



DEVELOPMENT MANAGEMENT COMMITTEE

Thursday, 29th October, 2015

7.30 pm

Town Hall

Publication date: 21 October 2015

CONTACT

If you require further information or you would like a copy of this agenda in another format, e.g. large print, please contact Ishbel Morren in Democracy and Governance on 01923 278375 or by email to legalanddemocratic@watford.gov.uk .

Welcome to this meeting. We hope you find these notes useful.

ACCESS

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SPEAKING AT DEVELOPMENT CONTROL COMMITTEE

Only one person will be permitted to speak on behalf of objectors and one in support of a proposal. Precedence to speak in support of the proposal will be given to the applicant or their representative.

In order to speak, a person must register before 12 noon on the day of the meeting by contacting the Democratic Services Team. The contact details are available on the front of this agenda.

If a speaker wishes the Development Control Committee to consider any documentation at the meeting, then it must be submitted to the Democratic Services Team by 12 noon on the day of the meeting.

COMMITTEE MEMBERSHIP

Councillor R Martins (Chair)

Councillor G Derbyshire (Vice-Chair)

Councillors S Bashir, N Bell, S Johnson, I Sharpe, M Turmaine, M Whitman and T Williams

AGENDA

PART A - OPEN TO THE PUBLIC

1. **APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP**
2. **DISCLOSURE OF INTERESTS (IF ANY)**
3. **MINUTES**

The minutes of the Development Management Committee held on 8 October 2015 to be submitted and signed.

Copies of the minutes of this meeting are usually available seven working days following the meeting.

All minutes are available on the Council's [website](#).

CONDUCT OF THE MEETING

The Committee to take items in the following order:

1. All items where people wish to speak to the Committee and have registered to do so by telephoning the Democratic Services Team.
2. Any remaining items that the Committee agrees can be determined without further debate.
3. Those applications where the Committee wishes to discuss matters in detail.
4. **15/01045/FUL THE PARADE HIGH STREET** (Pages 5 - 30)

Application to use The Parade for a Christmas Market between 19 November and 3 January.

5. **15/01207/FULH SOUTH LODGE, HEMPSTEAD ROAD** (Pages 31 - 52)

Application for planning permission for proposed alterations and extensions to listed building

6. **15/01208/FUL SOUTH LODGE, HEMPSTEAD ROAD** (Pages 53 - 90)

Application to construct a new single storey dwelling. Creation of a shared vehicular access from the eastern residential section of Hempstead Road to replace the existing vehicular access from the A411 Hempstead Road.

7. 15/00948/FUL 26-30 ALDENHAM ROAD (Pages 91 - 130)

Application to demolish existing Tile Depot and Harp Windows showroom buildings and redevelop to provide a new mixed use development providing eight residential units and one ground floor retail space of 251sqm.

8. 15/00719/FULM 28-46 HEMMING WAY (Pages 131 - 172)

Application to demolish ten existing bungalows and erect two, three storey blocks comprising 32 one and two bedroom flats and a community garden.

9. 15/00919/FULM CENTRAL MERIDEN ESTATE, THE GOSSAMERS (Pages 173 - 254)

Application to demolish 10 bungalows, existing shopping parade and residential accommodation above, estate office, MOT service garage and 27 garages plus garages/stores and construct 133 new dwellings, new shops plus associated works to landscape, parking and service access roads.

Agenda Item 4

PART A	
Report of: DEVELOPMENT MANAGEMENT SECTION HEAD	
Date of Committee	29th October 2015
Site address:	The Parade High Street Watford WD17 1GB
Reference Number :	15/01045/FUL
Description of Development:	Use of highway land for Christmas Market between 19th November - 3rd January annually
Applicant:	WMC Retail Partners
Date received:	28th July 2015
8 week date (minor):	22nd September 2015
Agreed extended deadline:	30th October 2015
Ward:	Central

SUMMARY

Full planning permission is sought for use of The Parade between the Exchange Road flyover and Clarendon Road for an annual Christmas Market between 19th November – 3rd January. The proposed market would be positioned in the area currently occupied by casual market stalls for New Watford Market.

The existing market traders have raised concerns about the displacement of the casual market stalls as a result of the proposed location of the Christmas Market stalls. However, in assessing this planning application only the proposed land use can be considered rather than who operates the use. The use of the land for a Christmas Market is acceptable in terms of its siting, appearance and highway impact. The issue in relation to the displacement of the casual market stalls for the duration of the Christmas Market is a matter between the market traders and the market operator. The pitches on The Parade are offered on casual licenses rather than permanent licenses, therefore there is no legal

basis to prevent the re-location of the casual market stalls. Notwithstanding this, the Projects team has commented that pitches will be available to casual traders between the Exchange Road flyover and Bentine Lane – in the location approved in planning application 14/01519/FUL.

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

BACKGROUND

Site and surroundings

The application site relates to the section of The Parade between the Exchange Road flyover and the junction with Clarendon Road, and land to the rear of the shopping frontage in Wellstones. The application site is located in the town centre and is within the Primary Shopping Area, as identified in Figure 6 of the Watford Local Plan Core Strategy 2006-31.

The Parade is fully pedestrianised and has been subject of recent improvement works, involving the installation of new hard surfacing and a reduction in the amount of street furniture. Conditional planning permission was granted in August 2014 (ref: 14/00861/FUL) for an outdoor market, including casual market stalls in The Parade between the Exchange Road flyover and the junction with Clarendon Road. The Christmas Market stalls proposed in the current application would occupy the space currently used by the casual market stalls, which means that the casual market stalls would be moved position for the duration of the Christmas Market. The Projects team within the Regeneration & Development department has stated that the casual market stalls would be positioned between the Exchange Road flyover and Bentine Lane in the area granted approval under planning application reference 14/01519/FUL.

Wellstones provides vehicular access to the rear of the buildings in the High Street. The

only road markings consist of double yellow lines. Wellstones is accessed from Market Street. It is proposed to house 2no. containers and 1no. cooling unit, each measuring 6.1m by 2.4m, on the carriageway of Wellstones along with a caravan and generator.

The nearest residential properties to the application site are listed below:

Flats 1 – 4, 38 High Street (granted conditional planning permission November 2012 under reference 12/00959/FUL).

Flats 1-6, 9 the Parade High Street (granted conditional planning permission January 2011 under reference 10/01145/FUL).

Flats 1-9, 18-24 The Parade High Street (prior approval not required April 2014 reference 14/00214/JPD).

The application site is not within a designated conservation area. The Civic Core Conservation Area is located on the other side of the Exchange Road flyover. No. 14 – 16 The Parade is a nearby statutory listed building and there are also a number of locally listed buildings close to the application site.



Aerial view of site.

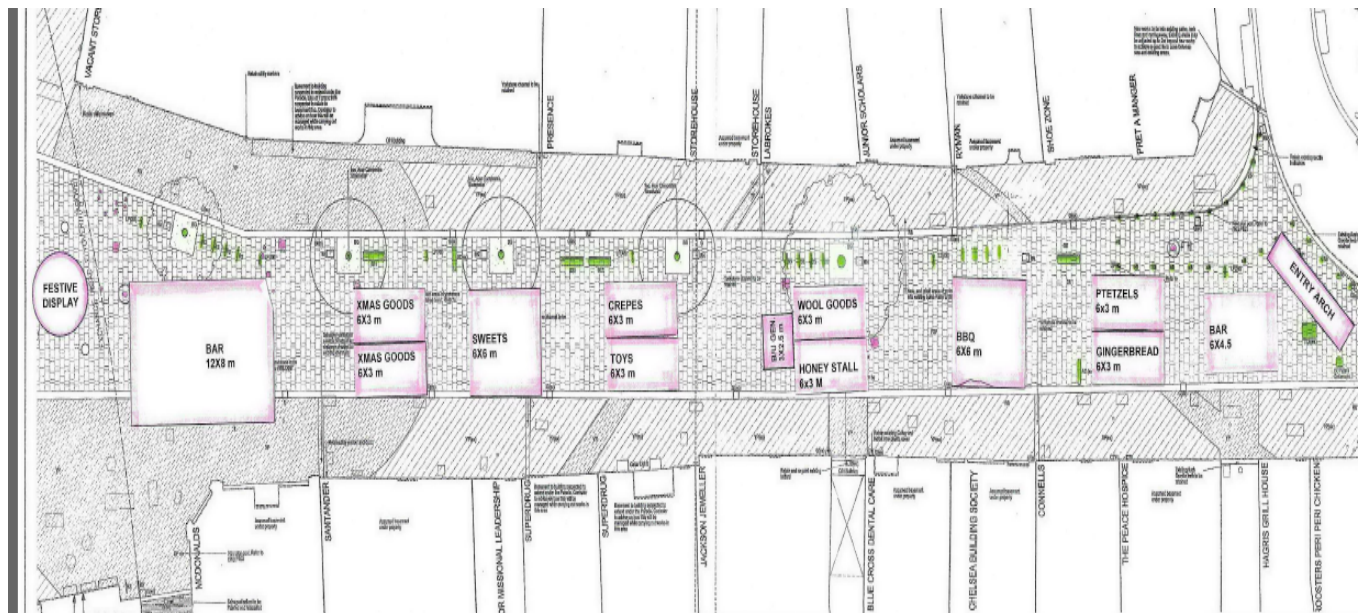
Proposed development

The application proposes the use of highway land for an annual Christmas Market between 19th November - 3rd January. The market stalls would be positioned on The Parade between the Exchange Road flyover and the junction with Clarendon Road.

The stalls would be Bavarian style wooden chalets – similar to those used at Winter Wonderland in Hyde Park, London. The stalls would be constructed from 9th November and de-rigged from 4th – 10th January.

The stalls vary in size, however none would exceed 3.5m in height. The footprint of the stalls generally measure 6m by 6m and they would be positioned in the central section of The Parade. There would be two bars at each end of the Christmas Market. The bar adjacent to the Exchange Road flyover would be the largest – measuring 12m x 8m. The stalls would all have flooring and would not be fixed to the pavement.

There would be 1no. generator in The Parade (measuring 3m x 2.5m) and 1no. generator in Wellstones (measuring 5m x 2.5m). It is also proposed to house 2no. containers and 1no. cooling unit, each measuring 6.1m by 2.4m, on the carriageway of Wellstones along with a caravan.



Proposed site plan.



Photograph of proposed Christmas Market stall.

Relevant planning history

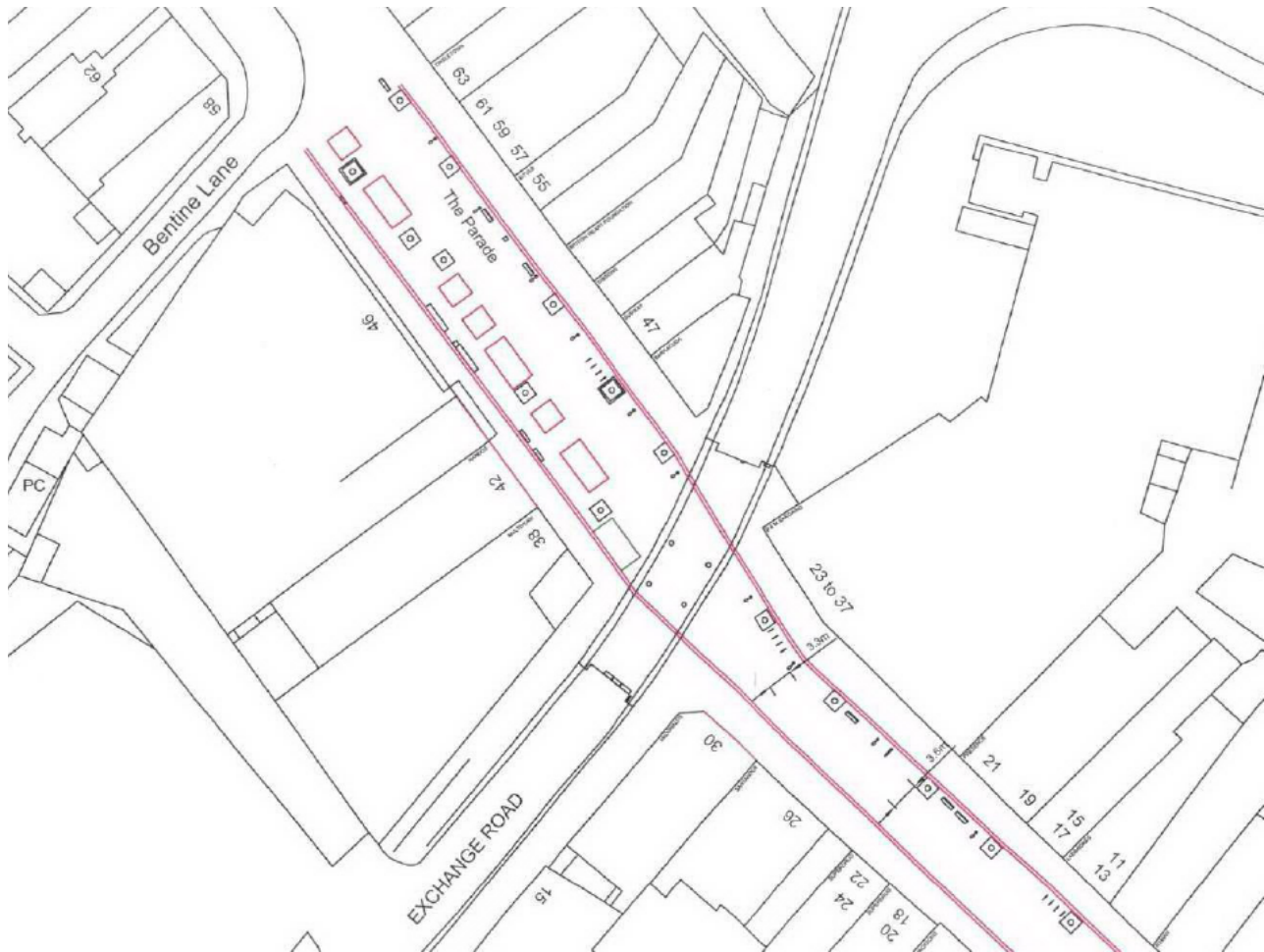
The following planning history is relevant to this application:

14/00861/FUL - Change of use from car parking to a mixed retail use covered outdoor market comprising fixed stalls under a steel and fabric canopy and portable market stalls in High Street, including arrangements for servicing and access from Watford House Lane and Beechen Grove. Conditional Planning Permission. August 2014.



Approved siting of casual market stalls – planning application 14/00861/FUL.

14/01519/FUL - Use of highway for market with portable stalls in the section of The Parade between the Exchange Road flyover and Bentine Lane. Conditional Planning Permission. December 2014.



Approved siting of casual market stalls between Exchange Road flyover and Bentine Lane – planning application 14/01519/FUL.

Relevant Policies

National Planning Policy Framework (NPPF)

- Paragraph 17 Core planning principles
- 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 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

- 1 Strategy for the Provision of Waste Management Facilities
- 1A Presumption in Favour of Sustainable Development
- 2 Waste Prevention and Reduction
- 9 Sustainable Transport
- 10 Climate Change
- 13 Road Transport & Traffic

Hertfordshire Minerals Local Plan Review 2002-2016

No relevant policies.

Watford Local Plan: Core Strategy 2006-31

WBC1 Presumption in favour of sustainable development

- SS1 Spatial Strategy
- SPA1 Town Centre
- SD1 Sustainable Design
- TLC1 Retail and Commercial Leisure Development
- T2 Location of New Development
- T3 Improving Accessibility
- T4 Transport Assessments
- UD1 Delivering High Quality Design
- UD2 Built heritage Conservation

Watford District Plan 2000 (saved policies)

- SE7 Waste Storage, Recovery and Recycling in New Development
- SE22 Noise
- SE23 Light Pollution
- T21 Access and Servicing
- T22 Car Parking Standards

- U15 Buildings of Local Interest
- U17 Setting of Conservation Areas

Supplementary Planning Guidance

Watford Character of Area Study

Watford Town Centre Streetscape Design Guide

CONSULTATIONS

Neighbour consultations

Neighbour letters were sent to the following properties:

- Flat 6, 9 The Parade High Street, Watford, WD17 1LQ
- Flat 5, 9 The Parade High Street, Watford, WD17 1LQ
- Flat 4, 9 The Parade High Street, Watford, WD17 1LQ
- Flat 2, 9 The Parade High Street, Watford, WD17 1LQ
- Flat 1, 9 The Parade High Street, Watford, WD17 1LQ
- 5 The Parade High Street, Watford, WD17 1LQ,
- 3 The Parade High Street, Watford, WD17 1LQ,
- 1 The Parade High Street, Watford, WD17 1LQ,
- 23 - 33 The Parade High Street, Watford, WD17 1LQ,
- Flat 9, 18 - 24 The Parade High Street, Watford, WD17 1AA
- Flat 8, 18 - 24 The Parade High Street, Watford, WD17 1AA
- Flat 7, 18 - 24 The Parade High Street, Watford, WD17 1AA
- Flat 6, 18 - 24 The Parade High Street, Watford, WD17 1AA
- Flat 5, 18 - 24 The Parade High Street, Watford, WD17 1AA
- Flat 4, 18 - 24 The Parade High Street, Watford, WD17 1AA
- Flat 3, 18 - 24 The Parade High Street, Watford, WD17 1AA
- First Floor And Second Floor, 2 - 4 The Parade High Street, Watford, WD17 1AA
- 6 The Parade High Street, Watford, WD17 1AA,

First Floor, 14 The Parade High Street, Watford, WD17 1AA
19 - 21 The Parade High Street, Watford, WD17 1LQ,
15 - 17 The Parade High Street, Watford, WD17 1LQ,
9 The Parade High Street, Watford, WD17 1LQ,
11 - 13 The Parade High Street, Watford, WD17 1LQ,
30 - 34 The Parade High Street, Watford, WD17 1EA,
22 - 24 The Parade High Street, Watford, WD17 1AA,
2 - 4 The Parade High Street, Watford, WD17 1AA,
8 The Parade High Street, Watford, WD17 1AA,
14 The Parade High Street, Watford, WD17 1AA,
Flat 1, 18 - 24 The Parade High Street, Watford, WD17 1AA
Flat 2, 18 - 24 The Parade High Street, Watford, WD17 1AA
16 The Parade High Street, Watford, WD17 1AA,
10 The Parade High Street, Watford, WD17 1AA,
Flat 3, 9 The Parade High Street, Watford, WD17 1LQ
The Moon Under Water, 44 High Street, Watford, WD17 2BS
Next 2 Choice, 46 High Street, Watford, WD17 2BS
42 High Street, Watford, WD17 2BS,
1 Wellstones, Watford, Hertfordshire, WD17 2AE
Units 8 And 9, Watford Market, Watford House Lane, Watford
Units 6 And 7, Watford Market, Watford House Lane, Watford
Units 42 And 43, Watford Market, Watford House Lane, Watford
Units 38 And 39, Watford Market, Watford House Lane, Watford
Units 31 And 32, Watford Market, Watford House Lane, Watford
Units 10 And 11, Watford Market, Watford House Lane, Watford
Units 1 And 2, Watford Market, Watford House Lane, Watford
Unit 5, Watford Market, Watford House Lane, Watford
Unit 41, Watford Market, Watford House Lane, Watford
Unit 40B, Watford Market, Watford House Lane, Watford
Unit 40A, Watford Market, Watford House Lane, Watford
Unit 40, Watford Market, Watford House Lane, Watford

Unit 4, Watford Market, Watford House Lane, Watford
Market Office, Watford Market, Watford House Lane, Watford
Unit 37, Watford Market, Watford House Lane, Watford
Unit 36, Watford Market, Watford House Lane, Watford
Unit 35, Watford Market, Watford House Lane, Watford
Unit 34, Watford Market, Watford House Lane, Watford
Unit 33, Watford Market, Watford House Lane, Watford
Unit 30, Watford Market, Watford House Lane, Watford
Unit 3, Watford Market, Watford House Lane, Watford
Unit 27, Watford Market, Watford House Lane, Watford
Unit 25, Watford Market, Watford House Lane, Watford
Units 28 And 29, Watford Market, Watford House Lane, Watford
Units 6 And 7, Watford Market, Watford House Lane, Watford
Unit 18, Watford Market, Watford House Lane, Watford
Unit 19, Watford Market, Watford House Lane, Watford
Units 12 And 13, Watford Market, Watford House Lane, Watford
Unit 15, Watford Market, Watford House Lane, Watford
Unit 22, Watford Market, Watford House Lane, Watford
Unit 23, Watford Market, Watford House Lane, Watford
Unit 24, Watford Market, Watford House Lane, Watford
Unit 4, Watford Market, Watford House Lane, Watford
26 The Parade , High Street, Watford, WD17 1AA
42 The Parade High Street, Watford, WD17 1AZ,
46 The Parade High Street, Watford, WD17 1AY,
4 Palace View, 38 High Street, Watford, WD17 2BS
3 Palace View, 38 High Street, Watford, WD17 2BS
2 Palace View, 38 High Street, Watford, WD17 2BS
1 Palace View, 38 High Street, Watford, WD17 2BS
38A High Street, Watford, WD17 2BS,
40 High Street, Watford, WD17 2BS,

The following is a summary of the representations that have been received:

Number of original notifications: 79
 Number of objections: 17
 Number in support: 0
 Number of representations: 0
 TOTAL REPRESENTATIONS: 17

Neighbour letters were originally sent on 4th August 2015 and 17 letters of objection were received. The applicant subsequently amended the red edge on the location plan to include land within Wellstones, therefore additional properties were notified. New neighbour letters were sent on 29th September 2015 with an expiry date of 20th October 2015 for any additional representations.

The points that have been raised are summarised and considered in the table below.

Representations	Officer's response
<p>Object to the proposed Christmas Market being positioned where the regular market is held.</p> <p>The Christmas Market should be positioned further up the High Street linking the ice rink with the current market, and therefore not affecting the regular traders' pitches, but at the same time achieving the objective of driving footfall up the High Street and through the container market.</p> <p>You're taking trade away from people</p>	<p>The concern from existing market traders in relation to the Christmas Market being positioned where the existing casual stalls are located is acknowledged. However, in assessing this planning application only the proposed land use can be considered rather than who operates the use. The use of the land for a Christmas Market is acceptable in terms of its siting, appearance and highway impact. The issue in relation to the displacement of the casual market stalls for the duration of the</p>

who support the local area 365 days a year with business tax, water rates, market licence. When you let outside market businesses come and take the area where we have sold from the past six months, we lose our customers because they think we are not trading. We have put money into the Watford community and are liked by the community who are disgusted with the way your organisation is treating local hardworking people. We understand that other markets need to be added but we would like to be included, not just pushed away.

Most of us are struggling in our new home and so some of us have been forced to also trade on the high street. There are also now many established permanent street traders who trade every day rain or shine. By allocating the best pitches to "outside" traders at the most profitable time of year and effectively forcing the regular and permanent traders to either give up or move to a less desirable position is unjust, unfair and counter productive, given the specialist markets are supposed to boost trade.

