhered to in the build phase in particular the direction and bond detailing of the tiles; we will require samples of the actual materials proposed in terms of the tiles and the capping material. No details relating to the stained glass windows on the scroll have been supplied and this should be required via a condition along with materials samples.

- We will need samples of actual materials for the main building – windows (including ventilation louvers) , wall and roof materials – note in my opinion the product referred to on the detailed drawing submitted (Schuco) lacks some robustness which I think the building needs.
- We will need design details and samples of materials proposed for the stained glass feature on the main building.

### *Residential units*

The design approach adopted for this part of the scheme is acceptable as is the massing and scale of the units. The contemporary design used is robust and of good quality; the detailing shown on the more recently submitted drawings satisfies earlier concerns on this matter (it will still be necessary to condition the materials). There is still some concern regarding the details of the roof lights and this will have to be dealt with by condition.

Matters requiring conditions:

- Details of the roof lights;
- Sample materials for all external treatments.

### *Landscape and car parking*

This part of the application is not as well developed as the buildings and further information is required on a number of matters:

- Requirement to retain TPO trees along the Langley Road frontage and the effect that this may have on the boundary treatment for example which should really be tied up prior to determination rather than through a condition and the plans will have to change.
- We need details of the proposed design and materials for the covered cycle storage area and covered walkway to the rear of the scheme in the car park and other features such as bin stores.
- We need details and materials regarding all elements of the landscape, hard and soft, for the whole scheme – I would like to see some materials other than black top on the car park area. This could be done through a condition.

- We need to have brick samples and details of the railings on the front wall on Langley Road – church building and residential units – I would really like to have details of the new wall and the part to be demolished on the corner of Langley Road/ Stratford Road and where the new pedestrian access point is to be from Stratford Road.

### *Conclusion*

The scheme as submitted including the additional detailed drawings is broadly acceptable and is considered to preserve/enhance the character and appearance of the conservation area in which it sits. The architectural style is more contemporary than the surrounding area but this approach is considered acceptable on this site which does not currently contain buildings which contribute to that character. On this basis if we can sufficiently manage the requirements for additional information either prior to the committee meeting or through condition the application is acceptable.

The use of a s106 agreement to ensure the delivery of the Church building as well as the residential is helpful and will avoid any part of the site remaining empty for an extended period.

### English Heritage

No principle objection raised, but agree with the comments of the Council's Conservation and Design team.

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## **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.

In assessing the proposed development, the main issues to be considered are as follows:

- the acceptability of the proposal in land use terms;
- whether the proposal is for sustainable development;
- whether the proposal is considered acceptable in design and whether it will preserve and enhance the character of the Conservation Area;
- the impact on trees;
- the impact on the highway matters;
- the impact on the amenities of adjoining occupiers;
- addressing the impact of the development on local public infrastructure.

So far as the National Planning Policy Framework (NPPF) is concerned, the most relevant policies are those contained in paragraphs 56 to 64. Paragraph 56 explains that “the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.” Paragraph 57 notes that “it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes” and paragraph 58 advises that planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;



- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion;
- are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 59 points out that “design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally”. Paragraph 60 also makes clear that “planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness”. Paragraph 63 adds that “in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area”.

Finally, at paragraph 64, it is emphasised that “permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”.

### **Land use**

The proposal will result in the replacement of the existing church, which also provides other community facilities, with a smaller church. Policy CS3 of the Watford District Plan 2000 states that “the council will not permit development resulting in the loss or downgrading of existing community facilities unless:

- a) demand for such a facility is no longer sufficient to warrant its retention in its existing use, or as an alternative community facility; or
- b) appropriate alternative accommodation is provided with comparable access to passenger transport.”

However, whilst the proposed church building will be smaller in size than the existing building, it has been designed in a manner which demonstrates that the opportunities for community uses currently offered by the building will not significantly be diminished.