Christmas Market is a matter between the market traders and the market operator.

The Projects team has commented that the pitches on The Parade are offered on casual licenses rather than permanent licenses, therefore there is no legal basis to prevent the re-location of the casual market stalls. Notwithstanding this, the Projects team has commented that pitches will be available to casual traders between the Exchange Road flyover and Bentine Lane – in the location approved in planning application 14/01519/FUL.

We are not against a Christmas specialist market but object to its positioning when it affects the current traders livelihoods.

Whilst moving traders just a few hundred yards may not seem like a big issue, the regular traders have worked hard throughout the year to establish a client base who know where to find them, many shoppers have a limited dwell time and if the desired trader is not in the normal position the likelihood is that they will either assume they are not there and shop elsewhere.

The specialist street markets were always supposed to compliment, enhance and act as a draw for the permanent local traders.

Under this current plan you are likely to further damage the container market as well as disrupt and affect the regular street traders.

The suggestion from us is to position the Christmas market further up the high street around the big skate site and leading down from there, effectively joining the current container and street market to this event space and

maximising the footfall through both (as people will be drawn up and through).	
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The Committee will be advised of any additional representations received after the date this report was written.

The applicant was notified on 20th August 2015 that they incorrectly filled in Certificate A on the application form. Certificate B should have been filled in and Hertfordshire County Council (as land owner) notified of the planning application. The applicant submitted Certificate B on 28th September 2015.

Site Notice

2no. site notices were posted in The Parade and 1no. site notice was posted in Wellstones. The site notices were originally posted on 14th August 2015. New site notices were posted in the same locations on 29th September 2015 with an expiry date of 20th October 2015 for any additional representations.

Statutory consultations

Hertfordshire County Council (Highway Authority)

Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Informative:

1. Please note that the stalls shall not encroach any further onto public highway land other than that shown on drawing number WCM/1B.

Reason: To ensure easy and unobstructed access for users of the footpath at this location.

2. Stalls shall be completely removable, freestanding, and not need any works to be carried out within the footpath in order to secure them.

Reason: to ensure that the footpath is maintained in an orderly manner, for the safety and convenience of footway users.

3. Stalls and all ancillary equipment shall be completely removed by 10th January.

Reason: To ensure that any potential disruption to pedestrian desire line and convenience in minimised.

COMMENTS:

The proposed use of highway land for Christmas Market between 19th November to 3rd January on The Parade High Street between Exchange Road flyover and Clarendon Road. The stalls for the market will be within the kerbed area of carriageway and will be clear of the pedestrian footpath. There will no threat to the safety of footway users. As such, the principle of the proposal is acceptable to the Highway Authority, subject to the above informatives.

Hertfordshire Highways were contacted on 7th September 2015 for comments in relation to the siting of container/cooling units, a generator and a caravan in Wellstones.

Hertfordshire Highways provided the comments below on 8th September 2015:

I understand that the double yellow ones will be suspended over lengths against which these items of equipment would be positioned. We are happy that the containers will be secured behind a Heras fencing screen. The resulting 'compound' will need to be licensed as it would be on public highway. Geoff thought that a hoarding licence might be the most appropriate route for that. The cables from the generator would clearly need to be secured and made safe from pedestrians and vehicles using the road.

Environmental Health

Looking at the information provided, we have the following comments at this stage:

- 1. The location of the generator to the rear of 38 and 38a High Street is in close proximity to 4 residential flats. The generator would be better sited in the location currently identified as the location of a caravan.*
- 2. Detail as to the sound output of the generator must be provided in order to understand the impact it would have on the surrounding area.*
- 3. Detail as to the sound output of the back up generator must also be provided. Additionally it would be useful to have an understanding of when the back up generator is planned on being used, e.g. just for emergency use should the main generator fail or more systematically when stalls are busy and demand for power is high.*
- 4. It may be appropriate to consider acoustic screens or barriers surrounding the generators. This would depend on the sound output of the generators as well as their final locations and planned usage.*

The applicant subsequently submitted information that the generators would be 'super silent' generators with a maximum sound level of 69dB. Environmental Health provided the following comments on 14th October:

Having considered the additional information relating to the application I assume that the sound level being given is the sound power level for the generator.

With this assumption I have calculated the approximate sound level at the nearest noise sensitive receptor and this calculation has shown that if the generator has a sound power level of 69dB then the internal noise levels within the dwellings would comply with the internal noise levels as set out in BS 8233:2014. Therefore if permission is granted a condition limiting the maximum sound power level of any generator to 69dB should be attached.

Hertfordshire Constabulary

As regards designing out crime on the basis of information available I am content with the application.

Licensing

I have no specific comments to make.

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

- (a) *land use*
- (b) *the impact on the amenity of the area*
- (c) *the impact on the residential amenities of neighbouring properties*
- (d) *traffic and pedestrian safety*
- (e) *security*

(a) land use

The existing market traders have raised concerns about the displacement of the existing casual market stalls as a result of the proposed location of the Christmas Market stalls. However, in assessing this planning application only the proposed land use can be considered rather than who operates the use. The use of the land for a Christmas Market

is acceptable in terms of its siting, appearance and highway impact. The issue in relation to the displacement of the casual market stalls for the duration of the Christmas Market is a matter between the market traders and the market operator. The pitches on The Parade are offered on casual licenses rather than permanent licenses, therefore there is no legal basis to prevent the re-location of the casual market stalls. Notwithstanding this, the Projects team has commented that pitches will be available to casual traders between the Exchange Road flyover and Bentine Lane – in the location approved in planning application 14/01519/FUL.

(b) the impact on the amenity of the area

The stalls would be Bavarian style wooden chalets – similar to those used at Winter Wonderland in Hyde Park, London. The sizes of the proposed stalls are appropriate as they would not appear excessively large in the street scene. Furthermore, the stalls would achieve an acceptable standard of appearance. It should also be taken into consideration that the stalls would be in place for a short period of the year and would not be a permanent fixture of the street scene.

The associated generator, containers/cooling unit and caravan in Wellstones would not have a significant impact on the visual amenity of the surrounding area. Wellstones is a service Road to the rear of the Primary Shopping Frontage and various paraphernalia associated with the commercial uses is evident. The temporary positioning of the ancillary equipment in Wellstones would not have a significant harmful impact on the character and appearance of the area.

(c) the impact on the residential amenities of neighbouring properties

The applicant has stated that the generators would be ‘super silent’ generators with a maximum sound level of 69dB. The Environmental Health department has calculated that based on the generators having a sound power level of 69dB, the internal noise levels within the nearest dwellings would comply with the internal noise levels as set out in BS 8233:2014. Therefore, the generators would be unlikely to cause noise and disturbance to

neighbouring properties. A condition should be attached to the grant of planning permission to restrict the sound power level of the generators to 69dB.

The application form states that music will be played in the 'bridge bar' which will be Christmas themed, the music will only be played within the bar area at a noise level that people can talk over, it will not be like a busy bar or nightclub, it will be festive background music to add to the atmosphere of the market. The application site is located in the town centre where some noise associated with town centre activities is to be expected. Notwithstanding this, given that the market stalls would close at the relatively early time of 10pm, it is not considered that there would be a significant adverse effect on the amenities of neighbouring residential properties.

Should the Council receive complaints about noise emitted from the market stalls this could be investigated under section 79 of the Environmental Protection Act 1990.

(d) traffic and pedestrian safety

The Highway Authority has commented that the proposed Christmas Market would not be detrimental to pedestrian safety. The proposed stalls are sufficiently spaced to allow circulation of pedestrians between the stalls. The Highway Authority has no objection to the siting of the generator, containers/cooling unit and caravan in Wellstones, however a license will be required because of its location on the public highway.

(e) security

There will be 24 hour security for both the Christmas Market area and the service area in Wellstones. Hertfordshire Constabulary have raised no objection to the proposed Christmas Market.

Conclusion

The use of the land for a Christmas Market is acceptable in terms of its siting, appearance and highway impact. The proposal would result in the casual market stalls being moved to a different position for the duration of the Christmas Market, however, as discussed in the

report, this is not a material planning consideration. The Christmas Market would be unlikely to cause noise and disturbance to neighbouring residential properties. Accordingly, the Development Management Section Head recommends that the application should be approved, subject to conditions.

Human rights implications

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

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

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

2. The annual Christmas Market use hereby approved shall not be operated outside the period 19th November – 3rd January and installation of the market stalls and ancillary equipment shall not commence before 9th November and shall be completely removed from the highway by 10th January, unless otherwise agreed in writing by the Local Planning Authority.

Reason: The Christmas Market is a seasonal event. The permanent siting of the market stalls on the highway would affect the visual amenity of the area and obstruct the highway.

3. No market stalls shall be open to members of the public before 11am or after 10pm, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring residential properties pursuant to Policy SE22 of the Watford District Plan 2000.

4. The market stalls and ancillary equipment hereby approved shall not encroach any further onto public highway land other than that shown on drawing Nos. *WCM/1B and WCM/2/E*, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure easy and unobstructed access for users of the highway at this location.

5. The market stalls and ancillary equipment hereby approved shall be completely removable, freestanding, and not need any works to be carried out within the footpath in order to secure them.

Reason: To ensure that the footpath is maintained in an orderly manner, for the safety and convenience of highway users.

6. There shall be no storage of refuse bins, waste materials, boxes or packing cases on the highway, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance of the site.

7. The sound power level of the generators shall not exceed 69dB, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring residential properties pursuant to Policy SE22 of the Watford District Plan 2000.

8. The development shall be carried out in accordance with the details in the application form and following drawings, unless otherwise agreed in writing by the Local Planning Authority. The following drawings are hereby approved: Location plan; WCM/1B; and WCM/2/E.

Reason: For the avoidance of doubt as to what has been permitted and in the interests of proper planning.

INFORMATIVES:

1. A license is required under s115E of the Highways Act 1980, and this must be obtained from the Watford Borough Council licensing authority.
2. The storage of ancillary equipment in Wellstones will require a license from the Highway Authority. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Drawing Numbers

Location plan

WCM/1B

WCM/2/E

Images of market stalls

Case Officer: **Chris Osgathorp**
Email: **chris.osgathorp@watford.gov.uk**
Tel: **01923 278968**



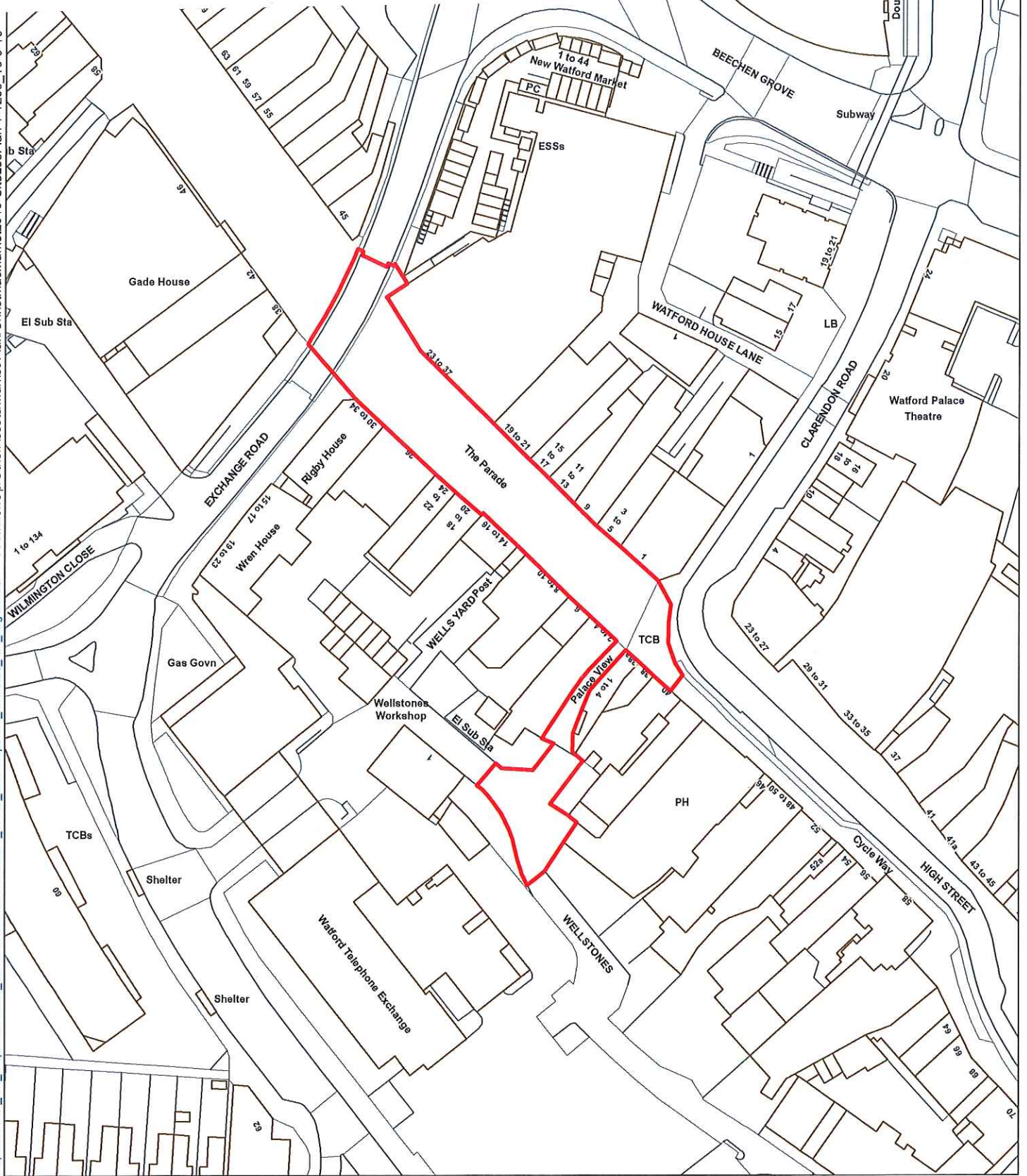
WATFORD BOROUGH COUNCIL
Town and Country Planning Act 1990

AMENDED PLANS RECEIVED

DATED: 10-9-2015

T.P.REF.NO: 15/01045/FUL

Filepath: I:\GIS_Job_Request\LEGAL_SERVICES\PROPERTY\Land_Tier1_2013\Maps\Trim_New\Sites_101_Aug15.mxd PM1/NonOp/OtherAssets/Market/Plan/ChristmasMarket2015-SiteLocPlan 1-1260_10-9-15



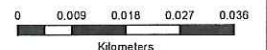
Watford Borough Council
Town Hall,
Watford,
Hertfordshire WD17 3EX
Visit the Watford Borough Council website
www.watford.gov.uk

Map Title
Christmas Market 2015
Site Location Plan

Map Produced by: tims
Publication Date: 10/09/2015



Scale 1:1,250



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PART A	
Report of: Development Management Section Head	
Date of Committee	29th October 2015
Site address:	South Lodge Hempstead Road, Watford, Hertfordshire, WD17 4JX
Reference number:	15/01207/FULH
Description of development:	Planning permission for proposed alterations and extensions to listed building.
Applicants:	Mr K. Frimley and Ms S. Hunt South Lodge, Hempstead Road, Watford, Hertfordshire, WD17 4JX
Date received:	26th August 2015
8 week date (minor):	22nd October 2015
Ward:	Nascot

SUMMARY

The site is a bungalow which is a Grade II listed building, although it has already been extended and altered and it now looks quite different to its original appearance. Planning permission is sought for further extensions and alterations to the bungalow. These are considered acceptable in terms of their design, which is generally sympathetic to the character of the listed building.

Because the proposal is to alter and extend a Listed Building it is necessary for the applicants to obtain both Planning Permission and Listed Building Consent. Usually this is done by means of a double application, using a joint application form, whereby both types of consent can be either approved or refused together – albeit they will have individual reference numbers and decision notices. However in this case Watford Borough Council

has already granted Listed Building Consent for the proposed works – that was done several months ago in July 2015 under reference 15/00530/LBC. That decision was made under delegated powers by the Head of Regeneration and Development. The drawings that have been submitted for the current application (applying for Planning Permission) are the same as those that the Council has already granted Listed Building Consent for.

The Development Management Section Head recommends to the members of the Development Management Committee that the application be approved as set out in the report.

BACKGROUND

The reason why we are now in the unusual situation of having to consider an application for Planning Permission that is identical to an application for Listed Building Consent that has already been approved (rather than considering both at the same time) is as follows.

Earlier this year the applicants applied for Listed Building Consent (15/00530/LBC) and for Planning Permission (15/00529/FUL) using the joint application form. The joint application form is intended for the convenience of the applicant, but the Local Planning Authority must consider the two applications individually as separate cases. The application for Listed Building Consent was for extensions and alterations to the listed building, and the proposal was identical to that which we are now considering in the current application for planning permission. The application for Planning Permission (15/00529/FUL) was for those same works and it also included a proposal to erect a two storey detached house in the rear garden.

Planning Officers and the Head of Regeneration and Development considered that the proposed works to the existing house were acceptable, and only one member of the public wrote to object to the application for Listed Building Consent, and therefore that

application was approved under delegated powers by the Head of Regeneration and Development on 07.07.2015.

On the other hand the application for Planning Permission was more controversial and a number of objections were received from members of the public who objected to it – mainly because they disliked the proposed new two storey house, and also because they were worried about the vehicular access and parking arrangements that were proposed.

Planning officers were concerned about the impact that a new two storey building would have had on the setting of the Listed Building (though not about the proposed works to the existing bungalow or the vehicular access and parking). It is not possible for a Local Planning Authority to issue a split decision on an application for Planning Permission, and therefore the applicants' agent was warned that their application for planning permission was likely to be refused - albeit the application for Listed Building Consent was likely to be approved. The applicants decided to withdraw their application for planning permission on 29.06.2015, but their application for Listed Building Consent was not withdrawn and that was approved on 07.07.2015.

The situation now is that the applicants still wish to extend the existing house and to erect a new house in the rear garden, but this time they have proposed them as two separate applications for planning permission. Keeping the two developments separate in this way (rather than putting them on a single application for planning permission as they did before) has the advantage that it is possible for the Local Planning Authority to consider them separately and approve one but refuse the other. This application (15/01207/FULH) is for planning permission to extend and alter the existing bungalow. A separate application (15/01208/FUL) is for planning permission for the erection of a new house in the rear garden – but this time it is for a flat roofed bungalow in a modern style, rather than being a two storey house in a conventional style as had previously been proposed. This report deals only with the proposed works to the existing house.

Site and surroundings

Where the Hempstead Road approaches the edge of the borough it has two branches running parallel to each other. The main part is the original road that carries a great deal of traffic (the A411) being one of the principal roads into Watford, but there are very few houses on this section of that road. On the west side of the road lie the grounds of The Grove hotel and golf club, and that land is designated as Green Belt. On the east side of the road there is a belt of trees. On the other side of those trees there is a grass verge, and beyond that a parallel road (also called Hempstead Road) is a quiet residential street with detached houses on the other side, facing the verge and the belt of trees (incidentally this is the newer of the two roads – it is not “Old Hempstead Road” as is written on the site location plan that has been submitted). Those houses stand on higher ground. This residential section of the road is a cul de sac. There are only two houses that stand on the land that separates the two parallel roads, and they are both bungalows which are former lodge houses to land that was once a farm estate. One is called West Lodge and that is at the dead-end of the cul de sac; it is a Locally Listed building dating from 1911. The other is South Lodge, which is not far from the junction with The Drive and with the entrance to The Grove estate. South Lodge is a nationally Listed Building (Grade II) dating from 1835, and it is the subject of this report.

The long, narrow stretch of land on which the two lodges stand, which lies between the two parts of Hempstead Road, has no other buildings – it consists only of a grass verge and a belt of trees. It is not designated as Green Belt, nor as a Conservation Area, and although there are many trees there, they are not protected by Tree Preservation Orders. The distance separating the two lodges is approximately 380 metres.

This application relates to South Lodge, which is a Grade II listed building. It was listed in 1983. The following text about it is taken from our document Nationally Listed Buildings In Watford (2014):

Circa 1835 painted brick lodge to Russell's. Originally Russell Farm Lodge and illustrated clad in patterns of split logs in Britton's Account of Cassiobury 1837. One storey cross

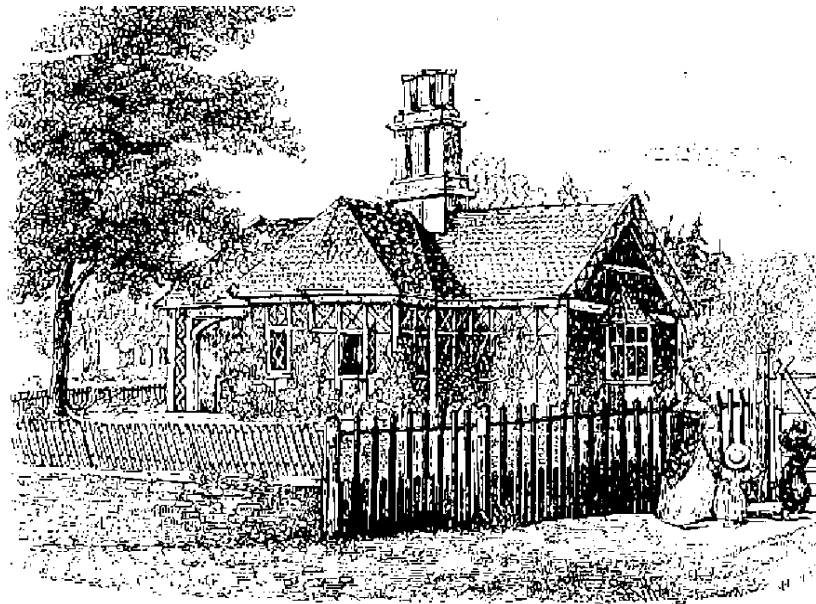
plan with central triple chimney stack with moulded cornice and base. Fish-scale tiles. Gable ends to north and south, 3-sided canted bay to west and hipped gable to east. Plain chamfered window surrounds to west bay, renewed bargeboards to south gable and small projecting 3 sided window bay with tiled roof, and leaded casements with top lights. Blank panel with chamfered border above. Further along Hempstead Road towards Hunton Bridge is another lodge to Russell's House, which is Locally Listed and called West Lodge.

Note that the description in the document seems to be out of date as regards the roof tiles – they are not fish-scale tiles now. They are concrete Redland 49 tiles, which are among the cheapest type of modern tile, and they have clearly been on the roof for many years. They are not in keeping with the original character of the building, and it seems likely that the replacement of the original roof tiles was an unlawful development.

The building has had a number of alterations done to it besides the replacement of the roof tiles, and it now looks quite different to its original appearance. Britton's Account of Cassiobury (1837) includes a drawing showing that originally it was clad in split logs, and that its garden was surrounded by a picket fence. To understand what this would have looked like one can still see an estate building of a similar period that is clad in split logs at 67 Gade Avenue (next to the Ford car dealership on Rickmansworth Road). Now South Lodge's walls are painted pink (some parts are painted render, other parts are painted bricks). The window frames would once have been timber but now they are metal. Some small extensions have been added to the house, and its main entrance is now in one of those extensions. One is the flat-roofed extension that the front door is currently set into. Another extension is on the side of the house that faces its own rear garden. An open-sided porch has also been added outside the kitchen door. The result of all these changes to the roof, the walls, the windows, and the position of the main entrance is that the house has lost much of its original character.

We have a photograph on file which was sent to us by a member of the public, who apparently took it in October 1990. It shows the house with new concrete roof tiles and

freshly rendered and white painted walls. It shows the flat-roofed extension with the main entrance door set into it, and a builder's skip outside. This suggests that the extension was built and the roof tiles replaced in 1990. The building was already listed at that time, and we have no record of Listed Building Consent having been granted for those works. A later photograph from 1997 shows that in the intervening seven years the colour of the walls had changed from white to pink.



J. Thompson, del.

RUSSELL FARM LODGE.

J. Wright, sc.

Illustration from Britton's Account of Cassiobury 1837.



Photograph from Oct 1990 submitted by a member of the public.



Current appearance 2015

Proposed works

Planning Permission is sought for the following works:

- Two existing arms of this cruciform building are to be extended, one being the wing that reaches towards the private garden, and the other being the wing that reach towards the residential part of the Hempstead Rd. They both have hipped roofs currently, and the proposal is to extend those hipped roofs.
- A flat roofed extension was long ago added to the building (possibly in 1990) and the existing main entrance is set into that extension. The proposal is to widen this extension and to give it a flat zinc roof.
- Flat zinc roofs are also to be installed on two other small extensions.
- The walls, which are currently brickwork that is painted pink (originally they were timber clad) are to be rendered.

Determination deadline extension

This application was submitted on 29 August 2015 and its eight week determination deadline was set at 21 October. Because of the number of objections that have been received, it has been necessary to refer this case to the Development Management Committee for determination (rather than determining it under delegated powers). To allow for this the applicants' agent has agreed to an extension of the deadline until 4 November 2015.

Planning history

South Lodge dates from 1835. We have the following Planning records on our database:

95/0389/9 – Conditional planning permission was granted on 01.11.1995 - Installation of a freestanding pouch (post) box

15/00529/FUL – Withdrawn on 29.06.2015 - Planning permission for proposed alterations and extensions to listed building, and construction of a new 4 bedroom detached dwelling, with new shared vehicular access

15/00530/LBC – Granted listed building consent on 07.07.2015 - Listed building consent for alterations and extensions to South Lodge (a Grade II listed building).

15/01208/FUL – Pending a decision (to be considered by the DM Committee) - Construction of a new single storey dwelling. Creation of a shared vehicular access from the eastern residential section of Hempstead Road to replace the existing vehicular access from the A411 Hempstead Road.

Relevant Policies

National Planning Policy Framework

Section 6 – Delivering a wide choice of high quality homes

Section 7 – Requiring good design

Section 12 – Conserving the historic environment

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

No relevant policies.

Hertfordshire Minerals Local Plan Review 2002-2016

No relevant policies.

Watford Local Plan Core Strategy 2006-31

SD1 Sustainable Design

SS1 Spatial Strategy

UD1 Delivering High Quality Design

UD2 Built Heritage Conservation

Watford District Plan 2000

SE7	Waste storage, recovery and recycling in new development
SE36	Replacement trees and hedgerows
SE37	Protection of trees, woodlands and hedgerows
T10	Cycle parking standards
T21	Access and servicing
T22	Car parking standards
T24	Residential development

Supplementary Planning Documents

Residential Design Guide (adopted July 2014)

Watford Character of Area Study (adopted December 2011)

Background Documents

Nationally Listed Buildings In Watford (2011)

CONSULTATIONS

Neighbour consultations

We wrote to nearby neighbouring properties and also to those members of the public who had made representations in the case of the previous applications on this site earlier this year. 32 properties were notified on Hempstead Road, 4 on The Drive and a letter was also sent to a person living on Langley Road who had expressed an interest. Two site notices were put up for this application on 07.09.2015, and a press notice was published in the Watford Observer local newspaper on 11.09.2015.

At the time of writing this report we have received 13 objections, 5 of which were from

members of a single household. One person has written to express an interest (neither objecting nor supporting the application). The Committee will be informed of any further representations that are received up to the date of the committee meeting.

Consultations

Arboricultural Officer

The following comments have been received from the Council's arboricultural officer:

The proposed extension and alterations to the building will not affect any trees.

Conservation Manager

The Conservation team within the council's Planning Policy section were consulted on the application for Listed Building Consent which we considered a few months ago, and which was an identical proposal to that which is now before us. The following comments were received from the Conservation Manager. She wrote a letter that dealt not only with the proposed works to the existing house, but also with the other proposal (which was subsequently withdrawn) for the erection of a two storey house in the rear garden. The following excerpts are the sections of her letter that relate to the proposed works on the existing building:

South Lodge is a grade II listed building (added to the list in 1983) and was the earliest of three lodges to the former Russells House being built in 1837. It has been altered losing the original windows; roof material and external finish. There have been some later additions to the lodge but these are relatively small. The building has lost some of its original fabric and is currently in a run down state following a period of poor maintenance. Its condition is not sufficient to warrant inclusion on the Buildings at Risk Register being in "fair" condition by the BAR standards and occupied. However, there may be cause for concern if the lack of maintenance continues.

The proposed works to the building have two purposes; the first is to restore some of the fabric which has been lost with more sympathetic materials such as plain clay tiles on the roof rather than the existing cement tiles; improved replacement windows with those which look more like those shown on early images of the building; the loss of the split log decoration is more difficult to replace but it is proposed to repair the existing render finish and use a more sympathetic colour. I am happy to leave the materials sign off for rainwater goods and the roof to a condition.

There is an issue with the level of detail provided regarding the windows - I have asked the applicant's agent to supply more information on the exact windows to be used but I am not happy with the level of information supplied – I would prefer to have a more specific window identified along with details of how the window is to be set into the opening. As it is a leaded window and will be double glazed these are important issues to establish at this stage rather than find out at the point of discharging a condition that this is not a good solution for the building. I note that the one of the pre-application drawings we were sent did show details of the replacement windows (No 601) and this has not been submitted with the applications – it would be helpful to have this drawing as part of these applications.

In terms of the extensions proposed, there is a rationalisation of the existing “lean to” on the south elevation involving an extension of the existing roof to properly cover this area. Secondly, there is a new extension to the east elevation which extends the existing roof by about 3m and incorporating the more recent entrance hall area on the north and east elevation; there is a flat roofed section which will be covered with a zinc material. This approach to the roof form for the extensions is acceptable as it retains the original roof form and extends this where sensible to do so; the additional area has a simple but contemporary flat roof which clearly defines this from the original roof form. The existing roof material will be replaced with a plain clay tile which is closer to the original material than the existing tiles as far as we can tell from early images of the building.

On balance it is considered that the proposed alterations to the listed building are acceptable and will ensure that the building continues as a viable residential unit in the 21st century.

APPRAISAL

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

- (a) *Watford Local Plan Part 1: Core Strategy 2006-31 (adopted Jan 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*
- (d) the *Hertfordshire Minerals Local Plan Review 2002-2016*

Principle

The fact that a building is Listed does not necessarily mean that extensions and alterations should never be allowed, but rather that the appropriateness of any such works should be carefully considered. Listed Building Consent has already been granted for the proposed works.

Design

In her comments (see above) the Urban Design and Conservation Manager noted that South Lodge has already been much altered, and it is worth bearing in mind that we are not faced with an application to take a pristine building in its original form and change it into something else. It has already been extended on two sides, its windows and roof tiles have been replaced, and its original timber cladding has been removed and the walls have been painted pink. Some of the proposals are seeking to return the building to a state that would be closer to the original character – particularly the proposal to replace the concrete roof tiles (which are not original) with clay tiles.

It is true that the house will be extended beyond its original size, but not greatly. Two of the wings of the original cruciform plan would be lengthened. The wing that faces the service road would become 3m longer, and a flat (zinc clad) roofed element would stand beside it (i.e. the existing flat roofed extension that the main door is currently set into would be enlarged). The wing that faces the private rear garden would be lengthened by 3m. These are modest increases that are not considered unreasonable – particularly given that this house stands alone with no adjoining neighbours. The approach is generally to retain the original style of the roof (i.e. ridges ending in hips) and not to increase its height.

Currently the walls (which would once have been clad in rustic split logs) are partly brickwork and partly render, all of which is painted pink. The proposal is to render the walls. A condition can be used to require that details of the render be submitted, and at that stage we can consider what colour would be best (probably white, off-white or cream).

The Urban Design and Conservation Manager's expert advice has been sought in relation to this application, and in her comments (see above) she writes that, while some of the materials can be approved at a later date, she would prefer that fuller details of the windows be submitted for approval as part of the process of considering this application. No window samples have been submitted; but the application has specified that steel windows are to be installed (type W20) and the drawings show that they would have lattice-type leaded light designs. The Case Officer and the Development Management Section Head consider that steel windows are acceptable in principle. Whether leaded lights are desirable seems to be a moot point among experts – The Urban Design and Conservation Manager favours them, but a local historian wrote to tell us (in relation to the application for Listed Building Consent) that she is dubious as to whether they would be appropriate. At any rate we will need further details – for instance we will need to be sure that the window frames will be set into a reveal, rather than being mounted flush with the front of the wall, and we will need to see a sample window so that we can be assured that the colour and finish will be acceptable, and that any leaded-light effect appears convincing; but there is no reason why we cannot approved the application now with a

condition attached to require the submission of further details and a sample window prior to any work commencing on site. We are satisfied that it is at least possible to install acceptable steel windows; and while it would have been preferable to have had all the details before us now, there is no reason in this case why they cannot be considered at a later date.

Impact on neighbours

When assessing a typical application for an extension to a house we must consider its potential impact on neighbours – such as whether it would obstruct natural light to their windows or obstruct their outlook or threaten their privacy. However this site is fortunate in that it stands alone with no adjoining neighbours. The proposed extensions and alterations will not cause any significant harm to the amenity of any neighbour.

The houses on this section of Hempstead Road are only on the “service road” section that runs parallel to the A411 – there are none on the A411 itself. Those houses stand on higher ground than South Lodge. This means that, in addition to being some distance away from the site on the other side of the road, and well set back, those houses also look over the top of South Lodge (which is a bungalow). The proposed works would not involve making the bungalow any taller than it is now.

Consideration of objections received

At the time of writing this report we have received 13 objections; several of those were from a single household. One other person (a local historian) has written to express an interest in the application and to ask to be kept informed of the outcome. The Committee will be informed of any further representations that are received up to the date of the committee meeting.

Points Raised	Officer's Response
<p>The proposed works would distort the original appearance and character of the Listed Building.</p>	<p>The original building has already had its original shape altered by two extensions that were carried out a long time ago (probably 1990). One is the extension that the front door is currently set into. Another is on the side of the house that faces its own rear garden. An open-sided porch has also been added outside the kitchen door.</p>
<p>The development could also damage the protected woodland surrounding the site, and the wildlife that is thought to live in it.</p>	<p>There is no reason to suppose that adding some modest extensions to this bungalow would jeopardise the woodland that stands next to the site. There are no Tree Preservation Orders here.</p>
<p>South Lodge is the only one of the old Russells estate lodges that remains as it was originally designed, and therefore no changes should be allowed that would change its character.</p>	<p>This is not correct. The building now looks very different to its original appearance. It has a different finish to its walls (painted brick and render rather than split logs) its original clay fish-scale roof tiles have been replaced with cheap modern concrete tiles, its window frames have been replaced, it has had two extensions added which have changed the shape of the house. The main entrance door has moved to a different part of the building, where it is set into an extension, rather than being in an original part of the house.</p>
<p>Blocking off the original entrance door and moving it to a different part of the building would change the house's original character and so they should not be allowed.</p>	<p>The original entrance door has already been blocked off and moved to a different part of the building – that was done a long time ago. The current entrance door is not</p>

	in an original part of the house but rather it is in an extension.
Materials should be in keeping with the period of the building.	The original cladding for this building was split logs (of the type that can still be seen at 67 Gade Avenue) but those have long since been lost. Currently the walls are painted pink. The proposal to use render is considered acceptable.
Currently the house is largely hidden from the houses on the opposite side of the Hempstead Road service road by bushes. Neighbours worry that if those bushes are removed and replaced by a picket fence the site will be more exposed and no longer hidden from view.	These bushes are not protected by Tree Preservation Orders and the site is not in a Conservation Area, so the owners have the right to remove any bushes that belong to them without having to make any application to the Council for permission. The illustration from 1837 shows the garden as being open, with only one tree, and surrounded by a picket fence.
Local residents are worried that builders might park their vehicles in the street or on the verge during the works. If permission is granted a condition should prohibit lorries from using this street during hours when children are being taken to or from Holy Rood School.	This is not a Planning consideration. This street is a public highway, it is not a Controlled Parking Zone, and any licensed vehicle has the right to park there. It is not possible to use a condition on a planning permission to restrict activity off the site itself (such as prohibiting lorries from using a public highway).
Building work might cause a noise nuisance if it is carried out at unreasonable hours.	A condition should be applied to the planning permission to limit the hours of work. This is usual practice when a site is in a residential area.
Some respondents included comments on a proposed new vehicular access. One	That proposal is not part of this application, but is considered separately under

<p>objector is of the opinion that they should not be considered separately because this application depends on the new access that is proposed by the other application.</p>	<p>application 15/01208/FUL. The proposed extensions that are the subject of this application are not dependent on the new vehicular access point that is proposed by the other application because they would not obstruct the existing vehicular access and so it would be possible to carry out these extensions and alterations without changing the vehicular access arrangements.</p>
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Conclusion

The site is a bungalow which is a Grade II listed building, although it has already been extended and altered and it now looks quite different to its original appearance. Planning permission is sought for further extensions and alterations to the bungalow. These are considered acceptable in terms of their design, which is generally sympathetic to the character of the listed building.

Listed Building Consent has recently been granted for the works that this application now seeks Planning Permission for (both types of consent being required). The drawings are the same as those that we approved with that application.

The Development Management Section Head recommends to the members of the Development Management Committee that the application be approved as set out in the report.

HUMAN RIGHTS IMPLICATIONS

The Local Planning Authority is justified in interfering with the applicant’s Human Rights in order to alleviate any adverse effect on adjoining properties and their occupiers and on general public amenity. With regard to any infringement of third party Human Rights, these

are not considered to be of such a nature and degree as to override the Human Rights of the applicant and therefore warrant refusal of planning permission.

RECOMMENDATION

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

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 The development shall be carried out in accordance with the following drawings, unless otherwise approved in writing by the Local Planning Authority: 100 revision A, 102A, 111, 120, 200 revision C.

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

4 No work shall commence on site until full details of the materials listed as follows have been submitted to and approved in writing by the Local Planning Authority. Physical samples labelled with the manufacturer and model shall be submitted of the following: the

rainwater goods, the roof tiles, the roofing zinc, the windows and window frames. Written details accompanied by colour photographs shall be submitted of the following: the render, the doors and door-frames. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual appearance of the site and the historic integrity of the Listed Building, pursuant to Policy UD2 (Built Heritage Conservation) of the Watford Local Plan (Part 1: Core Strategy) 2006-2031.

Informatives

1 In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Drawing Numbers

Drawing no. 100 revision A

Drawing no. 102A

Drawing no. 111

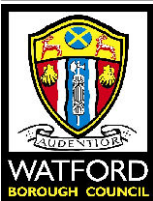
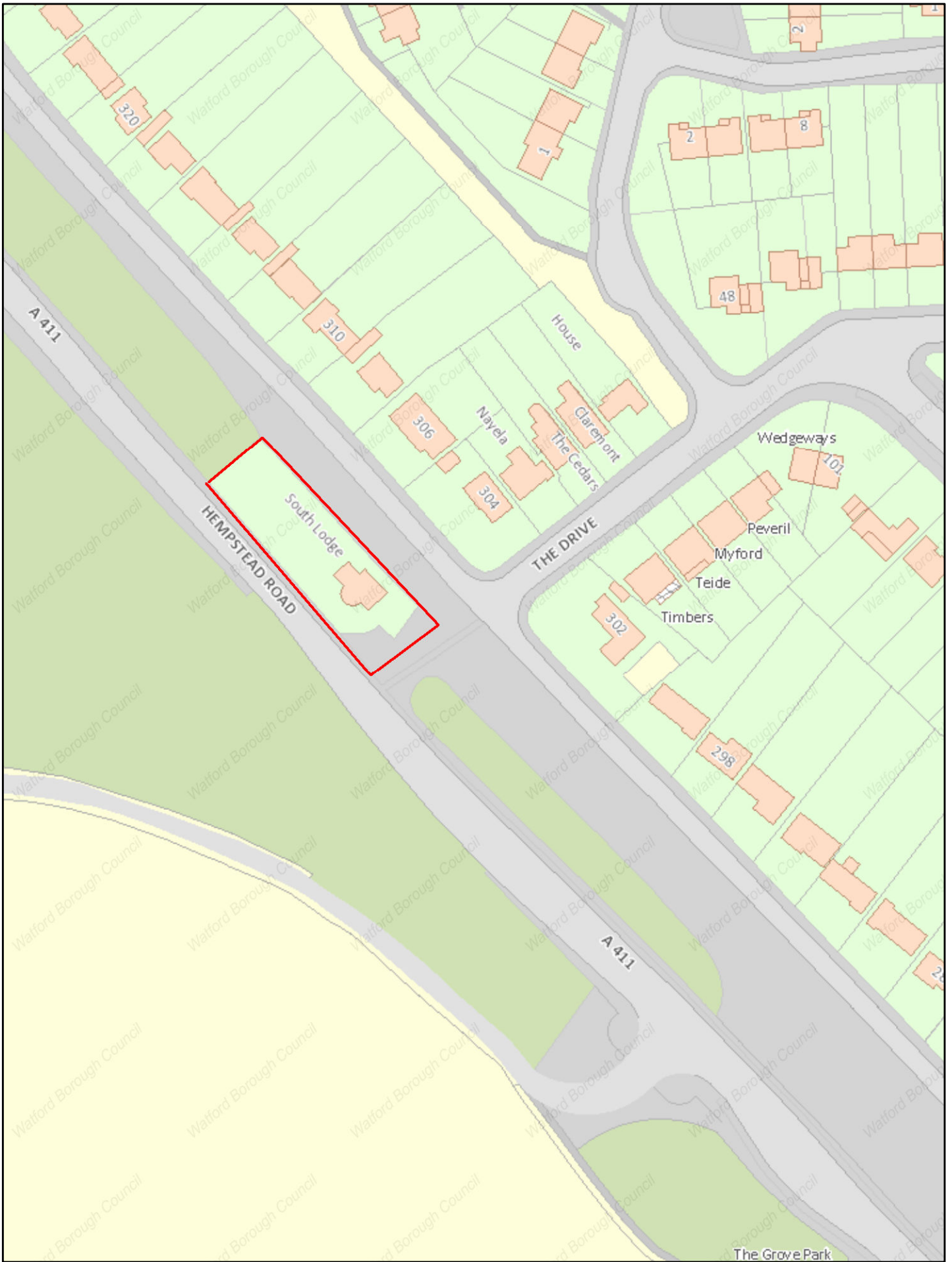
Drawing no. 120

Drawing no. 200 revision C

Case Officer: Max Sanders

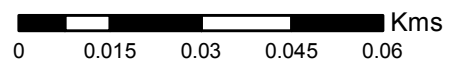
Tel: 01923 – 278288

Email: max.sanders@watford.gov.uk



South Lodge, Hempstead Road

Date: 20/10/2015



Scale 1:1,250



Agenda Item 6

PART A	
Report to: Development Management Section Head	
Date of Committee	29th October 2015
Site address:	South Lodge Hempstead Road Watford, Hertfordshire, WD17 4JX
Reference number:	15/01208/FUL
Description of development:	Construction of a new single storey dwelling. Creation of a shared vehicular access from the eastern residential section of Hempstead Road to replace the existing vehicular access from the A411 Hempstead Road.
Applicant:	Mr K. Frimley and Ms S. Hunt
Date received:	26th August 2015
8 week date (minor):	23rd October 2015
Ward:	Nascot

SUMMARY

The site is a bungalow which is a Grade II listed building, although it has already been extended and altered and it now looks quite different to its original appearance. Planning permission is sought for the erection of a new flat-roofed bungalow on land that is currently the end of the rear garden. This is considered acceptable in terms of the quality of its design and of the accommodation that it would provide, and because it would be a low, flat roofed building with a planted “green” roof of sedum plants, it would have little impact on the setting of the Listed Building. Therefore the Development Management Section Head recommends to the members of the Development Management Committee that the application be approved as set out in the report.

BACKGROUND

Earlier this year the applicants applied for Planning Permission (15/00529/FUL) for extensions and alterations to the existing bungalow and also for the erection of a new house in the rear garden, which would have been a double storey detached house of a conventional design. They also applied at the same time for Listed Building Consent for those alterations to the existing house (15/00530/LBC). Planning officers were concerned about the impact that a new two storey building would have had on the setting of the Listed Building (though not about the proposed works to the existing bungalow or the vehicular access and parking). It is not possible for a Local Planning Authority to issue a split decision on an application for Planning Permission, and therefore the applicants' agent was warned that their application for planning permission was likely to be refused - albeit the application for Listed Building Consent was likely to be approved. The applicants decided to withdraw their application for planning permission on 29.06.2015, but their application for Listed Building Consent was not withdrawn and that was approved on 07.07.2015.

The application that is the subject of this report (15/01208/FUL) is another attempt to obtain planning permission to erect a new house in the rear garden, but this time it is for a flat roofed bungalow in a modern style, rather than being a two storey house in a conventional style as had previously been proposed.

A separate application (15/01207/FULH) has been submitted for planning permission for the extensions and alterations to the existing house because, although Listed Building Consent for those works has already been granted, it is necessary to obtain Planning Permission as well.