The church worship space is designed to accommodate a maximum of 160 seats. This is comparable to the existing church worship space. Moreover, this space can be flexible for alternative uses if so required as bi-fold doors/screens will separate the meeting room and the worship space which can be opened up to create a larger space if required.

The use of the building is designed as a flexible space to accommodate future changes in community groups that may wish to use the space. There are meeting rooms on each floor of the building, of varying sizes. Therefore, although the building has been reduced in size, the space has been more efficiently designed to allow the same community uses to use the facilities and to allow for a degree of flexibility. It is understood that all of the current users can be accommodated within the proposed building with an agreed timetable of activities to be scheduled.

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, and 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, and 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 close to the town centre, and close to good public transport routes.

The proposal will provide 9 dwellings each containing 5 bedrooms. Hence the proposal will comply with the Core Strategy Policy HS2 which, overall, requires the provision of mix of dwellings units but with an emphasis on the provision of houses outside the town centre and key strategic sites. The proposed development therefore accords with this policy. The proposed dwellings will comprise large family sized housing with appropriate level of amenity space and generous internal floor space. The provision of front gardens to create buffer zone between the public realm and houses is particularly welcomed. All houses benefit from sizable floorspace and spacious room sizes with sufficient amenity space, in accordance with the Residential Design Guide. Being dual aspect, all habitable rooms will receive adequate levels of daylight and sunlight. However, some of the houses (those closest to the proposed church) will be overshadowed by the existing trees which will require some pollarding and thinning to ensure that adequate light reaches these houses. This issue is discussed further below, in the section which considers the impact of the development on the trees on the site.

The proposal will provide a mixed-use development of residential, place of worship and community use. National and local planning policies generally encourage mixed-use developments which can provide associated environmental benefits, especially in instances where they will reduce the need to travel and car dependency, and promote urban regeneration and social cohesion. The notion here is that mixed-use developments which combine homes and community facilities will help to reduce the need to travel greater distances for services. Appropriate mixed-use developments are more sustainable than developments consisting of a single use and can help to create more healthy urban centres.

Given the proposal will provide a mixed use scheme, both elements of which are appropriate and policy-compliant, the proposal in land use term is welcomed.

### **Sustainability**

The thrust of the NPPF is to create a presumption in favour of sustainable development. There is a host of policies in adopted and emerging plans which require developments to incorporate sustainable measures. Policy SD1 of the Core Strategy states that the Council will apply the principles of the Hertfordshire Building Futures Guide and will expect all new development to comply with the updated national standards on sustainable development, as delivered through the revised standards on Code for Sustainable Homes and BREEAM standards for Commercial Buildings.

The applicant has submitted a detailed assessment of the proposed development which demonstrates that, in terms of thermal efficiency, the proposal will be highly sustainable.

### **Design, layout and impact on heritage assets**

The proposal is located within Conservation Area and close to some locally listed buildings. Hence, any development on the site should respond to the historic and architectural character and value of the area to ensure that the proposal will preserve or enhance the character and appearance of the conservation area.

The conservation area within vicinity of the site is generally characterised by relatively large dwellings within generous plots. The area outside the conservation area also displays a similar character. Langley Road was once occupied by a large dwellings set within large plots of land. However, the street has been extensively redeveloped and there is now a wide variety of house styles and development types along the street including large flat developments, terraces of houses, detached and semi-detached properties and some commercial activity.

Nevertheless, the locally listed buildings nearby and the quality of the conservation area here represent some of the finest buildings in terms of their architects and any scheme here should provide high quality design standards.

The proposal involves the demolition of the existing 1970s building. This building, with its atypical design, does not possess any architectural merit and has less than a neutral impact on the character and appearance of the conservation area. Further, it appears that the condition of the existing building is far from ideal and that its layout does not suitably cater for the appropriate functioning of the church or community uses. Therefore the principle of development subject to appropriate replacement development is acceptable.