Site and surroundings

Where the Hempstead Road approaches the edge of the borough it has two branches running parallel to each other. The main part is the original road that carries a great deal of traffic (the A411) being one of the principal roads into Watford, but there are very few

houses on this section of that road. On the west side of the road lie the grounds of The Grove hotel and golf club, and that land is designated as Green Belt. On the east side of the road there is a belt of trees. On the other side of those trees there is a grass verge, and beyond that a parallel road (also called Hempstead Road and sometimes referred to as “the service road”) is a quiet residential street with detached houses on the other side, facing the verge and the belt of trees (incidentally this is the newer of the two roads – it is not “Old Hempstead Road” as is written on the site location plan that has been submitted). Those houses stand on higher ground. There are only two houses that stand on the land that separates the two parallel roads, and they are both bungalows which are former lodge houses to land that was once a farm estate. One is called West Lodge and that is at the dead-end of the cul de sac; it is a Locally Listed building dating from 1911. The other is South Lodge, which is not far from the junction with The Drive and with the entrance to The Grove estate. South Lodge is a nationally Listed Building (Grade II) dating from 1835, and it is the subject of this report.

The long stretch of land on which the two lodges stand, which lies between the two parts of Hempstead Road consists of a grass verge and a belt of trees. It is not designated as Green Belt, nor as a Conservation Area; and although there are many trees there, they are not protected by Tree Preservation Orders. The distance separating the two lodges is approximately 380 metres.

This application relates to South Lodge, which is a Grade II listed building. It was listed in 1983. The following text about it is taken from our document Nationally Listed Buildings In Watford (2014):

Circa 1835 painted brick lodge to Russell’s. Originally Russell Farm Lodge and illustrated clad in patterns of split logs in Britton’s Account of Cassiobury 1837. One storey cross plan with central triple chimney stack with moulded cornice and base. Fish-scale tiles. Gable ends to north and south, 3-sided canted bay to west and hipped gable to east. Plain chamfered window surrounds to west bay, renewed bargeboards to south gable and small projecting 3 sided window bay with tiled roof, and leaded casements with top

lights. Blank panel with chamfered border above. Further along Hempstead Road towards Hunton Bridge is another lodge to Russell's House, which is Locally Listed and called West Lodge.

Note that the description in the document seems to be out of date as regards the roof tiles – they are not fish-scale tiles now. They are concrete Redland 49 tiles, which are among the cheapest type of modern tile, and they have clearly been on the roof for many years. They are not in keeping with the original character of the building, and it seems likely that the replacement of the original roof tiles was an unlawful development.

The building has had a number of alterations done to it besides the replacement of the roof tiles, and it now looks quite different to its original appearance. Britton's Account of Cassiobury (1837) includes a drawing showing that originally it was clad in split logs, and that its garden was surrounded by a picket fence. To understand what this would have looked like one can still see an estate building of a similar period that is clad in split logs at 67 Gade Avenue (next to the Ford car dealership on Rickmansworth Road). Now South Lodge's walls are painted pink (some parts are painted render, other parts are painted bricks). The window frames would once have been timber but now they are metal. Some small extensions have been added to the house, and its main entrance is now in one of those extensions. One is the flat-roofed extension that the front door is currently set into. Another extension is on the side of the house that faces its own rear garden. An open-sided porch has also been added outside the kitchen door. The result of all these changes to the roof, the walls, the windows, and the position of the main entrance is that the house has lost much of its original character.

We have a photograph on file which was sent to us by a member of the public, who apparently took it in October 1990. It shows the house with new concrete roof tiles and freshly rendered and white painted walls. It shows the flat-roofed extension with the main entrance door set into it, and a builder's skip outside. This suggests that the extension was built and the roof tiles replaced in 1990. The building was already listed at that time, and we have no record of Listed Building Consent having been granted for those works.

A later photograph from 1997 shows that in the intervening seven years the colour of the walls had changed from white to pink.

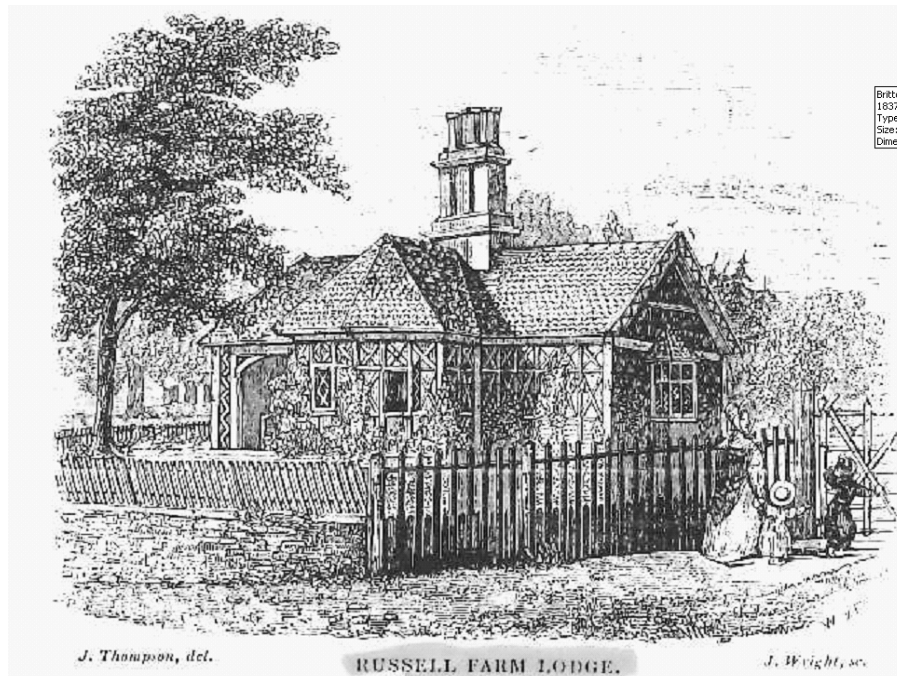


Illustration from Britton's Account of Cassiobury 1837.

Proposed Development

Planning Permission is sought for the erection of a new house on land that is currently the end of the rear garden of South Lodge. The plot would be divided into two. The new house would be a bungalow with a flat roof. That roof would be a living "green roof" clad in sedum plants.

A new vehicular access point is proposed, which would cross the grass verge and connect with the residential section (sometimes called the "service road") of the Hempstead Road. This would be a shared access for South Lodge and the new house, and it would lead to a central shared parking area, with bin stores and sheds giving off it for each house. Each house would have two marked parking spaces. This new vehicular access would replace the current access point which is from the main A411 section of Hempstead Road. That

old access would be blocked with a fence, although a narrow gate would be set into that for pedestrian access only.

Please note that alterations and extensions of the existing building do not form a part of this application. Those are considered separately under case reference 15/01207/FULH.

Amendment to the description

The description that was originally logged for this planning application was:

“Construction of a new single storey 3 bed dwelling with new shared vehicular access from Old Hempstead Road.”

A local resident who has lived in the area for many decades has contacted us to point out that it is incorrect to call the residential section of the Hempstead Road the “Old Hempstead Road” (which is how it is labelled on the plan that has been submitted).

Therefore, to avoid any confusion or ambiguity, we have amended the description as follows, with the agreement of the applicants’ agent:

“Construction of a new single storey dwelling. Creation of a shared vehicular access from the eastern residential section of Hempstead Road to replace the existing vehicular access from the A411 Hempstead Road.”

Determination deadline extension

This application was submitted on 29 August 2015 and its eight week determination deadline was set at 21 October. Because of the number of objections that have been received, it has been necessary to refer this case to the Development Management Committee for determination (rather than determining it under delegated powers). To allow for this the applicants’ agent has agreed to an extension of the deadline until 4 November 2015.

Planning history

South Lodge dates from 1835. We have the following Planning records on our database:

95/0389/9 – Conditional planning permission was granted on 01.11.1995 - Installation of a freestanding pouch (post) box

15/00529/FUL – Withdrawn on 29.06.2015 - Planning permission for proposed alterations and extensions to listed building, and construction of a new 4 bedroom detached dwelling, with new shared vehicular access

15/00530/LBC – Granted listed building consent on 07.07.2015 - Listed building consent for alterations and extensions to South Lodge (a Grade II listed building).

15/01207/FULH – Pending a decision (to be considered by the DM Committee) - Planning permission for proposed alterations and extensions to listed building.

Relevant Policies

National Planning Policy Framework

Section 6 – Delivering a wide choice of high quality homes

Section 7 – Requiring good design

Section 12 – Conserving the historic environment

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

No relevant policies.

Hertfordshire Minerals Local Plan Review 2002-2016

No relevant policies.

Watford Local Plan Core Strategy 2006-31

SD1 Sustainable Design

SS1 Spatial Strategy

UD1 Delivering High Quality Design

UD2 Built Heritage Conservation

Watford District Plan 2000

SE7 Waste storage, recovery and recycling in new development
SE36 Replacement trees and hedgerows
SE37 Protection of trees, woodlands and hedgerows
H9 Back garden development
T10 Cycle parking standards
T21 Access and servicing
T22 Car parking standards
T24 Residential development

Supplementary Planning Documents

Residential Design Guide (adopted July 2014)

Watford Character of Area Study (adopted December 2011)

Background Documents

Nationally Listed Buildings In Watford (2011)

CONSULTATIONS

Neighbour consultations

We wrote to nearby neighbouring properties and also to those members of the public who had made representations in the case of the previous applications on this site earlier this year. 32 properties were notified on Hempstead Road, 4 on The Drive, and a letter was also sent to a person living on Langley Road who had expressed an interest. Two site notices were put up for this application on 07.09.2015, and a press notice was published in the Watford Observer local newspaper on 11.09.2015.

At the time of writing this report we have received 14 objections, 5 of which were from members of a single household. One person has written to express an interest (neither objecting nor supporting the application). The Committee will be informed of any further representations that are received up to the date of the committee meeting.

Consultations

Conservation Manager

The following comments were received from the Urban Design and Conservation Manager on 12.10.2015:

Comments here refer to the new building rather than the alterations to the listed building but do consider the impact on the listed building and its setting.

Setting issues:

When considering the setting of the listed building the guidance prepared by Historic England should be considered – as published in revised form in March 2015. The guidance recommends a staged approach to decision taking when considering development affecting the setting of a heritage asset. In this case the setting of the asset has already been compromised by the fact that it is separated from the original building to which it was the lodge so that relationship has already been lost; the location of the entrance to the main road is still there and should any new entrances be proposed – which is desirable in terms of highway access then evidence of this original access should be retained – we do not have detailed design for this so that should be part of the application conditions.

The key feature of the setting which is retained is the fact that the lodge building has a good amount of open garden space around it which allows one to read the building as a freestanding lodge; this should be retained in any development proposals.

The proposals for the new dwelling show a single storey building which is subservient in terms of massing to the listed building and in my opinion is set sufficiently far away from the listed building to retain that sense of open garden space. What does cause more concern is the arrangement of car park spaces, bin stores and sheds and the impact that has on the setting and the views to the listed building. The arrangement proposed is formal and more reminiscent of a suburban estate than a Victorian lodge and I believe it is possible to improve upon this significantly and create a much better setting for the listed building and the new dwelling; the approach adopted should be one of a driveway with a strong hedge to each side with discrete car park spaces off it. It should be possible to locate bin stores more sensitively and screen them with the hedges. The two sheds should be located discretely within the gardens – I have done a sketch to show this – it may require advice from Bob Clarke regarding root protection zones for the trees and what materials may or may not be acceptable within these for car park spaces. Material for the drive should be bonded gravel with granite setts along the edges and to demarcate the car park spaces.

If this more positive approach is taken where we can see an improvement to the setting then the principle of building within the garden of this listed building can be accepted subject to detailed design. This would sit more comfortably with the HE advice as well.

Relationship to the listed building:

There is no requirement for development which lies close to listed structures to mimic the design of those listed structures – in fact a poor pastiche is likely to look worse and detract more from the listed building than a well designed modern building. The most important factor to get right is the massing and bulk of the new development in relation to the listed structure. The approach adopted for this scheme shows a single storey simple structure which is subservient to the listed building - the eaves line of the listed building lines up with the roof line of proposed dwelling which ensures that it will not dominate the listed building. The simple form contrasts with the more complex form of the listed building and again allows the listed building to be the most significant structure of the two

buildings. On this basis I consider that the relationship of the proposed building to the listed building is acceptable and will not harm the heritage asset.

Design of the new building:

The design approach is acceptable but the level of detail and the quality of features such as the fenestration is not acceptable and lets the design approach down. For a building in the location I would expect to have design details up front and for more attention to have been paid to the detailing of the fenestration. The whole building will be render which could look a bit bright and stark and it the introduction of some brick elements may help reduce this effect. We don't have any information regarding colours either. The principle of the planted roof and the use of zinc is acceptable but we will need details of these as well.

Landscaping – details really need to be submitted with the application here and not left to conditions.

In summary, I consider the principle and the approach to be acceptable but the design details and finishes is not and given the location I consider that these should be included with the application rather than left to condition – in particular I would like to see a better approach to the fenestration which looks clumsy and needs to be changed. It is important that we only approve design which is of good quality (NPPF requires this).

Arboricultural Officer

The following comments were received from our Arboricultural Officer on 14.10.2015:

As the main building is just outside the root protection area of the retained trees with the bin stores, sheds and a small area of car parking within the root protection area, I would refer you to my comments on the previous scheme (15/00530/FUL) which are still applicable to this proposal.

The comments that he made in the previous case were:

The proposed new build is generally outside the Root Protection Areas (RPA) for retained trees on and around the site, there is a small area where the bin stores and sheds are located that falls within the RPA. This area should be constructed without excavation and be gas and water permeable. I would wish to see a condition added to any consent granted requiring details of the construction of this area, which should include existing and proposed ground levels, to be submitted and approved prior to work commencing on site.

I would also wish to see conditions showing details of the location and routing of all below ground services, including soakaways and any temporary connections and the type, height and location of tree protection fencing. Both should be submitted and approved prior to work commencing on site.

Highways Authority

Hertfordshire County Council are the Highway Authority. They sent their comments on 01.10.2015. A summary of the points that they raised is to be found in the section of this report entitled Parking and Transport (see below).

APPRAISAL

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

- (a) *Watford Local Plan Part 1: Core Strategy 2006-31 (adopted Jan 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*
- (d) the *Hertfordshire Minerals Local Plan Review 2002-2016*

Principle of the proposed development

The fact that a building is Listed does not necessarily mean that no development should be allowed within its curtilage, but rather that the appropriateness of any such works should be carefully considered.

This is not a Conservation Area, and neither is it designated as Green Belt. In Planning terms the strip of land that separates the two sections of the Hempstead Road has no designations except for the fact that South Lodge is Grade II listed and East Lodge is locally listed. The trees are not protected by Tree Preservation Orders. There is some Green Belt nearby at The Grove Hotel and north of Russells Lane, and covering the grounds of Holy Rood School; but not on or adjacent to this site.

In Planning terms this is an ordinary residential street except that it has houses on only one side (except for the two lodges). There is no reason in principle why a new house should not be allowed here – subject to its being well designed, sustainable and harmless.

Matters relating to any covenants that might have been placed on the land are not a material planning consideration. The granting of planning permission does not necessarily void or over-ride any covenants.

Saved Policy H9 of the Watford District Plan states that planning permission should only be granted for back garden developments where a proper means of access would be provided and where other policies regarding good design are complied with. In this case there would be an acceptable means of access and the scheme is considered well designed.

Design

This will be a small, simple building which has been designed to be unobtrusive. Its flat roof will keep it low so that it will be no higher than the eaves of the existing house. It has been designed in this way to minimise its visual impact on the setting of the Listed

Building. Being a simple modernist style, it will not attempt to compete with the listed building or draw attention away from it.

It will have a living “green roof” of sedum plants. This has two benefits – environmental and aesthetic. This type of roof is low maintenance: it requires no soil, no watering except during a drought, it absorbs some rainwater run-off, it prevents the roof from overheating in summer, and it provides a habitat for insects and birds. In this case the neighbouring houses on the opposite side of the street stand on higher ground and they look over the site. Because the new house will be so low it will not intrude on their view. If they look down on it from their upper windows they will be looking at the “green” roof, which will soften its appearance and help the development blend in with the greenery around the site.

This is a simple, minimalist design, the quality of which will depend largely on the quality of the materials. The proposals are encouraging (e.g. zinc cornicing, brick plinth, timber doors, aluminium windows) but we will need to see more detail – for instance we will need to know whether the windows will be set flush with the front of the walls or set back into a reveal. These further details should be required by a pre-commencement condition.

Please see above for the Urban Design and Conservation Manager’s comments on the design. Although she is generally supportive of the proposal she makes some criticisms. She writes that she would have preferred a finishing material other than render, which she worries might appear too stark. The colour of the render has not been specified in the application and it can be controlled by a condition – it may be that a softer, more muted colour might be preferable to white, so as to ensure that the new building blends in well with its surroundings and does not draw undue attention to itself. The walls will not be entirely rendered as the plinth will be faced in brick.

Residential space standards

The following minimum room size requirements are taken from the Residential Design Guide supplementary planning document, the current version of which (the second

edition) was adopted in July 2014. Please note that the minimum size for a dwelling is taken from section 7.3.6 which is based on the number of bedrooms, while the requirement for living / kitchen / dining rooms is taken from section 7.3.8 which is based on the number of “bed spaces” (i.e. occupants) and it is assumed that a main double bedroom will contain a couple, while other rooms will contain children – hence the number of *bed spaces* in a dwelling is one more than the number of *bedrooms*.

Room	Required	Proposed	Complies?
Gross internal area	For a 3 bedroom dwelling: 74m ²	96m ²	Yes
Main double bedroom	Area: 12m ² Length & breadth should be min 2.75m	Area: 12m ² Length: 3m Breadth: 4m	Yes
Bedroom 2 (single)	Area: 8m ²	Area: 11.5m ²	Yes
Bedroom 3 (single)	Area: 8m ²	Area: 9m ²	Yes
Living / kitchen / dining space	For a 3 bedroom unit (ie 4 bed spaces) combined area should be min 27m ²	43m ²	Yes
Storage	2.5m ² for 4 people	None	No
Garden	For a 3 bedroom unit minimum 65m ²	New house would have 263m ² and existing house would have a slightly larger garden.	Yes

Parking and transport

Our *maximum* parking standards are set out in Appendix 2 and Map 7 of the Watford District Plan 2000. This site is in Zone 4 of Map 7, where the maximum provision is set at 2.25 spaces for a 3 bedroom dwelling. In this case two spaces are proposed for each house, which complies with the policy. We have no minimum standards, but in this edge of town location it is likely that the residents will want to own cars. Two parking spaces for a bungalow seems reasonable.

Please see the table below for a summary of the points that were raised by the Highway Authority. They had no objection to the erection of a new 3-bedroom house on this site, and they wrote that they consider the relocation of the vehicular access point to the less heavily trafficked section of Hempstead Road to be an improvement from the point of view of highway safety. The following table summarises the points that they raised, and it includes comments on each of those points by the Planning Officer.

Points Raised By Herts County Council Highways Service	Planning Officer's Response
They do not object to the proposal.	Noted.
They recommend a condition to maintain visibility splays for the vehicular access point where it meets the road in the interests of highway safety.	Conditions should only be attached to a planning permission where they are necessary and reasonable. They cannot be applied to areas outside the application site. In this case the access would pass over a broad verge before it meets the road, and that verge is outside the site. It is highways land that does not belong to the applicant. There is no need to fear that the applicant might erect any fence or structure or plant any vegetation on either side because they are not entitled to do so, given that it is not their land. The condition is therefore

	unnecessary because there will be clear visibility splays on either side. Furthermore, as the verge on either side of the access point is outside the application site we cannot apply a condition there.
They require details of the width of the crossover.	This can be taken from a scale measurement of the drawing, which shows that the crossover would be 2.5m wide.
The gradient of the crossover should not exceed 1 in 10.	Noted. The land slopes down slightly from the street to the site, but the verge itself is flat.
The parking area should be level, and it should be surfaced and drained in accordance with a detailed scheme that should be submitted for approval by the Local Planning Authority in consultation with Hertfordshire Highways.	The garden is flat so the parking area would be flat. The drawing states that it would be bonded gravel with granite setts to demarcate the parking bays and as an edging material. As the site is on lower ground than the street, and as a broad soft grass verge separates the site from the street, there is no risk of surface water running off onto the highway. Conditions should be applied only when they are necessary and it is not considered that a condition requiring details of surface water drainage is needed in this case.
A scheme of on-site parking for construction workers should be submitted for approval to ensure adequate off-street parking during the construction.	This type of condition is more appropriate to a large scheme, but it would be difficult to justify it in this case because realistically there would be no space on the site for the parking of vehicles, given that space will be needed around the build area for working space, and for storage of materials and

	<p>equipment, and to keep clear of the root protection zones of the surrounding trees. It would be unreasonable to apply a condition that cannot be complied with. There is plenty of space to park on the street without obstructing it during the construction period. Normally during the day only a few cars are parked here as all the houses have drives for off-street parking.</p>
<p>For a development of this size there is no requirement by the Highway Authority for submission of a Transport Statement or a Design and Access Statement.</p>	<p>Noted.</p>
<p>The trips generated by the proposed three bedroom house would not be likely to cause any detrimental impact on the highway.</p>	<p>Noted</p>
<p>A review of data for vehicle accidents in the vicinity of the existing access to South Lodge shows 24 collisions (including one serious and one fatal) but no accidents have been recorded in the vicinity of the proposed new access point.</p> <p>The existing vehicular access is onto a part of the A411 which has a 40mph speed limit (which changes to 30mph soon after the site), but the residential section of Hempstead Road where the new access would be has a limit of 30mph.</p> <p>Therefore the proposal will constitute an improvement from the point of view of road</p>	<p>Noted</p>

safety.	
The proposed new access is deemed acceptable.	Noted
The number of parking spaces proposed complies with Watford Borough Council's standards. It is for the Local Planning Authority (not the Highway Authority) to consider whether the number of parking spaces proposed is acceptable.	This is correct. Each house would have two parking spaces, which complies with our maximum limit of 2.25.
Watford Borough Council's standards require one cycle storage space per unit. It is noted that sheds are proposed which could be used as bike stores.	Noted. Each house would have a shed.
Bus number 500 provides access to the town centre from a bus stop 100m south of the site.	Noted. However in this edge of town location it is likely that residents will want to own a car.
The accessibility of the site is considered adequate for a residential development.	Noted.

In the comments that we have received from the Urban Design and Conservation Manager some criticisms were made of the proposed layout of the parking area. She felt that it could have been better designed, and she has drawn an alternative layout that she considers would be preferable – her version is less symmetrical and involves more soft landscaping so as to give the parking area a softer and less exposed character. However our task is to assess the application that has been submitted by the applicant and decide whether it would be so harmful that permission should be refused; the fact that better alternatives could have been proposed is not a justifiable reason for the refusal of planning permission. The case officer and the Development Management Section Head are both of the opinion that the proposed layout is acceptable. The proposed surfacing material of bonded gravel with granite setts to mark the parking bays and edges is in line with the recommendation of the Urban Design and Conservation Officer. A hedge is

proposed to screen the sheds and the bin stores from view, and two further hedges are proposed to soften the view, to provide some privacy, and to prevent the parking area from appearing too open.