The scheme has adopted a modern approach to the development. Whilst it has taken cues from the existing vernacular architecture of the area, it has provided an imaginative and innovative design for both the housing as well as the new church building.



Street scene to Langley Road

The scheme has been subject to lengthy negotiations with the applicant over several months and has been revised in accordance with advice given by officers on a number of occasions. The strategy of adopting a modern approach for both the new church and the housing scheme is considered acceptable. In terms of its scale the church will be the dominant element of the development. This is considered to be an appropriate concept. Given the scale of the existing building and the context, it is considered that the site is capable of accommodating the scale and mass of the scheme as proposed.

The housing element will be three storeys high, incorporating pitched roofs with the ridges perpendicular to the road. The church building will also be three storeys but with higher floor to ceiling height, and therefore it will appear dominant. Considerable thought has been given to provide a highly innovative and imaginative design for the church building. Externally, well detailed elevations include a stained glass window to the west, additional fenestration with coloured glass on the prominent street elevations and the configuration of the roof format. A particular element of the design is the quasi-spire like scroll structure which will act as a landmark feature at the corner of Langley Road and Stratford Road.



View from Langley Road

The Conservation Areas Management Plan draws attention to the significance of boundary walls in the Nascot Conservation Area. The Plan supports the retention of these boundary walls where possible, especially where they are constructed of high quality materials. In paragraph 3.3.2 it states that “where historic walls have been lost over time, opportunities for constructing new walls of appropriate materials should be promoted by the Council”. The proposal includes the retention of the existing historic boundary wall in

Stratford Road where a new pedestrian gateway is to be provided. The wall will also be retained around the corner of Stratford Road and into Langley Road where the brick piers will be retained but the existing wall will be lowered and topped by railings, to allow views of the new church building. In addition, a new brick wall is to be provided along the frontage of the houses in Langley Road. The proposal therefore accords with the provisions of the Conservation Areas Management Plan.

The proposed development is considered to be of very good quality, highly innovative and imaginative in design which will add to the robust mix of building types in the area and which will considerably enhance the character and appearance of this part of the conservation area.

Careful thought has been given to the internal layout in association with function of the church services and other community uses envisaged for the building.

From a conservation and design point of view, there is no objection in principle to the proposed development, despite a concern that the scheme may prove to be prohibitively expensive and hence the design and use of materials may be compromised. There is also a concern that the scheme currently lacks sufficient detailing in respect of a number of features. However, all these details are matters that can be secured by means of conditions attached to any planning permission that may be granted, and the lack of such details at this stage would not be sufficient grounds on which to withhold planning permission. However, if at any stage the applicant brings forward proposals to use materials which are not of sufficient quality, it remains open to the Council to refuse to discharge the relevant planning conditions.

### **Impact on trees**

The application is accompanied by a detailed tree survey which assesses the condition of the trees on the site and provides details as to how the existing trees which are to be retained will be preserved during and after construction period. The application also includes details of hard and soft landscaping – including replacement tree planting in the car parking areas – as an integral part of overall design.

The submitted plans indicate that the proposal will result in the loss of a number of trees. The Council's Arboricultural Officer has raised some concerns over the loss of two trees on the Langley Road frontage. As a result, the applicant has revised the proposals in this area and the two trees that were to be removed will now be retained.

The Arboricultural Officer has also suggested that the details set out in the submitted arboricultural method statement regarding tree protection and no-dig construction should be made a condition of the permission as should a condition requiring a detailed landscaping scheme to be submitted and approved prior to work commencing on site. This will also enable consideration to be given to the details of the pollarding and thinning of the existing trees that will be required in order to ensure that adequate light reaches the houses closest to the church.

### **Highway matters**

The proposed development is located in a sustainable location with relatively good access to public transport as well as range of services. At present the site has a vehicular access to Langley Road. The proposal will create one new access point to Langley Road and the existing ones will be closed. Hertfordshire County Council as the Highway Authority has been consulted and has commented that, given there is already an access to the road, there is no objection to the formation of new access. The proposed new vehicular access is located more or less in the centre of the terrace of houses and is designed as a shared surface with a width of 5.0 m. The proposed layout shows that the access can meet the necessary standards for sight lines, visibility and radii to enable vehicles to enter and leave the site safely. It has been also demonstrated that the site boundaries of the proposed houses flanking the access road to the front will not exceed 0.6m high. The details of boundary treatment as well as the details of the access, including the materials to be used, can be subject to conditions.



The proposal provides two car parking spaces for each house which is within the maximum provision that is permitted under Policy T22 and Appendix 2 of the Watford District Plan 2000 (WDP2000) and is acceptable for a development in this location.

Also proposed is a car park of 35 spaces for the church/community use building. Appendix 2 of the WDP2000 advises that, for miscellaneous cultural buildings, a maximum of 2 space should be provided per 30m<sup>2</sup> gross floor area plus 1 space per full-time staff member or equivalent. The proposed provision of 35 spaces will be somewhat above the maximum level of provision which is calculated to be 24 (based on a gross floor area of 716 square metres). However, this is the same number of spaces as the existing provision on the site, and the car park will be to the rear of the site where it has little impact on the character and appearance of the conservation area. Moreover, the Highway Authority is satisfied that the proposed parking and access arrangements are acceptable, with vehicles able to enter and leave the site in a forward gear. The Highway Authority also considers that the proposed level of parking should prevent any overspill onto the surrounding highway and, overall, the proposals are acceptable from a highway point of view.

The proposal also includes the provision of cycle storage for both the church and the houses.

### **Impact on the amenities of adjoining occupiers**

The proposed development will generally have a narrower depth than the existing building, but the housing element will be built closer to the buildings at Elton Park. Currently the vehicular access separates the church building from 13-18 Elton Park which is the nearest block. The proposed end house will be built on this access-way and therefore will have some impact on this existing residential block. However, the proposed housing element will extend only marginally beyond the rear elevation of the Elton Park development. Further, the building will maintain a distance of 1.5m (at the rear) from the boundary with this immediate neighbour. This neighbouring building (13-18 Elton Park) is also set away from its own boundary by 1 metre. Therefore, there will be a gap of 2.5m

between the buildings. Given this distance, whilst the proposed housing element will marginally extend beyond rear of the adjoining block, it will not have a significant impact on the amenities of the adjoining occupiers.

There is no window to the flank elevation of the proposed end house adjacent to Elton Park. To prevent any window being formed on this elevation, a condition can be imposed which will remove the right to form windows or other openings on this elevation. This will ensure that the proposal will not result in any loss of privacy to the occupiers of the adjoining premises.

Concern has been raised with regards to the potential noise element from the uses associated with the church or other community users. However, given that the floorspace of the replacement building is smaller than the existing church facilities, there is no reason to suppose that the noise associated with activities on the site would be an issue. Moreover, the new building will have a better level of insulation than the existing church, which has the potential further to reduce the noise emanating from users of the building.

It is therefore considered that subject to conditions the proposal will not have a significant impact on the amenities of the adjoining occupiers.

### **Impact on local social infrastructure**

The principle behind the use of planning obligations is that developments will create additional demand for services. Primarily, such services should be provided on site. However, unlike larger developments which can often accommodate some provision of 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. 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.

However, in this case the proposal will provide a significant, high quality multi-purpose community facility on site. Given such significant contribution to the local community, and bearing in mind the extent of the proposed development, it is considered that such “in-kind on site community service provision” obviates the need for any additional financial contribution to be sought from the developer.