It is worth bearing in mind that the existing house at South Lodge would have had the right to create this new vehicular access as permitted development (i.e. without having to apply for planning permission) if it had been only for the use of the existing house. It only requires planning permission because it would serve a new house as well.

Trees, hedges and bushes

On a site of this modest size it is not considered necessary to request a landscaping plan by a condition because the landscaping will consist of little more than a lawn and the hedges that are shown on drawing 220 revision E. The choice of species can be left to the applicant. However it is important that a condition be applied to ensure that the proposed hedges within the site should be planted as shown because they will serve to soften the appearance of the parking area and to conceal the new sheds and bin storage area.

There are no trees on the site that are protected by Tree Preservation Orders, and this site is not in a Conservation Area, so the owners are entitled to remove any of their own trees or bushes that stand within the site, but not those that stand outside it. There are a number of mature trees which stand just outside the site, and those are highway trees belonging to Hertfordshire County Council. Some of them have roots that lie partially beneath the site. They make a valuable contribution to the character of the area so it is important to ensure that they are not harmed during the building works. The architect has taken account of this by siting the new house outside the six metre root protection zones of those trees. Our Arboricultural Officer has provided the following comments:

As the main building is just outside the root protection area of the retained trees with the bin stores, sheds and a small area of car parking within the root protection area, I would refer you to my comments on the previous scheme (15/00530/FUL) which are still

applicable to this proposal.

The comments that he made in the previous case (which was subsequently withdrawn) were:

The proposed new build is generally outside the Root Protection Areas (RPA) for retained trees on and around the site, there is a small area where the bin stores and sheds are located that falls within the RPA. This area should be constructed without excavation and be gas and water permeable. I would wish to see a condition added to any consent granted requiring details of the construction of this area, which should include existing and proposed ground levels, to be submitted and approved prior to work commencing on site.

I would also wish to see conditions showing details of the location and routing of all below ground services, including soakaways and any temporary connections and the type, height and location of tree protection fencing. Both should be submitted and approved prior to work commencing on site.

Some local residents have expressed concerns that the self-seeded bushes that grow on the broad verge might be removed, and that this would make the site more exposed. The developers would not be entitled to remove any bushes that do not stand on their land unless Hertfordshire County Council have agreed to it.

Impact on neighbouring properties

This site is fortunate in having no adjacent neighbours. The only immediate neighbour of the new house would be the existing house at South Lodge. There are houses on the opposite side of Hempstead Road, but they are separated by the width of the street and of the broad verge, and of their own front gardens. None of those houses will suffer any harm by the small, flat-roofed bungalow that is being proposed. Some of them will be able to see it, but that is not grounds for the refusal of planning permission. Being on higher ground, they will be looking over its flat roof.

Consideration of objections received

At the time of writing this report we have received 14 objections, 5 of which were from members of a single household. One person has written to express an interest (neither objecting nor supporting the application). The Committee will be informed of any further representations that are received up to the date of the committee meeting. The Committee will be informed of any further representations that are received up to the date of the committee meeting.

Points Raised	Officer's Response
This is a back garden development.	That is so. Saved Policy H9 of the Watford District Plan states that planning permission should only be granted for back garden developments where a proper means of access would be provided and where other policies regarding good design are complied with. In this case there would be an acceptable means of access and the scheme is considered well designed.
The design is out of keeping with the character of South Lodge, which is a Grade II listed building. Anything built in the garden should blend in with South Lodge.	The design is deliberately not attempting to copy the design of South Lodge. Having a new pastiche lodge house competing with the original lodge would not be desirable. It is considered preferable to use a simple design that is less ornate and that will not attempt to compete for attention with the original lodge.
The new house will detract from the setting of the listed building.	This was a problem with the previous application, but in this case the new house is to be self-effacing, being single storey, simple in design, with a flat roof. It will sit

	<p>on low ground, and be partially hidden behind its fence. It will be well separated from the existing house.</p>
<p>One person writes that the design is very innovative and interesting and that it has some architectural merit, and he notes that because it will be low it would partly be hidden by the self-seeded bushes that grow on the verge of the public highway. However he objects because he worries that it would appear obtrusive if the developers were to clear away those bushes.</p>	<p>The owners would not have any right to clear away bushes that grow on the public highway, unless permission is given them by Herts County Council.</p>
<p>The tall trees along the boundary with the main road should not be harmed.</p>	<p>The new house will be outside the six metre root protection zone of those trees. A condition should be applied to require a tree protection plan.</p>
<p>South Lodge is largely hidden behind bushes along its boundary, and those should be retained because people living opposite do not want to be able to see it. Some objectors write that the proposed picket fence would make the site seem exposed. One objector writes that there is already a picket fence (hidden behind bushes) and that the new house should have one too, rather than having a different type of fence.</p>	<p>The fact that it will be possible for people living opposite to see the new house is not reasonable grounds for the refusal of planning permission.</p> <p>The owners have the right to remove any bushes or trees that belong to them, as none of them are protected by Tree Preservation Orders – they could do that now, without the need for any permission from the Council. They do not have the right to remove any vegetation that stands outside their site on the highway verge unless Hertfordshire County Council agree to it. The proposal is for a picket fence</p>

	<p>around South Lodge, which would replicate the one that originally surrounded the lodge house in Victorian times (as shown in an illustration from 1837). The new house would have a more contemporary style of fence so that the two houses will be read as separate properties with their own characters (one traditional the other modern) rather than the new house looking as if it is standing in the curtilage of the old house. The solid fence for the new house will also help to partially conceal it from the street, reducing its visual impact.</p>
<p>Local people like to walk their dogs along the broad verge, and are worried that they will be prevented from doing that.</p>	<p>The crossover will simply be a strip of concrete, and it will remain a part of the public highway – it will not belong to the new house. The owners will not be able to erect any structure there because it will not be their land, so there will be nothing to prevent members of the public from walking there, as they do now.</p> <p>It is worth bearing in mind that the existing house at South Lodge would have had the right to create this new vehicular access and parking area as permitted development (i.e. without having to apply for planning permission) if it had not been for the fact that the new house would also be using it.</p>
<p>The extra traffic will make the road dangerously busy. The site is close to the junction with the Drive. Parents bring their</p>	<p>The Highway Authority have written that they do not consider that the addition of one new 3-bedroom house will cause a</p>

<p>children down this street to and from Holy Rood School. There is no justification for creating a new vehicular access because South Lodge already has an access from the A411.</p>	<p>significant increase in the number of trips. They write that moving the access from its current location on the busy main road to the proposed new site on the quieter residential street would represent an improvement to highway safety.</p>
<p>Not enough parking space is provided on site, and it is feared that the new house will have more than two cars and that they will park them on the street or on the grass verge.</p>	<p>A 3-bedroom bungalow is not likely to have more than two cars. The proposal complies with our parking standards.</p>
<p>South Lodge is the only one of the old Russells estate lodges that remains as it was originally designed, and therefore no changes should be allowed that would change its character.</p>	<p>This is not correct. The building now looks very different to its original appearance. It has a different finish to its walls (painted brick and render rather than split logs) its original clay fish-scale roof tiles have been replaced with cheap modern concrete tiles, its window frames have been replaced, it has had two extensions added which have changed the shape of the house. The main entrance door has moved to a different part of the building, where it is set into an extension, rather than being in an original part of the house.</p>
<p>Who will be responsible for installing the crossover? It should be strong enough to support vehicles and prevent damage to services and cables beneath.</p>	<p>The work must be done by arrangement with Hertfordshire County Council, and it must only be done to their standards and by their licensed contractors. The developer is not allowed to do this work himself because it is not his land but part of the public</p>

	<p>highway. Crossovers are made to be strong enough to protect underground services.</p>
<p>The crossover will be an uphill road coming out at a blind spot. Traffic, pedestrians and animals would be endangered.</p>	<p>This is not to be a “road” – it is simply a crossover across a verge. The difference between this and thousands of other crossovers that connect streets to the driveways of houses around Watford is that in this case the verge is somewhat wider than normal. Although the parking area will be on lower ground, the verge itself is mainly flat. The Highway Authority have written that this new access will be safer than the existing one it will replace.</p>
<p>The flat roof might leak, which would mean that contractors would have to attend frequently to repair it, and they would be likely to park their vehicles on the street.</p>	<p>Planning permission cannot be refused on these grounds.</p>
<p>The sedum planted roof would be a “monstrosity”. One objector complains that it will look like a “WWII camouflaged bunker”.</p>	<p>It is difficult to see why natural vegetation should be considered unacceptable. It will help the site to blend in with the garden when seen from the upper windows of houses that stand on higher ground opposite.</p>
<p>Currently the house is largely hidden from the houses on the opposite side of the Hempstead Road service road by bushes. Neighbours worry that if those bushes are removed and replaced by a picket fence the site will be more exposed and no longer hidden from view.</p>	<p>These self-seeded bushes are not protected by Tree Preservation Orders and the site is not in a Conservation Area, so the owners have the right to remove any bushes that belong to them without having to make any application to the Council for permission. The illustration from 1837</p>

	<p>shows the garden as being open, with only one tree, and surrounded by a picket fence. Developers will not have the right to remove bushes outside the site unless agreed by Herts CC who are responsible for the highway, including the verge.</p>
<p>Local residents are worried that builders might park their vehicles in the street or on the verge during the works. If permission is granted a condition should prohibit lorries from using this street during hours when children are being taken to or from Holy Rood School.</p>	<p>This is not a Planning consideration. This street is a public highway, it is not a Controlled Parking Zone, and any licensed vehicle has the right to park there. It is not possible to use a condition on a planning permission to restrict activity off the site itself (such as prohibiting lorries from using a public highway).</p>
<p>The floor area of the proposed bungalow is larger than was proposed earlier this year for a two storey house (that application was withdrawn).</p>	<p>We must consider the application that is before us now on its own merits.</p>
<p>Residents living opposite do not want to have to look at the new building, its parking area or its bin stores. It should be screened by trees and bushes.</p>	<p>Being on higher ground they will largely be looking over this low, flat roofed building. The bin stores will be concealed behind a hedge.</p>
<p>The house will look like a post-war pre-fab or an outbuilding.</p>	<p>Section 60 of the National Planning Policy Framework states that “planning... 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.”</p>
<p>The development will put pressure on local</p>	<p>The development will be liable to pay the</p>

<p>services and infrastructure.</p>	<p>Community Infrastructure Levy (CIL) to fund improvements to local services.</p>
<p>An objector writes that there is a covenant protecting the grassed area all along the service road from development and he threatens legal action against the Council if planning permission is granted.</p>	<p>The verge is part of the public highway, which is the responsibility of Herts CC. Covenants are not a material planning consideration. They are dealt with by a Land Tribunal, which is separate from the Planning system. Planning permission does not over-ride a covenant.</p>
<p>The new house will take most of the garden space of South Lodge. It would constitute over development of the plot.</p>	<p>Each house will have adequate garden space: the new one will have 263m². The garden space figure for the existing house is not provided, but it will be somewhat larger. The minimum garden requirement for a 3 bedroom house is 65m² (Residential Design Guide, 7.3.22). While a taller building might have amounted to over-development of the site, this low flat roofed building is designed to be self-effacing.</p>
<p>The new house might set a precedent for further new houses along the open space that separates the two parts of Hempstead Road.</p>	<p>This space is not protected by any Planning designation – it is not a conservation area, nor is it green belt. This is a residential area, so in principle there is no reason why this street should not have houses on both sides, as most residential streets in the town do. There is a shortage of housing in the borough. Any future applications for development there would have to be judged on their own merits.</p>

Community Infrastructure Levy (CIL)

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

The CIL charge applicable to the proposed development is £120 per square metre and the floor-space would be 96 square metres.

The charge is based on the net increase of the gross internal floor area of the proposed development. Exemptions can be sought for charities, social housing and self-build housing. If any of these exemptions is applied for and granted, the CIL liability can be reduced.

In accordance with s.70 of the Town and Country Planning Act 1990, as amended by s.143 of the Localism Act 2011, a local planning authority, in determining a planning application, must have regard to any local finance consideration, so far as material to the application. A local finance consideration is defined as including a CIL charge that the relevant authority has received, or will or could receive. Potential CIL liability can therefore be a material consideration and can be taken into account in the determination of the application.

Conclusion

The site is a bungalow which is a Grade II listed building, although it has been extended and altered and it now looks quite different to its original appearance. Planning permission is sought for the erection of a new flat-roofed bungalow on land that currently forms part of the garden, and for the creation of a shared vehicular crossover and parking area. These proposals are considered acceptable in terms of their design and their

relationship to the Listed Building. The new bungalow has no adjoining neighbours other than South Lodge itself, and it will stand on ground that is lower than the houses on the opposite side of the street, which will look over its flat, sedum-planted roof. The Highway Authority have not objected, and they have written that the new vehicular access will be safer than the one that it will replace. The Development Management Section Head recommends to the members of the Development Management Committee that the application be approved as set out in the report.

HUMAN RIGHTS IMPLICATIONS

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

RECOMMENDATION

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

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 The development shall be carried out in accordance with the following drawings, unless otherwise approved in writing by the Local Planning Authority: drawings numbered 110 revision A, 120, 220 revision E, 230 revision A.

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

4 No building work shall commence (except for site clearance works, the creation of the vehicular access and the laying of foundations) until full details of the materials listed as follows have been submitted to and approved in writing by the Local Planning Authority: the zinc for the cornice, the bricks for the plinth, the render (including details of whether a coloured render is to be used, or otherwise the colour that it is to be painted), the system that is to be installed for the sedum-planted "green roof", the external doors and their frames, the windows and their frames, the rainwater goods and the paving for the parking area. Written details accompanied by colour photographs (such as from a manufacturer's brochure or website) will be acceptable, or alternatively physical samples can be submitted. Details shall be included of whether the windows are to be installed flush with the front of the windows or set into a reveal. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual appearance of the site, pursuant to Policy UD1 (Delivering High Quality Design) of the Watford Local Plan (Part 1: Core Strategy) 2006-2031, and to ensure a satisfactory relationship with the adjacent Grade II listed building, pursuant to Policy UD2 (Built Heritage Conservation). This pre-commencement condition is considered necessary and justified because if the development were to be built in inappropriate materials, or painted in an unsuitable colour, it could result in harm to the character of the area and the setting of the Listed Building.

5 The new house shall not be occupied until details have been submitted to and approved in writing by the Local Planning Authority regarding the design of the boundary treatment and gate that will replace the existing vehicular access point from the A411. That scheme, having been approved, shall be implemented prior to the new house being occupied, and it shall be retained as such thereafter.

Reason: To ensure that South Lodge will have only one vehicular access to the public highway, and that the development will constitute an improvement to highway safety by replacing the existing vehicular access onto the busy main road with one on the residential street where the speed limit, the volume of traffic and the number of reported accidents are lower. Also to ensure that the design retains a visual reference to the original vehicular entrance to the lodge house, thus acknowledging the history of the listed building, pursuant to Policy UD2 of the Watford Local Plan Part 1.

6 No work shall commence on the site until a tree protection plan has been submitted to and approved in writing by the Local Planning Authority, showing temporary fencing to guard the trees that stand adjacent to the boundary of the site, and showing the location of all subterranean services, including soakaways and any temporary connections. Once approved, that protective fencing shall be erected prior to any other work commencing on site. No materials, vehicles, fuel or any other ancillary items shall be stored or buildings erected inside this fencing. No changes in ground level may be made, and no hardstanding may be laid within the spread of those trees without the specific written consent of the Local Planning Authority. The sheds and the refuse bin storage areas shall stand on surfaces that are laid without any excavation and which are permeable to gases and water.

Reason: To safeguard the trees, which represent an important visual amenity, during the period of construction works, in accordance with saved Policy SE37 of the Watford District Plan 2000.

7 The new house shall not be occupied until the existing sheds have been removed, as shown on drawing 220 revision E. The proposed hedges that are shown on that drawing shall be planted in the first planting season following completion of the development, and they shall be retained thereafter.

Reason: In the interests of the visual amenity of the site, in accordance with Policy UD1 (Delivering High Quality Design) of the Watford Local Plan (Part 1: Core Strategy). The removal of the existing sheds is considered necessary to ensure that the site is not unduly cluttered and that adequate garden space is provided, and the planting of the proposed new hedges is considered necessary to screen the new sheds and bin storage areas from view.

8 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E or F of the Order shall be carried out to the new house without the prior written permission of the Local Planning Authority. The following classes of Schedule 2, Part 14 (Renewable Energy) are also excluded unless otherwise approved in writing by the Local Planning Authority: A, B, C, E, F, G, H, I.

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 new house, and that they will not prove detrimental to the amenities of the residents of the site or of adjoining occupiers, in accordance with Policies UD1 and UD2 of the Watford Local Plan Part 1. Also to ensure that any extensions or outbuildings that are erected do not result in a loss of garden space that would result in inadequate private amenity space. For the avoidance of doubt, the specified classes in Part 1 include the following types of development: A includes extensions and external alterations, B includes roof extensions, C includes other roof alterations, D covers porches, E includes outbuildings pools and enclosures, and F includes hard surfaces such as paving. The specified classes in Part 14 include solar panels, ground source heat pumps, flues, air source heat pumps and

wind turbines. It is considered necessary to apply this condition because such equipment could have the potential to affect the visual appearance of the development and its impact on the setting of the adjacent Grade II Listed Building; or in the case of ground source heat pumps to affect the roots of trees adjacent to the site.

Informatives

1 In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

2 The planning officer's full report gives more detail than is to be found in the Decision Notice. The full report, presented to the Development Management Committee on 29 October 2015, can be obtained from the Council's website as an appendix to the agenda of that meeting.

3 The development that is hereby approved is liable for contributions under the Community Infrastructure Levy (CIL). Please contact the Planning Support team at Watford Borough Council (tel 01923 278327) if you have any queries about the procedure to be followed as regards making those contributions prior to the commencement of the development.

4 The development will involve the creation of a new dwelling which will require an address. The applicant must apply to the Council to allocate a street number or name. This is a requirement of the Public Health Act 1925. Applications for this purpose should be made to the Local Land and Property Gazetteer Officer at Watford Borough Council, Town Hall, Watford, WD17 3EX.

5 Works to be undertaken on the adjoining highway (including the verge) will require an agreement with Hertfordshire County Council, who are the Highway Authority. The applicant should contact the County Council's Highways Service to obtain their permission, and to discuss their requirements. This is to ensure that any works undertaken on the highway are constructed in accordance with the Highway Authority's specification and by a contractor who is authorised by them to work on the public highway.

Drawing Numbers

Drawing 110 revision A - site location plan

Drawing 120 - site plan as existing

Drawing 220 revision E - site plan as proposed

Drawing 230 revision A - plans and elevations as proposed

Heritage statement (one page document)

Case Officer: Max Sanders

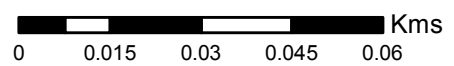
Tel: 01923 – 278288

Email: max.sanders@watford.gov.uk



South Lodge, Hempstead Road

Date: 20/10/2015



Scale 1:1,250



PART A	
Report of: DEVELOPMENT MANAGEMENT SECTION HEAD	
Date of committee	29th October 2015
Site address:	26-30, Aldenham Road, Watford
Reference Number :	15/00948/FUL
Description of Development:	Demolition of existing Tile Depot and Harp Windows showroom buildings and redevelopment to provide a new mixed use development providing 8 residential units and one ground floor retail space of 251sqm.
Applicant	Crown Coast (Aldenham Road) LLP
Date Received:	9th July 2015
8 week date (minor):	3rd September 2015 (extended to 2nd November 2015)
Ward:	Oxhey

1.0 SITE AND SURROUNDINGS

1.1 The site is located on the north-western side of Aldenham Road, between the junctions with Chalk Hill to the north-east and Pinner Road to the south-west. It has an area of 0.67 hectare and contains an unusual arrangement of single and two storey commercial buildings sited along the south-west, north-west and north-east boundaries. The south-east frontage is largely open to the highway as is the central part of the site. This open central area gives access to all the buildings as well as providing parking and servicing facilities for the buildings. The buildings are currently occupied by The Tile Depot and Harp Windows. The site falls within the local shopping frontage on Chalk Hill and Aldenham Road.

1.2 Adjoining the site to the north-east is a small terrace of two storey, Victorian

buildings in commercial use (although 2 are currently vacant). To the north-west, the site backs onto properties fronting Chalk Hill. Some of these (nos. 33 and 35) have commercial uses at ground floor with residential flats above. Others (nos. 29 and 31) are residential houses. To the south-west the site adjoins Brunel Court, a 3 storey building forming part of the recent development at Edinburgh Mews and Owen Square (the former JR Taggar site).

- 1.3 Opposite the site are 2 storey, Victorian houses which form the north-western limit of the recently declared Oxhey Conservation Area. Bushey Station is located 115m to the west of the site.

2.0 PROPOSED DEVELOPMENT

- 2.1 The proposal involves the demolition of the existing commercial buildings and the erection of a new, 3 storey building comprising a retail unit of 251m² at ground floor and 8 residential flats above (4 x 1 bed and 4 x 2 bed). Six car parking spaces are also provided at ground floor level at the south-west end of the site, with access from Aldenham Road. Commercial and residential refuse stores are also provided together with a cycle store for the flats.

- 2.2 The proposal has been amended since it was first submitted, following discussions with officers and the receipt of objections. The main changes are as follows:

- i) Reduction in the number of flats from 9 to 8 with the deletion of the single flat at third floor level;
- ii) Redesign of the roof, replacing the two asymmetrical pitched roofs with 5, smaller, symmetrical pitched roofs;
- iii) Removal of 2 balconies from the northern corner of the building;
- iv) Addition of privacy screens to the retained rear balconies;
- v) Retention of the existing boundary wall at the rear of nos. 29 and 31, Chalk Hill.

3.0 RELEVANT PLANNING HISTORY

3.1 The following planning history is relevant to this application:

98/0415/9 – Planning permission granted for the erection of a first floor extension, use of part of first floor of no. 30 for Class A1 (Retail) and installation of new shopfront to no.26/28.

99/00665/COU – Planning permission granted for the use of ground floor for retail and storage.

4.0 PLANNING POLICIES

Development plan

4.1 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*;
- (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*.

4.2 The *Watford Local Plan Core Strategy 2006-31* was adopted in January 2013. The *Core Strategy* policies, together with the “saved policies” of the *Watford District Plan 2000* (adopted December 2003), constitute the “development plan” policies which, together with any relevant policies from the County Council’s *Waste Core Strategy* and the *Minerals Local Plan*, must be afforded considerable weight in decision making on planning applications. The following policies are relevant to this application.