However, it is important to ensure that the community facility will be delivered and to avoid a situation where, for example, the housing element is sold to a separate housing developer and is constructed but the church and the community facilities are never provided. Further, it has been suggested that the proposed community building will be so prohibitively expensive that it may not be delivered in the quality and in the way in which it has been designed and that, as a result, the quality of both the design and the materials of construction may be compromised. Given these potential scenarios, it is critically important for the Council to ensure that the community facility as proposed is actually provided. This can be secured by a unilateral undertaking given by the applicant which contains a covenant on the part of the applicant that none of the houses can be occupied until the church building and community facilities have been provided and are available for use. The applicant has already indicated a willingness to provide such a unilateral undertaking, which is an enforceable s.106 planning obligation.

### **Comments on the representations received**

The comments and concerns raised by the residents have been outlined above. Many of the comments have been addressed within the body of the report. However, the issues are further considered below.

Objections	Officer's response
The proposal will result in the loss of community facility enjoyed by many.	As has been explained above the proposed replacement community building, whilst smaller in scale than the existing building, has been designed to use the space available for effectively and efficiently so as to cater for a more flexible community use.
Noise from the activities associated with the use will be problematic and will be detrimental to the amenities of the occupiers of the neighbouring properties.	It is not envisaged that the noise associated with the activities of the site could become more problematic. In any event the proposed building will have a better insulation system which is likely to reduce the noise emanating from the site.
Car parking will be problem.	The proposal will provide the same number of parking spaces for the church as currently exist and two spaces for each house. The Highway Authority is satisfied that the proposed level of parking should prevent any overspill onto the surrounding highway.
The building has an unusual design and may not be of sufficient quality to last for a long period.	Planning conditions will ensure that appropriate quality materials are used in the construction of the new church. Any changes to the design or materials will require the approval of the Council.

### **Conclusion**

There is no objection to the proposed redevelopment of St Thomas' Church in Langley Road. The existing building, with its atypical design, is not of any significant architectural value and has a neutral impact on the character and appearance of the conservation area.

The principal of new houses along the street frontage is acceptable and the quantum of development is compatible with the character of the area. The strategy to adopt a modern design is appreciated and welcomed. The scheme demonstrates a sustainable development of high quality and design.

The proposal will considerably enhance the character and appearance of the conservation area whilst providing some additional housing. The proposal will also largely maintain the range of community activities that currently takes place in the existing building.

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### **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.

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### **RECOMMENDATIONS**

- (A) That planning permission be granted subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990 to secure the following provision, subject to the conditions listed below:

#### Section 106 Heads of Terms

- i) The applicant not to occupy nor cause nor permit the occupation of any of the nine terraced four bedroom houses forming part of the development until the replacement church building has been completed and is available for use.

## 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. 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. No development shall commence until a Construction Environmental Management Plan has been submitted to and approved by the Local Planning Authority. This Plan shall include details of contractors parking, the delivery and storage of materials, plant and equipment, 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 prevent obstruction of the adjoining highway during the time that the development is being constructed, pursuant to Policies T4 and SE22 of the Watford District Plan 2000.

4. Notwithstanding the annotations on the drawings hereby approved, and in particular with regards to the colour and bonding of the tiles on the scroll, no development shall commence until full details and samples of the materials to be used for all the external surfaces of the buildings, including walls, roofs, doors, windows (including those with coloured and stained glass), roof lights, guttering and down pipes have been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: In the interests of the visual appearance of the site and its impact on the character of the surrounding area, in accordance with Policies UD1 and UD2 of the Watford Local Plan: Core Strategy 2006 – 2013 (Adopted January 2013).

5. No development shall commence until full details of the design and materials of the covered walkway, the bicycle storage facilities, and refuse and re-cycling storage have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first occupation of any part of the development and shall be retained thereafter.

Reason: In the interests of the visual appearance of the site and its impact on the character of the surrounding area, in accordance with Policies UD1 and UD2 of the Watford Local Plan: Core Strategy 2006 – 2013 (Adopted January 2013).