4.3 Watford Local Plan Core Strategy 2006-31

- WBC1 Presumption in favour of sustainable development
- SS1 Spatial Strategy
- SPA4 Lower High Street

SD1	Sustainable Design
SD2	Water and Wastewater
SD3	Climate Change
SD4	Waste
TLC1	Retail and Commercial Leisure Development
HS1	Housing Supply and Residential Site Selection
HS2	Housing Mix
HS3	Affordable Housing
T2	Location of New Development
T3	Improving Accessibility
T4	Transport Assessments
INF1	Infrastructure Delivery and Planning Obligations
UD1	Delivering High Quality Design
UD2	Built heritage Conservation

4.4 **Watford District Plan 2000**

SE7	Waste Storage, Recovery and Recycling in New Development
SE20	Air Quality
SE21	Air Quality Management Areas
SE22	Noise
SE27	Flood Prevention
T10	Cycle Parking Standards
T21	Access and Servicing
T22	Car Parking Standards
T24	Residential Development
T26	Car Free Residential Development
S9	Non-Retail Uses in North Watford Shopping Centre/Local Shopping Frontages
U17	Setting of Conservation Areas

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

1	Strategy for the Provision of Waste Management Facilities
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- 1A Presumption in Favour of Sustainable Development
- 2 Waste Prevention and Reduction
- 12 Sustainable Design, Construction and Demolition

4.6 **Hertfordshire Minerals Local Plan Review 2002-2016**

No relevant policies.

4.7 **Supplementary Planning Documents**

The following Supplementary Planning Documents are relevant to the determination of this application, and must be taken into account as a material planning consideration.

4.8 *Residential Design Guide*

The Residential Design Guide was adopted in July 2014. It provides a robust set of design principles to assist in the creation and preservation of high quality residential environments in the Borough which will apply to proposals ranging from new individual dwellings to large-scale, mixed-use, town centre redevelopment schemes. The guide is a material consideration in the determination of relevant planning applications.

4.9 *Watford Character of Area Study*

The Watford Character of area Study was adopted in December 2011. It is a spatial study of the Borough based on broad historical character types. The study sets out the characteristics of each individual character area in the Borough, including green spaces. It is capable of constituting a material consideration in the determination of relevant planning applications.

4.10 **National Planning Policy Framework**

The National Planning Policy Framework sets out the Government's planning policies for England. The following provisions are relevant to the determination of this application, and must be taken into account as a material planning consideration:

Achieving sustainable development

The presumption in favour of sustainable development

Core planning principles

Section 1 Building a strong, competitive economy

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 12 Conserving and enhancing the historic environment

Decision taking

5.0 CONSULTATIONS

5.1 Neighbour consultations

Letters of notification were sent to 39 properties surrounding the site in Chalk Hill and Aldenham Road.

5.1.2 The following is a summary of the representations that have been received:

Number of original notifications:	39
Number of objections:	25
Number in support:	0
TOTAL REPRESENTATIONS:	25

The points that have been raised are summarised and considered in the table below. It should be noted that 9 of the objections come from those notified of the application, 12 are from residents within Oxhey Ward, and 4 from outside the Borough.

Representations	Officer's response
Loss of sunlight to houses in Aldenham Road and Chalk Hill.	The houses on the opposite side of Aldenham Road will not suffer loss of sunlight. The application site is sited to the north of these houses. Some rear windows in the flats and houses in Chalk Hill may suffer some loss of sunlight but this will be limited to bedroom windows.
Overlooking and loss of privacy to houses in Aldenham Road and Chalk Hill.	The houses on the opposite side of Aldenham Road will face the site across Aldenham Road. This is a normal relationship in urban areas and will not give rise to any undue loss of privacy. Overlooking and loss of privacy to the properties in Chalk Hill to the rear of the site has been mitigated through the siting and design of windows and privacy screens.
Will be affected by flooding problem in Aldenham Road.	The adjoining development at Brunel Court has been experiencing surface water flooding from the highway in Aldenham Road. This appears to be an issue with drainage in the highway.
Alter character of this plot of land.	The existing site has a negative effect on the character and appearance of the area. The proposed development will be a significant enhancement.
Loss of two local businesses.	It is not the purpose of the planning system to protect individual businesses. This is a private matter between the businesses and their landlord.
Impact on conservation area opposite.	It is considered that the proposal will have a positive impact on the character and

	appearance of the conservation area opposite the site.
Inadequate parking.	The site is in a highly sustainable location, a short distance from Bushey Station and numerous bus routes that serve the station.
Overspill parking will occur on roads in Oxhey village.	There is potential for additional on-street car parking to occur on surrounding roads. However, as only 2 flats have no car parking space, this is likely to be insignificant.
Increased traffic and congestion on roads.	Due to the small number of flats involved, any additional traffic generated will be insignificant in the context of existing traffic flows.
Scale and appearance of building not in keeping with surrounding buildings and local area.	The design has been amended from the original submission and is now considered to be in keeping with the surrounding area.
Loss of daylight and sunlight to properties opposite.	The proposed building, at 3 storeys, will not give rise to any loss of natural light to properties opposite.
No parking provision for customers, staff or deliveries.	This is correct. However, this is the same situation for the adjoining development at Owen Square which includes a Costcutter convenience store, pharmacy and coffee shop.
Lack of visibility for cars leaving the site.	Adequate visibility is provided for cars leaving the site and the Highway Authority have raised no objection.
Noise, disturbance and inconvenience to residents during construction phase.	There will be a degree of inconvenience during construction works as with all construction projects. Hours of working will be conditioned to minimise potential impacts.

Loss of view from 29, Aldenham Road.	It is not the role of the planning system to protect views. No.29 is sited 36m from the site on the opposite side of Aldenham Road.
Loss of light and privacy to rear office of 36 Aldenham Road.	This appears to relate to a ground floor side window to the rear of the barbers that occupies the ground floor of this property. The amendments made to the scheme will ensure no loss of privacy occurs. Any loss of light to this window would not merit a refusal of permission.
Loss of informal parking for residents and other customers allowed at the site.	This is not a relevant planning consideration. Any informal parking allowed by the current occupiers is at their discretion.
Loss of wall on boundary of 31, Chalk Hill.	In the amended scheme, this wall is now retained.
Additional burden on rail and health services.	The proposed development will be required to make a contribution under the Community Infrastructure Levy towards infrastructure.

5.1.3 Following receipt of these objections, amendments were made to the proposed scheme. All objectors were notified of the amended drawings and given a further 14 days to comment. A total of 25 additional letters have been received. These letters raise the same objections to the proposal as detailed above.

5.4 **Statutory publicity**

No statutory advertisement was required for this application.

5.5 **Technical consultations**

The following responses have been received from technical consultees:

5.5.1 Hertfordshire County Council (Highway Authority)

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

Condition 1:

Prior to commencement of the development details of the access arrangements and proposed gate to the car park shall be submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority.

Reason: In order to ensure that the approved development takes place in a manner having regard to highway safety.

Condition 2:

Prior to commencement of the development hereby approved the site vehicular access and parking areas shall be surfaced in a manner to the local planning authority's approval so as to ensure satisfactory arrangements shall be made for surface water from the site to be intercepted and disposed off separately so that it does not discharged onto the highway.

Reason: In the interest of highway safety

Condition 3:

Prior to commencement of the development the applicant shall submit a construction management plan to the Local Planning Authority for approval in writing. The construction management plan shall contain the phasing programme of the development, programme of works on site, area for construction vehicle parking and storage and delivery of materials within the development site. The phasing programme shall be carried out unless otherwise agreed in writing by the Planning Authority.

Reason: To minimise impact of construction process on the local environment and local highway network.

Comments:

Local Road Network

The site access is from Aldenham Road which is A411 and this section of the road forms part of the Bushey Arches Gyratory, a well known congestion hotspot within Watford. The Gyratory is controlled by signals and physical improvements are very limited. The section of the Aldenham Road in front the application site is a two lane one-way system where the lane adjacent to the site is towards Watford Town via Lower High Street or to Chalk Hill towards Bushey. The other lane turns towards Harrow. This section of Aldenham Road is relatively small in length and a number of cars changing lanes will take place to either to Watford/Bushey or Harrow in front of the site access.

Accessibility by other modes

The site is some 5 minutes walking distance from Oxhey Park. Bushey Railway Station is about 3 minutes walking distance from the site. 2 minutes walking distance are a number of bus stops in front of Bushey Station which serve a number of buses to various destinations. There are a number of convenient stores within easy walking distance from the site including DIY stores and Tesco Extra which is about 20 minutes walking from the site. Nursery, primary and secondary schools are within walking distance. The hospital is only a few minutes by bus and Watford Town Centre is within walking distance. Overall the site is in a sustainable location.

Policy Context

The National Planning Policy Framework (NPPF), sets out the Government's planning policies for England and how these are expected to be applied. It emphasises the fact that the purpose of planning is to help achieve sustainable development. It also places significant weight on the need to support economic growth through the planning system.

Key requirements of the NPPF to note when considering the impact of development on Transport are:

The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice of how they travel. Major developments to be supported by Transport Assessment, which should take into account: a) Opportunity for sustainable modes of transport, b) Safe and sustainable access to the site, c) Developments should be prevented or refused on transport Grounds only where the residual cumulative impacts of the development are severe. Overall NPPF is in favour of locating developments where they reduce the need to travel and where development protects and exploits opportunities for use of sustainable transport modes for movement of goods and people.

Hertfordshire County Council (HCC) Transport policies are set out in its Local Transport Plan 3 (LTP3) 2011-2031. The policy recognises that the design of new developments will have a major impact on the connectivity of development and the degree that sustainable modes can take the place of car journeys. The strategy places a strong emphasis on supporting sustainable modes and facilities attractive to bus movements, cycle and walking trips. The proposed development meets the National and Local Policy requirements due to its sustainable location.

Trip Generation

The proposed development is with 5 car parking and 1 disabled parking space (existing 8 parking spaces) is likely to generate 2/3 trips during peak hours. This level of trip is negligible when compared to the level of traffic flow along Aldenham Road.

Proposed Access

The applicant's proposal is for the parking area to be gated off from the main road. After pre-application consultation the applicant has agreed to locate the proposed gate 6m from the back of the footway to allow a space for a vehicle to wait within the curtilage of the site without obstruction of the public highway. Considering the location of the site in normal circumstances the highway authority would have resisted such a proposal, but the proposed parking provision is considered to be low to have any material impact. After pre application consultation the applicant has

agreed to remove the proposed lay-by along Aldenham Road which is no longer part of the planning application.

Conclusion: The highway authority does not wish to restrict the grant of consent subject to the above suggested conditions and highway informative.

5.5.2 Environmental Health

A) The following comments were received based upon the application submission:

i) Land contamination

The site has a proposed use that would be particularly vulnerable to the presence of contamination and therefore before the application can be considered, an appropriate Phase 1 report, commonly referred to as a desktop study, will need to be submitted.

If the Phase 1 report indicates contamination is or may be present, a Phase 2 intrusive soil investigation should be undertaken and submitted. This will assess the degree and nature of any contamination present and determine its potential for pollution of the water environment, and the risk to other receptors via a qualitative risk assessment. The method and extent of the investigation should be agreed with the local planning authority in consultation with the Environment Agency and the Council's Environmental Health Service beforehand. The investigation should be undertaken prior to the commencement of the development.

Depending on the results of the studies required by the above, a Remediation Strategy may be required. This will set out a timetable of works and the proposed means of dealing with any contamination, including provisions for monitoring any specified actions and validating the outcomes. It should then be submitted to and approved by the Local Planning Authority in consultation with the Environment Agency and the Council's Environmental Health Service before the development commences. The development may then proceed in strict accordance with the approved Remediation Strategy.

If during development contamination not previously identified is found to be present at the site, no further development shall be carried out. An investigation and risk assessment should be undertaken and where remediation is necessary a Remediation Strategy must be submitted and approved by the Local Planning Authority.

Following completion of remediation works, the developer should submit a Verification Report to the Local Planning Authority for approval. The Verification Report should provide confirmation that all measures outlined in the approved Remediation Strategy have been completed including where appropriate validation testing.

Please advise the applicant to follow the guidance contained in the document, "Technical Guide for Planning Applicants and Developers", which is available on the council's website.

ii) Noise

The report provided states that mitigation measures are needed in the form of the building structure and certain specification windows. However, I am concerned that in order to ensure adequate ventilation to the dwellings and in particular to the rooms facing onto the road the occupants will need to open the windows. Once the windows are opened then the noise attenuation they provide is compromised. This results in a situation where the occupier chooses between adequate ventilation with unacceptable noise or inadequate ventilation with acceptable noise levels. I ask that a condition be placed on that requires mechanical ventilation so that the occupiers can be adequately protected from the noise and have suitable ventilation so that the occupier has a choice of opening the windows or using the extract system.

May I suggest the following condition:

Provide and agree the specification of a mechanical extract system(s) to each of the residential units which is capable of providing background and rapid ventilation

for cooling of the accommodation without having to open windows at the front of the dwellings. Any ventilation system must not compromise the sound insulation of the façades. The applicant shall submit full details of the ventilation system and up to date plans for approval by the Environmental Health & Licensing Service prior to installation. Details of the siting of any extraction units, generators and other mechanical equipment likely to give rise to noise, should be submitted to the Head of Environment, Health & Licensing. Information should also be provided to identify noise attenuation measures to be incorporated to ensure these units do not give rise to a noise nuisance.

iii) Air Quality

Air quality needs to be considered in two ways:

1. Will the proposed development have an adverse effect on air quality?
2. Will the proposed development result in more people being exposed to poor air quality?

Looking at the first, guidance suggests that developments should only be refused on air quality grounds if they are likely to have a significant adverse effect on air quality. It is difficult to be certain about future concentrations so predictions are usually based on likely traffic flows. In addition, guidance produced by Environmental Protection UK suggests that the impact of developments should be described as follows:

Magnitude of Change	Annual Mean
Large	Increase/decrease >10%
Medium	Increase/decrease 5 - 10%
Small	Increase/decrease 1 - 5%
Imperceptible	Increase/decrease < 1%

In this case, bearing in mind the current level of traffic flow and the fact that the development is for one retail unit and eight residential units with 6 car parking spaces (which I am making the presumption are for the residential units only meaning that vehicle movements to and from them will be less than if they are customer parking spaces), it is unlikely to lead to significant changes in traffic. Accordingly I do not think that there will be significant changes in air quality concentrations so there is insufficient reason to object in this area but I would ask that a condition is put on that requires the car park spaces to be for residential use only to prevent this changing in the future and increasing traffic flows.

May I suggest the following condition:

Car park spaces serving the property shall only be used in connection with the residential accommodation units. They must not be used for any purposes associated with the commercial part of the property.

Considering the exposure, the premises is adjacent to an Air Quality Management Area, I have attached a map to show this. The premises has properties to its north and south which are within the AQM area. At the time of the last air quality assessment this property was commercial and that is potentially why it has not been included in the AQMA alongside the adjacent residential properties. The new proposed development will be residential. I am concerned that if this proposal goes ahead then the occupants of the flats will be exposed to air quality concentrations above the health related Air Quality Objectives but without a more detailed assessment I cannot be certain.

As a responsible Local Authority we should not be granting planning permission for a premises where the occupants may be exposed to air pollution that may affect their health. As the premises is not currently within the AQMA I believe that there are insufficient grounds to object but ask for a condition that requires an assessment to be carried out and that if occupants will be exposed to air quality concentrations above the health related Air Quality Objectives that mitigation measures are agreed with environmental health and are implemented.

[Following this advice, the applicant submitted an Air Quality Assessment which Environmental Health have commented on – see below]

5.5.3 B) The following additional and revised comments were received following submission of the Air Quality Assessment report:

i) Air Quality

Bearing in mind the contents of the air quality report I wish to suggest the following conditions to replace the condition I suggested in my previous comments in relation to Air Quality:

1. Ensure that the windows to the road facing façades at first floor and second floor levels are unopenable.

2. Provide and agree the specification of a mechanical air supply/extract system which is capable of providing background and rapid ventilation for cooling each of the residential dwellings on the first and second floors of the premises without having to open windows. The air delivered to the occupiers of the residential units through this system should have an annual mean NO₂ concentration of 40ug/m³ or less. Details of the siting of any air intake; extraction units; generators and other mechanical equipment serving this system that are likely to give rise to noise should be submitted, along with details of noise attenuation measures to be incorporated to ensure these units do not give rise to a noise nuisance. The applicant shall submit full details of this ventilation system and up to date plans for approval by the Environmental Health & Licensing Service prior to the commencement of works.

3. Alternatively to points 1 and 2 above, provide evidence in the form of an air quality assessment, to include site specific monitoring data, that the occupants of the residential units will not be exposed to air quality concentrations above the health related air quality objectives as set down in UK legislation and guidance. Agree the methodology for this assessment and monitoring with the Environmental Health and Licensing Service before the assessment/monitoring commences.

4. Submit a construction environmental management plan to include the construction mitigation measures detailed in the Air Quality Assessment dated 30th September 2015 Reference of Job number 245754-00.

ii) Noise

In relation to noise issues I would like to propose the following conditions to replace those I suggested in my previous comments in order to align up the noise and air conditions and ensure that the noise mitigation measures are implemented.

1. Provide and agree the specification of a mechanical air supply/extract system which is capable of providing background and rapid ventilation for cooling to each of the residential dwellings on the first and second floors of the premises without having to open windows at the front of the dwellings. Any ventilation system must not compromise the sound insulation of the façades. Details of the siting of any air intake; extraction units; generators and other mechanical equipment serving this system that are likely to give rise to noise should be submitted, along with details of noise attenuation measures to be incorporated to ensure these units do not give rise to a noise nuisance. The applicant shall submit full details of this ventilation system and up to date plans for approval by the Environmental Health & Licensing Service prior to the commencement of works.

2. All non-glazed elements of the building facades are to have a sound reduction performance of at least the figures shown in Table 5.2 of the noise impact assessment report submitted for the planning application reference No. X240-01; Project No. X240; July 2015

3. All glazed elements of the building facades are to have a sound reduction index of at least the figures shown in table 5.3 of the noise impact assessment report submitted for the planning application reference No. X240-01; Project No. X240; July 2015

6.0 APPRAISAL

6.1 Main issues

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

- (a) Principle of the development and proposed uses.
- (b) Scale, design and impact on the character and appearance of the area.
- (c) Quality of accommodation and amenity of future residents.
- (d) Impacts on neighbouring properties.
- (e) Traffic, highways and parking impacts.

6.2 (a) Principle of the development and proposed uses

6.2.1 The site is in close proximity to Bushey Station with good access to passenger transport and is also within the local shopping parade on Chalk Hill/Aldenham Road. Its location close to the station supports in principle higher density development with a focus on sustainable transport. Within the local shopping parade, there is no objection in principle to residential uses above appropriate ground floor commercial uses. As such, the proposed ground floor retail use with 2 floors of residential accommodation above accords with the policies of the NPPF and the Core Strategy and is acceptable in principle.

6.2.2 The two existing commercial uses will be lost from the site, assuming they do not occupy the new floorspace. The Council's policies do not seek to protect specific occupiers and neither of the occupiers (Tile Depot and Harp Windows) specifically need to be located within a local shopping parade or close to the station. They do not provide local day-to-day convenience goods and do not supply products that rely on passing trade. There is, therefore, no objection to the loss of these particular occupiers.

6.3 (b) Scale, design and impact on the character and appearance of the area

6.3.1 The surrounding area is characterised by two and three storey buildings with some larger elements on the adjoining Owen Square/Edinburgh Mews development to the south-west. This development, completed a few years ago, is largely 3 storey but includes 4 and 5 storey buildings where levels change across the site. Three

storey buildings are also found on Ye Corner to the north-east at the junction of Chalk Hill and Aldenham Road. The buildings adjoining the site to the rear on Chalk Hill, to the north-east and opposite on Aldenham Road are all two storey. In this context, the redevelopment of the site with a 3 storey building is considered appropriate and acceptable. It will compliment the scale of existing buildings and will sit comfortably within the streetscene.

6.3.2 The existing site contributes little to the streetscene with the frontage to Aldenham Road largely open and the buildings sited around the boundaries of the site. Only the building at the north-eastern end of the frontage, occupied by Harp Windows, provides a meaningful frontage to the highway. The central open part of the site, used for parking and deliveries, has an area of approximately 250m² and comprises concrete hardstanding, and has a significant negative impact on the streetscene. It is also unsightly when viewed from the conservation area opposite.

6.3.3 The proposed three storey building is appropriate in scale for this road and presents a strong frontage to Aldenham Road comprising 5 symmetrical pitched roofs. The building continues the existing building line on this side of the road and 'fills in' the large gap in the streetscene formed by the existing development. The design also gives the building a distinct vertical rhythm which reflects the vertical rhythm of surrounding Victorian buildings. This is an approach that was used successfully on the adjoining Owen Square/Edinburgh Mews development.

6.3.4 Overall, it is considered that the proposal will make a positive contribution to the streetscene and surrounding area and will enhance the setting of the conservation area opposite the site.

6.4 (c) Quality of accommodation and amenity of future residents

6.4.1 Each of the first and second floors of the development comprise 4 flats. All of the flats are dual aspect and accord with the internal floorareas of the Residential Design Guide. Each of the 1 bed flats will have an area of 52-55m² (minimum 37m²) and each of the 2 bed flats an area of 75-78m² (minimum 61m²). Living areas, kitchens and bathrooms are located towards the front of the site and all

bedrooms to the rear. Consequently, all of the flats will have good internal layout and good levels of outlook and natural light.

6.4.2 With regard to privacy, the rear bedroom windows do not achieve a minimum facing distance of 27.5m to the rear facing bedroom windows in the properties fronting Chalk Hill. In order to prevent overlooking and loss of privacy between the existing and proposed dwellings, the development incorporates angled windows and privacy screens which are considered sufficient to give good levels of privacy to the proposed flats. This is discussed in more detail below.

6.4.3 Aldenham Road is a very busy, A Class route into Watford and carries high levels of traffic throughout the day. Consequently, the site experiences significant levels of road traffic noise and air pollution. A noise impact assessment has been submitted with the application. Recorded ambient noise levels at the boundary of the site with Aldenham Road were 62LAeq,T (equivalent A-weighted continuous sound level). The recommended maximum levels for internal rooms, as set out in BS8233:2014, are as follows:

Activity	Location	LAeq,T dB (07.00-23.00)
Resting	Living Room	35 dB (A)
Dining	Dining Room	40 dB(A)
Sleeping	Bedroom	35 dB(A)

6.4.4 Mitigation measures are proposed to achieve these internal noise levels comprising enhanced double glazed windows on the front elevation. These can be secured by condition. These measures are considered acceptable by Environmental Health. Environmental Health have also requested mechanical ventilation to the rooms with this enhanced glazing, to allow the rooms to be adequately ventilated (both background ventilation and rapid ventilation for cooling and odour removal) without the need to open the windows.

6.4.5 With regard to air quality and the impact this may have on future occupiers, an air quality assessment has been submitted by the applicant following the comments from Environmental Health and discussions with your planning officers. This assessment has been based on current legislation and guidance and the Council's air quality monitoring figures from its two monitoring stations on Chalk Hill (adjoining Bushey Arches) and Aldenham Road (outside The Railway Arms public house). These stations monitor air pollution from road traffic. The methodology was agreed with Environmental Health in advance of the assessment being prepared. The Council's monitoring figures show that the annual mean nitrogen dioxide concentrations of $49\mu\text{g}/\text{m}^2$ on Aldenham Road exceed the national objective threshold concentrations of $40\mu\text{g}/\text{m}^2$. As such, the assessment proposes mitigation measures to protect the future occupiers from these elevated concentrations. The proposed mitigation measures are that the windows on the front elevation of the building facing Aldenham Road are non-opening and the flats are built with a mechanical ventilation system that will allow them to be adequately ventilated (both background ventilation and rapid ventilation for cooling and odour removal) without the need to open windows. These mitigation measures are similar to those required to mitigate noise and have been agreed by Environmental Health. A single system can be used to mitigate both noise and air quality impacts and can be secured by condition.

6.5 (d) Impacts on neighbouring properties

6.5.1 The proposed development is surrounded by a number of existing properties. The potential impacts are discussed below.

6.5.2 i) Brunel Court

This is a recent three storey building (part of Edinburgh Mews) adjoining the south-western boundary of the site. The flank wall facing the site contains no windows and the proposal will have adverse impact on this building.

6.5.3 ii) 31-35, Aldenham Road (opposite the site)

These properties comprise a short terrace of two storey houses opposite the site. They will face the proposed development at a distance of 15m across Aldenham

Road. This relationship is very similar to that of the houses at 19-23a, Aldenham Road which face the three storey Brunel Court at a distance of 14m. These distances are typical of those found in urban areas and, as such, the proposed development will have no adverse impacts on these houses.

6.5.4 iii) 32-36, Aldenham Road

This is a short terrace of commercial properties adjoining the north-eastern corner of the site. Nos. 32 and 34 are currently vacant. The only window facing towards the site is a ground floor side window in no.36, which gives light to the rear of the barber's shop that occupies the ground floor. Any loss of outlook or light to this window is not considered significant as it is a non-residential property and the main outlook and light is from the shop window. It would not merit a refusal of permission.

6.5.5 iv) 33-35, Chalk Hill

These properties are two storey and face Chalk Hill. They comprise ground floor commercial use, occupied as a double unit by Thwaites classical stringed instruments, with single storey rear extensions on both properties extending to the rear boundary of the site. At first floor level, each property contains 3 self-contained flats with the main habitable room windows facing Chalk Hill. Bedroom windows appear to be located to the rear at first floor level. Both properties have a dormer window in the rear roofslope indicating a bedroom at this level also.

6.5.6 The proposed development will have a greater impact on these rear facing windows than the existing buildings on the application site, due to it being three storeys in height. In terms of outlook and natural light, the windows that would be affected most are those at first floor level. These appear to be bedrooms and the impact on these windows is less significant than it would be for living/dining room windows. These are located on the front elevation. The dormer windows at roof level would not be affected to any significant degree.

6.5.7 In terms of privacy, the proposed development incorporates angled windows to the 3 windows at first and second floor level that could give rise to overlooking and loss

of privacy to the adjoining flats. These angled windows ensure no direct overlooking can occur. The rear elevation of the proposed building also incorporates rear balconies to some of the flats, sited further away from these properties. In order to prevent direct overlooking, various privacy screens have been incorporated. These will also prevent direct overlooking from the windows.

6.5.8 Overall, it is considered that the proposed building will have no significant adverse impacts on the amenities of the existing flats.

6.5.9 v) 29-31, Chalk Hill

These properties are located further down Chalk Hill and comprise two terraced houses. They abut the rear boundary of the application site at its south-western corner. This boundary is marked by an existing 4.5m high wall which forms part of the rear elevation of the existing buildings on the application site. This wall is covered in ivy on the elevation facing the gardens of these properties and provides significant screening and privacy to the gardens. One of the occupiers, at no.31, has objected to the loss of this wall and has requested its retention. There is also a significant tree in the garden of no.31 close to the boundary, which is shown to be retained (it is outside the application site boundary).

6.5.10 Amendments to the application after submission include the retention of this wall, which has a substantial construction. The privacy to the existing gardens afforded by this wall and the existing tree (which could potentially have been damaged by the removal of the wall), will be retained. This wall is sufficient to provide privacy to the garden areas from the proposed development and no additional measures are proposed. This is considered acceptable.

6.6 (e) Traffic, highways and parking impacts

6.6.1 This section of Aldenham Road forms part of the Bushey Arches gyratory system, a one way system incorporating parts of Chalk Hill, Aldenham Road and Pinner Road. Traffic flows around this gyratory are high and congestion and queuing is often significant throughout the day. The existing open area within the site is used for parking and servicing associated with the existing commercial uses. Eight

formal parking spaces are marked out on the site. The proposal will incorporate 6 car parking spaces for the residential flats. This reduction in the number of car parking spaces and the change in their use is likely to generate fewer vehicle movements than the existing use. In any event, any increase in vehicle movements is likely to be very small and insignificant in the context of existing traffic flows.

- 6.6.2 The existing units can be serviced from the open central area of the site. With all the parking spaces occupied, commercial vehicles are unlikely to be able to enter and leave the site in forward gear. Under the proposed development, no on-site servicing will be possible and all servicing will need to take place from the highway. At present, this section of Aldenham Road is subject to single yellow lines which allow servicing to take place on the highway. Given the level of servicing is likely to be limited, the Highway Authority are satisfied with this arrangement.
- 6.6.3 The proposed 6 car parking spaces are below the Council's maximum standards contained in the Watford District Plan 2000. The maximum provision for the proposed development would be 11 spaces for the residential and 6 spaces for the retail unit. The site is in a highly sustainable location, very close to Bushey Station (London Midland and London Overground rail services) and the bus stops serving the station (9 routes, including the town centre, Watford Junction, Brent Cross and north London), with a convenience store and pharmacy located in the adjoining development, a newsagent at Bushey Station, two local public houses and other local shops and services within the shopping parade. As such, the level of parking provision is considered acceptable.
- 6.6.4 Despite the sustainable location of the site, there is a potential for overspill car parking to take place on surrounding roads as there is no controlled parking zone on the residential roads to the south-east. These roads tend to be heavily parked during the day with residents and commuters' cars and during the evening with residents' cars. As local residents have rejected any controlled parking zone on these roads, there is no on-street control in place. However, as the overspill parking is only likely to occur from the 2 flats without car parking provision, the level of potential overspill parking will be limited. Combined with the sustainable location of

the site, any additional impacts are not considered sufficient to merit a refusal of permission.

7.0 COMMUNITY INFRASTRUCTURE LEVY AND PLANNING OBLIGATION

7.1 Community Infrastructure Levy (CIL)

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

Liability to CIL does not arise in the case of a development where the increase in gross internal area is less than 100sqm, unless the development comprises one or more dwellings. In this case, the CIL charge applicable to the proposed development is:

Watford Charging Schedule

Type of Development	CIL Rate
Residential	£120 per sqm
Retail (Class A1 – A5)	£120 per sqm

The charge is based on the net increase of the gross internal floor area of the proposed development. Exemptions can be sought for charities, social housing and self-build housing. If any of these exemptions is applied for and granted, the CIL liability can be reduced.

In accordance with s.70 of the Town and Country Planning Act 1990, as amended by s.143 of the Localism Act 2011, a local planning authority, in determining a planning application, must have regard to any local finance consideration, so far as

material to the application. A local finance consideration is defined as including a CIL charge that the relevant authority has received, or will or could receive. Potential CIL liability can therefore be a material consideration and can be taken into account in the determination of the application.

7.2 **S.106 planning obligation**

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. On and from this date, s.106 planning obligations can only be used to secure affordable housing provision and other site specific requirements, such as the removal of entitlement to parking permits in Controlled Parking Zones and the provision of fire hydrants. In this case, there is no requirement for a planning obligation.

8.0 **CONCLUSION**

- 8.1 The proposal is for the erection of a 3 storey, mixed-use development on this site, located within a local shopping parade and in close proximity to Bushey Station. There is no objection in principle to the proposed uses or the scale and density of development in this location, which has good accessibility to passenger transport and local convenience services. The proposed development will enhance the character and appearance of the streetscene and the local area, including the setting of the Oxhey Conservation Area situated on the opposite side of Aldenham Road. The level of car parking provision is appropriate in this sustainable location and the Highway Authority has raised no objection to the proposal on the grounds of traffic generation or highway safety.
- 8.2 The site is subject to high noise levels and poor air quality from road traffic on Aldenham Road. Mitigation measures are proposed to address these issues which are considered acceptable by Environmental Health. Subject to these measures, the proposal will provide a good level of amenity for future residents. The scale and design of the proposal will ensure it will have no significant adverse impacts on the amenities of adjoining properties.
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9.0 HUMAN RIGHTS IMPLICATIONS

- 9.1 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.

10.0 RECOMMENDATION

That planning permission be granted subject to the following conditions:

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

ALD-DS-00-00-DR-A-S001 P1, S002 P0, S003 P0

ALD-DS-00-01-DR-A-S004 P0

ALD-DS-00-02-DR-A-S005 P0

ALD-DS-00-ZZ-DR-A-S020 P0, S030 P0

ALD-DS-00-GF-DR-A-P100 P1

ALD-DS-00-01-DR-A-P101 P1

ALD-DS-00-02-DR-A-P102 P1

ALD-DS-00-03-DR-A-P103 P1

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

3. No demolition or construction works shall take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturdays, or at any time 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.

4. No demolition or construction works shall commence within the site until an Environmental Management Plan has been submitted to and approved by the Local Planning Authority for the relevant demolition and construction phases. Each Plan shall include details of temporary access for demolition/construction vehicles, contractors parking, the delivery and storage of materials, measures to mitigate noise, measures to mitigate dust (as set out in the Air Quality Assessment by Arup dated 30 September 2015), wheel washing facilities, plant and equipment and a contact procedure for complaints. Each Plan as approved shall be implemented throughout the relevant demolition and construction periods.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties and prevent obstruction of the adjoining highway during the time that the demolition and construction phases. This is a pre-commencement condition as these details need to be agreed with the Local Planning Authority before the works commence.

5. No demolition works shall commence until a detailed method statement for the retention of the existing wall adjoining the boundary with 29-31, Chalk Hill has been submitted to and approved in writing by the Local Planning Authority. The demolition works shall only be undertaken in accordance with the approved method

statement. The wall shall be retained at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the retention of this wall which prevents overlooking and loss of privacy to the adjoining garden areas.

6. No construction works shall commence until details of the materials to be used for all the external finishes of the new building, including all external walls, roofs, doors, windows, balconies and privacy screens, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved materials.

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

7. All windows at first and second floor levels on the front façade of the building facing Aldenham Road shall be non-opening and shall be retained as such at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure good indoor ambient noise levels are achieved in accordance with BS 8233:2014 and an acceptable level of air quality is achieved in accordance with EU and national air quality limit values for the future occupiers of the dwellings.

8. No development shall commence until the specification of a mechanical air supply/extract system for each of the residential dwellings on the first and second floors of the premises has been submitted to and approved in writing by the Local Planning Authority. The system must be capable of providing background and rapid ventilation for cooling with the windows on the front elevation facing Aldenham Road being non-opening. The air delivered to the occupiers of the residential units through this system should have an annual mean nitrogen dioxide (NO₂) concentration of 40ug/m³ or less. The system must not compromise the sound insulation of the façades. Details of the siting of any air intake; extraction

units; generators and other mechanical equipment serving this system that are likely to give rise to noise should be submitted, along with details of noise attenuation measures to be incorporated to ensure these units do not give rise to a noise nuisance. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure good indoor ambient noise levels are achieved in accordance with BS 8233:2014 and an acceptable level of air quality is achieved in accordance with EU and national air quality limit values for the future occupiers of the dwellings.

9. No development shall commence until a noise mitigation scheme for the proposed residential dwellings on the first and second floors, based upon the recommendations of the Noise Impact Assessment by Ardent Consulting Engineers dated July 2015 (Ref. No. X240-01; Project No. X240; July 2015) has been submitted to and approved by the Local Planning Authority. The scheme shall include the details and specifications of the sound reduction performance of all glazed and non-glazed elements of the building facades. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure good indoor ambient noise levels are achieved in accordance with BS 8233:2014 for the future occupiers of the dwellings.

10. No demolition or construction works shall commence until a detailed scheme to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- i) a preliminary risk assessment (PRA) which has identified:
- all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors

- potentially unacceptable risks arising from contamination at the site;
- ii) where the PRA in (i) above identifies the need for further investigation, a site investigation scheme to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
 - iii) where a site investigation scheme referred to in (ii) above is required, the results of the site investigation and risk assessment and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
 - iv) where a remediation strategy referred to in (iii) above is required, a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

No changes to these components shall be undertaken without the written approval of the Local Planning Authority. All works shall be carried out in accordance with the approved details.

Reason: In the interests of the health of the future occupiers of the site and to prevent pollution of controlled waters (the site is within Source Protection Zone 2) in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

11. Where a remediation strategy has been approved pursuant to Condition 3, no construction works shall commence until a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of

pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To verify that all contamination has been successfully removed from site following all remediation works in the interests of the health of the future occupiers of the site and to prevent pollution of controlled waters (the site is within Source Protection Zone 2) in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

12. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to, and obtained written approval from, the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination is to be dealt with. All works shall be carried out in accordance with the approved details.

Reason: In the interests of the health of the future occupiers of the site and to prevent pollution of controlled waters (the site is within Source Protection Zone 2), in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

13. No part of the development shall be occupied until details of the new vehicular crossover on Aldenham Road to serve the residential car parking, as shown in principle on drawing no. ALD-DS-00-GF-DR-A-P100 P1, have been submitted to and approved in writing by the Local Planning Authority, and the access has been constructed in full. The details shall include the drainage of the parking area to ensure no surface water discharges onto the highway.

Reason: To ensure safe and adequate vehicular and pedestrian access to the development and in the interests of highway safety, in accordance with Policy T4 of the Watford Local Plan Core Strategy 2006-31.

14. No part of the development shall be occupied until the existing vehicular crossover on Aldenham Road has been closed off and the adjacent footways and kerbs reinstated.

Reason: To ensure safe and adequate vehicular and pedestrian access to the development and in the interests of highway safety, in accordance with Policy T4 of the Watford Local Plan Core Strategy 2006-31.

15. No gate shall be installed at the entrance to the residential car parking area except in accordance with such details and specifications of the gate, including the operating mechanism and noise levels during operation, as have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the operation of the gate or barrier does not give rise to noise nuisance to the residential occupiers.

16. No part of the development shall be occupied until the 6 car parking spaces shown on the approved drawings (unless otherwise approved in writing by the Local Planning Authority) have been laid out and constructed in full. These spaces shall be retained at all times for the parking of cars of the residential occupiers only.

Reason: To ensure adequate parking facilities are provided on the site and to minimise any additional on-street car parking, in accordance with saved Policies T22 and T24 of the Watford District Plan 2000.

17. No part of the development shall be occupied until the bin stores for the commercial use and the residential flats have been provided in accordance with the approved drawings (unless otherwise approved in writing by the Local Planning Authority). The stores shall be retained at all times for bin storage only and shall not be used for any other purpose.

Reason: To ensure adequate facilities are provided for the occupiers of the site and in the interests of the visual appearance of the site and its impact on the street

scene and character of the surrounding area, in accordance with Policies SD1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

18. No part of the development shall be occupied until details of a shelter for the cycle storage shown on the approved drawings, for a minimum of 8 cycles and providing weather protection, has been submitted to and approved in writing by the Local Planning Authority and the shelter and cycle storage facilities have been provided in full. These shall be retained at all times.

Reason: To ensure adequate facilities are provided for the occupiers of the site and in the interests of the visual appearance of the site, in accordance with Policies SD1 and UD1 of the Watford Local Plan Core Strategy 2006-31 and saved Policies T10 and T21 of the Watford District Plan 2000.

19. No flat shall be occupied until the privacy screens at first and second floor level on the rear balconies have been installed, as shown on the approved drawings. These screens shall accord with the details approved under Condition 6 of this permission.

Reason: To prevent overlooking and loss of privacy to the adjoining properties.

20. No part of the development shall be occupied until details of the green roof, including its long term maintenance, have been submitted to and approved in writing by the Local Planning Authority, and the green roof has been installed as approved. It shall be maintained at all times in accordance with the approved maintenance plan.

Reason: In the interests of the visual amenity of the occupiers of the flats.

21. The green roof, as shown on approved drawing no. ALD-DS-00-01-DR-A-P101 P1, shall not be accessible at any time to occupiers of the flats or the commercial unit. Access to the green roof shall only be for the purposes of maintenance or repair.

Reason: To prevent overlooking and loss of privacy to the adjoining properties.

22. The ground floor commercial unit fronting Aldenham Road shall only be used for purposes within Class A1 (shops) or Class A2 (financial and professional services) of the Town and Country Planning (Use Classes) Order 1987 (as amended) unless otherwise agreed in writing by the Local Planning Authority.

Reason: The site is within a designated local shopping frontage on the Proposals Map of the Watford District Plan 2000 and to accord with Policy S7 of the Watford District Plan 2000.

23. No external plant or equipment shall be installed on the building unless details of the type, size, siting and noise levels of the plant or equipment have been submitted to and approved in writing by the Local Planning Authority. The plant or equipment shall only be installed in accordance with the approved details.

Reason: In the interests of the visual appearance of the development and the amenities of the occupiers of the flats.

24. The windows on the north eastern elevation at first and second floor level shall be fixed shut and fitted with obscured glass at all times.

Reason: To prevent overlooking and loss of privacy to the adjoining properties.

Informatives

1. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended. 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.

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

3. Provisions should be made to remove all unwanted materials from site.
 - A licensed waste disposal company can be used to collect and dispose of waste.
 - Developers can only take waste to a licensed waste disposal site themselves if they have a licence to carry waste.
 - In both cases all Waste Transfer Notes must be retained.
 - Waste can only be treated on site I.e. burnt if the developer has a licence to treat waste.

All of the mentioned licences are issued by the Environment Agency. If the developer does have a license to treat waste on site by burning then dark smoke cannot be omitted at any time - this is an offence. In addition if smoke from bonfires on site cause a statutory nuisance enforcement action will be taken.

4. In respect of Conditions 7, 8 and 9, any request by the applicant to vary these requirements must be accompanied by an air quality assessment based upon up-to-date site specific monitoring data. The methodology for this assessment and monitoring must be agreed with the Environmental Health and Licensing Service before the assessment/monitoring commences. The assessment must include details of alternative mitigation measures and demonstrate that they will not result in the future occupants of the residential units being exposed to air quality concentrations above the health related air quality objectives, as set down in UK

legislation and guidance, or internal noise levels that exceed those set out in BS 8233:2014.

Drawing numbers

ALD-DS-00-00-DR-A-S001 P1, S002 P0, S003 P0

ALD-DS-00-01-DR-A-S004 P0

ALD-DS-00-02-DR-A-S005 P0

ALD-DS-00-ZZ-DR-A-S020 P0, S030 P0

ALD-DS-00-GF-DR-A-P100 P1

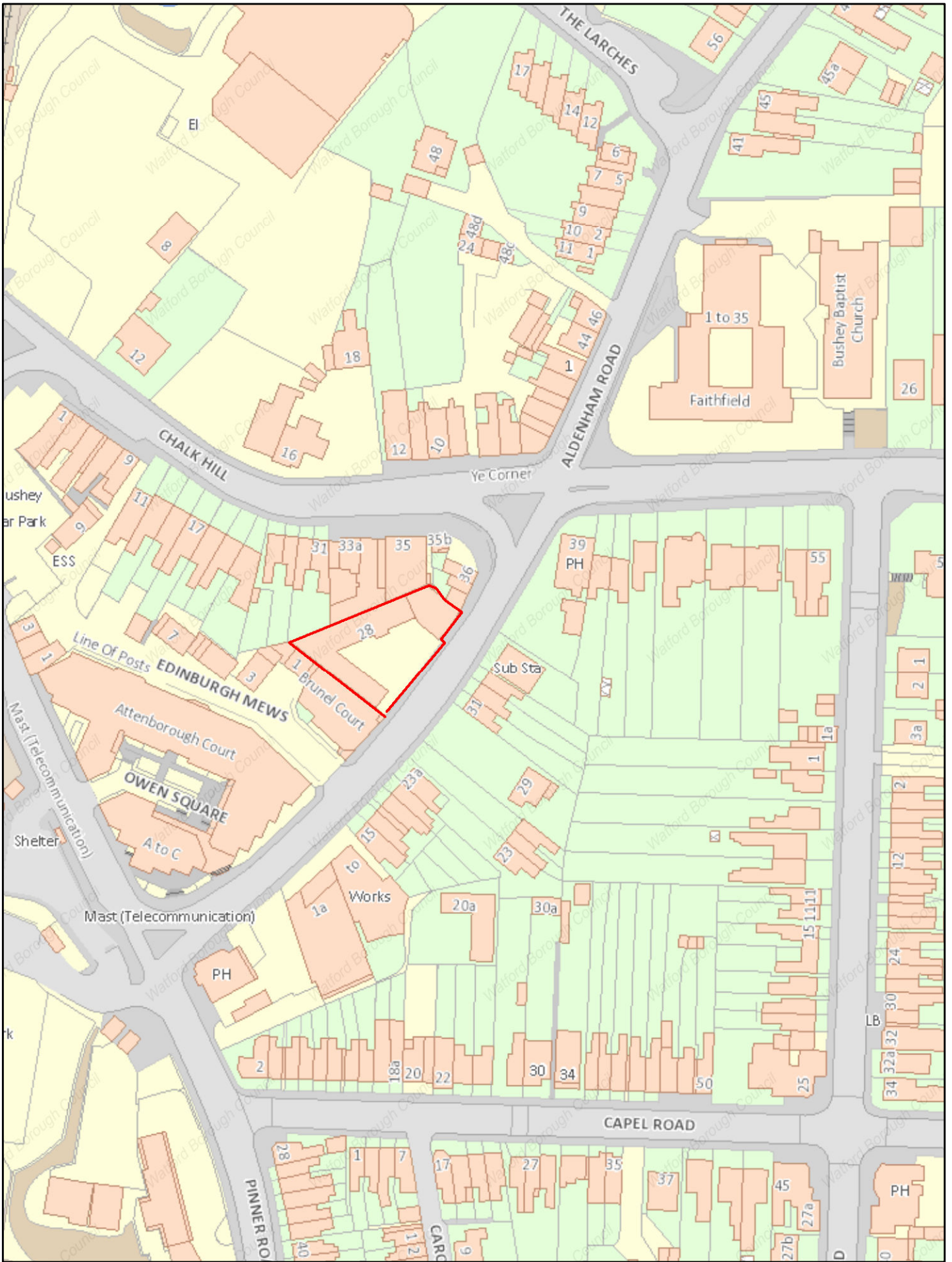
ALD-DS-00-01-DR-A-P101 P1

ALD-DS-00-02-DR-A-P102 P1

ALD-DS-00-03-DR-A-P103 P1

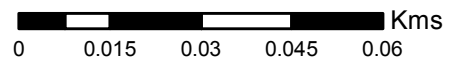
ALD-DS-00-ZZ-DR-A-P200 P1, P201 P1, P202 P1, P210 P1, P300 P1

Case Officer: Paul Baxter
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Tel: 01923 278284



26-30 Aldenham Road

Date: 20/10/2015



Scale 1:1,250



PART A	
Report of: DEVELOPMENT MANAGEMENT SECTION HEAD	
Date of committee	29th October 2015
Site address:	28-46 Hemming Way, Watford
Reference Number :	15/00719/FULM
Description of Development:	Demolition of 10 existing bungalows and erection of two, three storey blocks comprising 32 one and two bedroom flats and a community garden.
Applicant	Watford Community Housing Trust
Date Received:	15th May 2015
13 week date (major):	14th August 2015 (extended to 2nd November 2015 by agreement)
Ward:	Stanborough

1.0 SITE AND SURROUNDINGS

- 1.1 The application site includes the existing 10 bungalows, comprising two terraces of 5 bungalows, located on the eastern side of Hemming Way opposite the junction with Goodrich Close. The bungalows were built in the 1920's. The site also includes an area of open space to the rear of the bungalows, forming part of Leavesden Green Recreation Ground, the public highway in front of the bungalows, and the crescent of open space and landscaping between the two arms of Hemming Way. The site also includes the western pedestrian entrance to the recreation ground which runs between the two terraces.
- 1.2 The application site is located centrally within the Leavesden Green estate. The eastern part of the estate, including the bungalows and the recreation ground, were

constructed in the 1920's. The western part of the estate was constructed in the 1950's. The estate is characterised by two storey family houses in pairs and short terraces with a high degree of uniformity in scale and design, having been built to standard design patterns. Typically the houses have hipped roofs with brick or render finishes with front gardens which give a spacious feel to the estate. The roads are generally wide incorporating grass verges and street trees.