6. No development shall commence until details (and samples where requested) of the siting, height and type of fencing or other means of enclosure around the boundaries of the site and within the site, and in particular the boundary treatment to Stratford Road and Langley Road, have been submitted to and approved in writing by the Local Planning Authority. All means of enclosure shall be provided as approved prior to the first occupation of any part of the development and shall be retained thereafter.

Reason: In the interests of the visual appearance of the site and its impact on the character of the surrounding area, in accordance with Policies UD1 and UD2 of the Watford Local Plan: Core Strategy 2006 – 2013 (Adopted January 2013).

7. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any modification or re-enactment thereof), no door, window or any other openings other than those indicated on the approved drawings specified in Condition 11 shall be formed on the side and rear elevations of any of the buildings hereby approved without the prior written permission of the Local Planning Authority.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring premises pursuant to advice given in the residential design guide adopted 2008 and the overall objective expressed in UD1 of Watford Local Plan Core Strategy 2006-2031 and the Residential Design Guide adopted 2014.

8. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, F and G of the Order shall be carried out to the dwellings hereby approved without the prior written permission of the Local Planning Authority.

Reason: To enable the Local Planning Authority to ensure that any such developments are carried out in a manner which will not be harmful to the character and appearance of the proposed development and will not prove detrimental to the amenities of adjoining occupiers in accordance UD1 of Watford Local Plan Core Strategy 2006-2031 and the Residential Design Guide adopted 2014.



9. No development shall commence until a hard and soft landscaping scheme for the site (including a detailed method statement covering tree planting, tree, shrub and grass specie, planting size and density and all hard surfacing materials) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the implementation of the arboricultural method statement, including tree protection methods and areas of non-dig construction, as set out to in the Arboricultural Impact Appraisal and Method Statement prepared by Barrell Tree Consultancy dated 2 September 2014. The approved hard landscaping shall be carried out prior to the first occupation of any part of the development and shall be retained thereafter at all times. The soft landscaping shall be carried out no later than the first available planting and seeding season after completion of the development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

Reason: In the interests of the visual appearance of the site in accordance with policy UD1 of Watford Local Plan Core Strategy 2006-203.

10. No external lighting shall be installed on the site except in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the site and to protect the residential amenities of the occupiers of neighbouring properties.

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

1067/001p, 002p, 003p, 004p, 101p, 102p, 103p, 104p, 105p, 106p, 107p, 108p, 109p, 110p, 111p, 112p, 113p, 114p, 115p and 116p.

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

12. On completion of the development and when the new access to Langley Road has been brought into use, all other existing access points not incorporated in the development hereby permitted shall be stopped up by raising the existing dropped kerb and reinstating the footway and highway boundary to the same line, level and detail as the adjoining footway, verge and highway boundary.

Reason: To limit the number of access points along the site boundary for the safety and convenience of the highway user.

13. No development shall commence until details of the layout and construction of the access to Langley Road have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

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

### Informatives

1. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure the construction of the church building and ensure its availability for use before the occupation of any of the new houses.
2. 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. The Council also gave pre-application advice on the proposal prior to the submission of the application and undertook discussions with the applicant's agent during the application process.

Drawing numbers

1067/001p, 002p, 003p, 004p, 101p, 102p, 103p, 104p, 105p, 106p, 107p, 108p, 109p, 110p, 111p, 112p, 113p, 114p, 115p and 116p

Documents

Heritage statement; Infrastructure statement with viability statement; Planning statement; Design and Access Statement; Arboricultural statement; Energy statement; Travel plan

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**(B)** In the event that an acceptable planning obligation under Section 106 of the Town and Country Planning Act 1990 has not been completed by 27<sup>th</sup> March 2015 in respect of the Heads of Terms set out above, the Development Management Section Head be authorised to refuse planning permission for the application for the following reason:

1. The proposal fails to ensure the provision of replacement community facilities and, as such, is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policies CS3 and H10 of the Watford District Plan 2000.
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