2.0 PROPOSED DEVELOPMENT

2.1 The proposal involves several elements:

- The demolition of the existing 10 bungalows.
- The erection of two L-shaped, 3 storey blocks of flats either side of the pedestrian entrance to the recreation ground providing 32 flats (6 x 1 bed and 26 x 2 bed). The northern block (Block A) will comprise 15 flats and the southern block (Block B) will comprise 17 flats. These blocks will be built on the site of the bungalows and the area of open space to the rear.
- The widening and improvement of the pedestrian entrance to the recreation ground.
- The closure and stopping up of the highway in front of the bungalows and the incorporation of the land into an enlarged and improved area of public open space in front of the flats.
- The provision of new on-street and off-street car parking.

2.2 The proposed blocks will have a contemporary design incorporating shallow pitched roofs to the front and flat roofs to the rear. The main entrances to each block will be sited off the widened pedestrian access to the recreation ground and each block will include a private amenity area to the rear. Car parking will be provided on the western side of the crescent of Hemming Way that will remain, in two short turning heads at either end of the section of Hemming Way that is to be closed off, and in a small parking court to the rear of Block A. The new flats will all be affordable housing.

2.3 The open space to the rear of the bungalows is currently in the ownership of Watford Council. The transfer of this land to the Trust will need to be subject to a separate legal agreement. The stopping up of the highway in front of the bungalows will need to be formally approved by the Secretary of State for Transport through the relevant statutory process under either Section 247 of the Town and Country Planning Act 1990 or Section 117 of the Highways Act 1980. Both of these legal procedures will need to be completed before any development can take place.

3.0 RELEVANT PLANNING HISTORY

3.1 There is no planning history of relevance to the current application.

4.0 PLANNING POLICIES

Development plan

4.1 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*;
- (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*.

4.2 The *Watford Local Plan Core Strategy 2006-31* was adopted in January 2013. The *Core Strategy* policies, together with the “saved policies” of the *Watford District Plan 2000* (adopted December 2003), constitute the “development plan” policies which, together with any relevant policies from the County Council’s *Waste Core Strategy* and the *Minerals Local Plan*, must be afforded considerable weight in decision making on planning applications. The following policies are relevant to this application.

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

WBC1	Presumption in favour of sustainable development
SS1	Spatial Strategy
SD1	Sustainable Design
SD2	Water and Wastewater
SD3	Climate Change
SD4	Waste
HS1	Housing Supply and Residential Site Selection
HS2	Housing Mix
HS3	Affordable Housing
T2	Location of New Development
T3	Improving Accessibility
INF1	Infrastructure Delivery and Planning Obligations
UD1	Delivering High Quality Design
GI1	Green Infrastructure
GI3	Biodiversity
GI4	Sport and Recreation

4.4 **Watford District Plan 2000**

SE7	Waste Storage, Recovery and Recycling in New Development
SE27	Flood Prevention
SE28	Groundwater Quality
SE36	Replacement Trees and Hedgerows
SE37	Protection of Trees, Woodlands and Hedgerows
SE39	Tree and Hedgerow Provision in New Development
T10	Cycle Parking Standards
T21	Access and Servicing
T22	Car Parking Standards
T24	Residential Development
H10	Planning Agreements for Educational and Community Facilities
H16	Retention of Affordable Housing
L8	Open Space Provision in Housing Development
L9	Children's Play Space

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

No relevant policies.

- 1 Strategy for the Provision of Waste Management Facilities
- 1A Presumption in Favour of Sustainable Development
- 2 Waste Prevention and Reduction
- 12 Sustainable Design, Construction and Demolition

4.6 Hertfordshire Minerals Local Plan Review 2002-2016

No relevant policies.

4.7 Supplementary Planning Documents

The following Supplementary Planning Documents are relevant to the determination of this application, and must be taken into account as a material planning consideration.

4.8 *Residential Design Guide*

The Residential Design Guide was adopted in July 2014. It provides a robust set of design principles to assist in the creation and preservation of high quality residential environments in the Borough which will apply to proposals ranging from new individual dwellings to large-scale, mixed-use, town centre redevelopment schemes. The guide is a material consideration in the determination of relevant planning applications.

4.9 *Watford Character of Area Study*

The Watford Character of area Study was adopted in December 2011. It is a spatial study of the Borough based on broad historical character types. The study sets out the characteristics of each individual character area in the Borough, including green spaces. It is capable of constituting a material consideration in the determination of relevant planning applications.

4.10 *SPG10 Open Space Provision*

This guidance sets out the standards of open space provision required per thousand population as part of new developments. The guidance was adopted in October 2001 and is a material consideration in the determination of relevant planning applications.

4.11 **National Planning Policy Framework**

The National Planning Policy Framework sets out the Government's planning policies for England. The following provisions are relevant to the determination of this application, and must be taken into account as a material planning consideration:

Achieving sustainable development

The presumption in favour of sustainable development

Core planning principles

Section 1 Building a strong, competitive economy

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 13 Facilitating the sustainable use of minerals

Decision taking

5.0 **CONSULTATIONS**

5.1 **Neighbour consultations**

Letters were sent to properties in Hemming Way, Goodrich Close, Rushton Avenue and Clarke Green.

5.2 The following is a summary of the representations that have been received:

Number of original notifications:	125
Number of objections:	13
Number in support:	0
Number of representations:	13

The points that have been raised are summarised and considered in the table below. It should be noted that 3 of the objections are from addresses that are not within the Leavesden Green estate. Also, in 3 cases, 2 objections have been received from the same property. Objections have therefore been received from 7 properties within the estate. It has been stated by several objectors that a petition signed by 517 people was raised against the development but this has not been submitted to the Local Planning Authority.

Representations	Officer's response
Loss of 10 bungalows that are a feature of the estate. Bungalows should be replaced with new bungalows.	The bungalows are unique within the estate but due to their small scale, don't form any strong feature within the streetscene or urban fabric of the estate. There would be no objection in principle to new bungalows being provided although this would not be a reason to refuse the application. Smaller affordable units are being provided within the new development which are accessible and therefore could be occupied by current tenants.
Flats will give area an inner city feel. Out of place with area. Large and hideous design. Look like office blocks.	The flats are of an appropriate scale and design for a residential area. Many residential areas within the town include 3 storey flats and town houses. Whilst the design is different to the existing houses, the

	design is considered to be of a high quality.
Loss of part of the open space will set a precedent.	There are considered to be significant planning and housing benefits to justify the loss in this case. Each case must be considered on its merits with the loss of open space weighed against the benefits arising. This is discussed in more detail in this report.
Reduction in size of recreation ground will limit future use.	The small areas of open space lost will not impact on any existing or future use of the recreation ground. The alterations to the pathway will improve access to the recreation ground.
Flats will back onto children's play area. Overlooking and intimidating.	It is not considered that the proximity of the flats to the play area will have any adverse impact on its use. The play area will be visible from some of the flats which will add to the passive surveillance of the play area and recreation ground.
Loss of light to adjoining properties.	The proposed blocks will not give rise to any significant or adverse loss of light to adjoining properties.
Sewerage system will be overwhelmed.	Thames Water have raised no objection regarding sewerage capacity.
Closing part of Hemming Way will inhibit traffic flows and may cause problems for emergency vehicles.	Herts County Council as the Highway Authority has raised no objections to the proposal. The western crescent of Hemming Way that will remain meets current highway standards and is acceptable for all traffic that can be expected to use it. The provision of new parking bays will also remove existing on-street parking that narrows this

	section of the road.
Loss of parking spaces and additional parking demand in an area with a severe shortage of parking. Knock on effect to surrounding roads.	The submitted parking survey analyses the current and predicted parking situation and is discussed in detail in the report.
The development should provide an extra 61 parking spaces.	Based upon the Council's standards, the maximum provision is 46.5 spaces.
Overlooking of adjoining gardens.	The proposed flats will not give rise to any significant or adverse overlooking of garden areas.
Disruption during construction works.	Any new development is likely to cause some disruption, however this can be managed and mitigated with an appropriate construction management plan, which will be conditioned.
Schools will not be able to cope with additional children.	Following the introduction of the CIL charging schedule, separate contributions towards schools can no longer be sought.

A number of other comments have been made that are not material planning considerations and cannot be taken into account: immoral way in which the Trust have sought to evict tenants; residents in their 90's being evicted; residents suffering severe stress, anxiety and health problems because of eviction; Trust has misled tenants; tenants do not want to leave their homes; Trust has stated tenants unable to look after their gardens; Trust has stated the bungalows are too small and cold; proposed affordable housing will not be affordable; properties could be sub-let by tenants to make profit; influx of new people could lead to anti-social behaviour and crime.

The Committee will be advised of any additional representations received after the date this report was written.

5.3 **Statutory publicity**

The application was publicised by 3 site notices posted on 03 June 2015 and by advertisement in the Watford Observer published on 29 May 2015. The site notice period expired on 24 June 2015 and the newspaper advertisement period expired on 19 June 2015.

5.4 **Technical consultations**

The following responses have been received from technical consultees:

No technical consultations were necessary in respect of this application.

Hertfordshire County Council (Highway Authority)

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

Conditions

1. As proposal, between no.24-48 Hemming Way should be permanently stopped up to vehicular traffic and the highway reinstated to the satisfaction of the Local Planning Authority before first occupation of the dwellings hereby approved.

Reason: in the interest of road safety.

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

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

3. The development shall not begin until details of the disposal of surface water from the car park provisions 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 highway users.

4. Prior to the commencement of the site works details of on-site parking for all contractors, sub-contractors, visitors and delivery vehicles shall be approved in writing by the Local Planning Authority in conjunction with the Highway Authority and that area shall be maintained available for use at all times during the period of site works. Reason: To minimise danger, obstruction and inconvenience to users of the highway. Informative:

Advisory Note - The applicant is advised that any stopping up of exiting highway rights will need to be agreed with the Secretary of State for Transport, Government Office for the East of England, under Section 247 of the Town and Country Planning Act 1990, or by application to the Highway Authority for the stopping up of highway land via the magistrates court under section 117 of Highways Act 1980. Any works undertaken on the site prior to the construction of this stopping up order will be at the applicant's risk entirely. The proposals are not considered to result in any severe adverse impact on the public highway and are considered acceptable to the Highway Authority.

Thames Water

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

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

Hertfordshire County Council (Lead Local Flood Authority)

Objected to the original application on the grounds that no surface water drainage assessment had been submitted. The applicant then commissioned a study and provided additional information which was submitted to the LLFA who commented as follows:

In response to the updated drainage strategy prepared by Price and Myers (job number 24258 revision 03 dated October 2015), submitted by the applicant after the response by the LLFA dated September 25th 2015, we remove our objection on flood risk grounds. At this full planning application stage the applicant has provided sufficient detail to demonstrate that there is a feasible drainage scheme for the site, including attenuation volumes and exploring the most appropriate sustainable drainage methods such as green and brown roofs, permeable pavements and soakaways.

As this is a full planning application, we therefore recommend the following conditions to the local planning authority should planning permission be granted:

Condition 1

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measures as detailed in the FRA submitted with this application are implemented and secured by way of a planning condition on any planning permission.

Condition:

The development permitted by this planning permission shall be carried out in accordance with the drainage strategy prepared by Price and Myers dated October, 2015 and mitigation measures detailed within the drainage strategy:

1. Implementing appropriate SuDS measures giving priority to above ground measures such as green and brown roofs, permeable pavements and soakaways, as shown in Appendix D of the new drainage strategy prepared by Price and Myers.
2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 120.9 m³ of total storage volume in two soakaways, as shown in appendix C of the revised surface water drainage strategy.

3. Discharge of surface water via infiltration from the two soakaways.
4. Commitment by the applicant to the SuDS maintenance programme included in section 4.5 of the revised FRA

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason:

To prevent flooding by ensuring the satisfactory disposal of surface water from the site.

Condition 2

The proposed development will be acceptable if a planning condition is included requiring the following drainage details.

Condition:

No development shall take place until the final design of the soakaways, permeable pavements and green and brown roofs; and the drainage network is completed and sent to the LPA for approval. Between both soakaways, a storage volume of 120.9 m³ should be provided. The design of all SuDS elements should be in line with best practice standards as shown in *The SuDS Manual*.

The design of the drainage shall also include:

1. Detailed engineering details of the design of the proposed SuDS features in line with *The SuDS Manual* (CIRIA C-697).

Reason:

To ensure that the site can effectively be drained during the lifetime of the development; and to ensure that water treatment is provided to surface runoff before infiltrating into the ground.

Hertfordshire Constabulary (Crime Prevention Design Advisor)

Comments:

Block A – Has a communal garden at the rear which appears open to the side parking area. There should be some fencing (perhaps railing) providing separation between the garden area and the parking area. The rear amenity area for Block B appears suitably fenced off.

Secured by Design – From communication with Black Architecture, I understand that if planning permission is granted that the client wishes for the development to be built to the physical security standards of Secured by Design, which I am pleased with. Building to the physical security of Secured by Design, which is the police approved minimum security standard, has been shown consistently to reduce the potential for burglary by 50% to 75%.

Otherwise, as regards designing out crime, on the basis of the information available I am content with the application.

Policy (Design and Conservation)

The existing houses are not designated heritage assets and I have no objection to their demolition. The proposed new development takes advantages of the spatial characteristics of the site and represents a good quality contemporary design solution. It intensifies housing development within the site boundary without harming the wider character of the area and arguably enhances the route between the street and the public open space.

The site is of sufficient scale to allow a design solution that generates a new identity for the site and does not need to follow an unimaginative pastiche of the existing local architectural vernacular. I would support the contemporary design proposed,

including the flat roofs, as a more honest and robust form of architecture. Altering the roofs to have pitched forms will dilute the architectural style and result in roof forms that are bigger and therefore unnecessarily overbearing to the existing houses.

I would advise that bin and cycle stores need to be secure and weather tight, while additional trees should be added to landscape the parking at the front of the site. Three additional trees could be added in the three obvious spaces by the entrance and exit points to the northern and southern car parks. These would help break up the expanse of parking and better integrate the spaces into the wider landscape.

Housing Supply Manager

The site would provide 32 units but at the loss of 10, so a net gain of 22.

The site will provide 6 x 1 bedroom and 26 x 2 bedroom properties. Two bedroom properties are where we have the most need. The units which will be lost are 1 bedroom bungalows for over 60s, which are not considered high need.

In respect of the tenure we are losing 10 social rented properties, the replaced units will be just 3 social rent the remaining 29 being affordable rents. So a net loss of 7 social rent tenancies

We should not allow a loss in social rented units without good reason. WCHT do not need to purchase the land so should have lower initial costs, and based on that I was expecting to see a higher number of social rented units than 3.

Having briefly spoken to WCHT regarding the above, I am told that their board will always look to provide social rented above affordable rents, but to increase the number of social rented above 3 would make the site unviable. Although they do not have to buy the land there are additional costs on the site for example extensive landscaping.

So with a net gain of 22 and a gain of 2 bedrooms properties we would support the application as it stands, but would also like assurance that what WCHT say as to the site costs and 3 being the maximum social rented viable is correct.

6.0 APPRAISAL

6.1 Main issues

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

- (a) The loss of the existing bungalows and the provision of additional affordable housing on this site.
- (b) The loss of open space from the recreation ground.
- (c) Design, appearance and the character of the area.
- (d) The quality of the new accommodation provided.
- (e) Highways impacts and car parking provision.
- (f) Impact on amenity of adjoining residential properties.
- (g) Sustainable surface water drainage.
- (h) Landscaping.

6.2 (a) The loss of the existing bungalows and the provision of additional affordable housing on this site.

6.2.1 There is no policy objection to the loss of the existing 10 bungalows. They are the only bungalows on the estate and whilst they do meet a need, this is not the greatest need identified by either the Trust or the Council's Housing team. The greatest need in terms of accommodation size, for affordable housing, is 2 bed, 4 person accommodation with some need for 1 bed, 2 person accommodation. The Trust has identified the site of the bungalows as an opportunity to provide a significant increase in the amount of accommodation and make better and more efficient use of this land. This is an approach that is in accordance with the general thrust of Government advice in the NPPF and the Council's Core Strategy. It is also an opportunity to replace the current accommodation built in the 1920's with modern, high quality accommodation.

6.2.2 The Leavesden Green estate is characterised by 3 bedroom family housing and there is no identified need for the bungalows to be replaced with 3 bedroom family housing. The proposed flats will meet an identified need for 2 bed accommodation and will add a greater mix of accommodation to the overall estate whilst still providing for families.

6.2.3 The proposed development is for the 32 new flats to comprise 3 units for social rent (generally 55-60% of market rent) and 29 units for affordable rent (up to 80% of market rent). The Council's Housing team has raised concerns regarding the net loss of 7 social rented units, given the high and rising cost of market rents in Watford. Based purely on an assessment of the scheme against Policy HS3 of the Core Strategy, a minimum of 11 affordable housing units are required (35%) with an approximate breakdown of 2 social rented, 7 affordable rented and 2 shared ownership. In this respect, the provision of 3 social rented is policy compliant, notwithstanding the fact that the provision of 100% affordable housing constitutes a very significant planning and housing benefit.

6.2.4 The Trust have responded to these concerns with a short statement on viability of the scheme and the latest position regarding rent levels and funding from the Homes and Communities Agency (HCA):

6.2.5 *Viability:*

The Trust assesses viability of its new developments on a 45 year cash flow against 3 parameters: net present value, time taken for revenue to exceed costs and the year of loan repayment. To qualify, and ensure that projects contribute to a sustainable business plan for the Trust, each must meet the following criteria:

NPV = or > 0

Revenue exceeding costs Year 15

Loan repaid Year 40

Since beginning a development programme, the Trust has completed 101 new homes throughout Watford and Three Rivers. All developments have been 100%

rented tenure, with the exception of our market rent project at One Clarendon Road.

Affordable rents are always set within Local Housing Allowance cap levels. To meet our appraisal parameters the Trust has had to restrict the quantity of social rent provided to just above the WBC policy level. The original proposed rents (inclusive of service charges) are shown in Table 1:

<i>Unit</i>	<i>Tenure</i>	<i>% Market Rent</i>	<i>Original Proposal Initial Rent (per week/52 weeks)</i>	<i>LHA cap (per week)</i>
<i>1B2P flat</i>	<i>Social</i>	<i>-</i>	<i>£113.88</i>	<i>£156.00</i>
<i>1B2P flat</i>	<i>Affordable</i>	<i>80%</i>	<i>£148</i>	<i>£156.00</i>
<i>2B4P flat</i>	<i>Affordable</i>	<i>80%</i>	<i>£180</i>	<i>£196.96</i>

6.2.6 Government budget announcement on rent levels:

From April 2016, the Trust's rental income stream on the proposed scheme will be reducing by 1% year on year for the first four years. The policy heralds a big change for the housing sector. The Trust is undertaking financial modelling to assess the overall impact the policy will have on our business plan. As with all other Registered Providers, the Trust is waiting for guidance from the Homes and Communities Agency as the rent changes will have significant repercussions to the 15-18 programme and its cash flow. The impact may involve switching units from affordable to more viable tenures such as shared ownership and market products to reduce the deficit.

This change in policy already has a negative impact on the scheme as currently proposed and to provide additional social rented units in this environment is not a viable option.

Included in the construction costs, there is considerable investment in the amenity and landscaping improvements to improve the entrance to the park and the additional landscaping requirements. Longer term, the proposal aims to improve the pedestrian link between Hemming Way and Rushton Avenue using similar landscaping materials.

6.2.8 The submitted information is very helpful in understanding the financial difficulty in providing additional social rented units which is not a tenure supported by additional funding. Whilst the overall loss of 7 social rented units is regrettable, the gain of 22 affordable units remains a significant planning and housing gain.

6.3 (b) The loss of open space from the recreation ground.

6.3.1 The proposal will involve a 'land swap' with the Council. The Council currently own the recreation ground and the Trust own the crescent of open space bounded on all sides by Hemming Way. The intention is for the Trust to acquire ownership of the open space immediately to the rear of the bungalows and, in return, the Council to acquire ownership of the crescent of open space.

6.3.2 The land to the rear of the bungalows is formed by the shorter garden areas of the bungalows compared to the houses adjoining them (12m compared to 25m). This results in a somewhat odd 'extension' of the open space on this western side, 13m deep and 82m long which has no particular use. Within the recreation ground (area of 17,500m²), the southern part includes an equipped children's play area (1600m²), and a hard court multi-use games area (MUGA). The northern part is open grass which can be marked out for a football pitch. These facilities will be unaffected by the proposal.

6.3.3 The area of open space to the rear of the bungalows is 1197m², including the footpath, and the crescent of open space is 1257m², including the footpath but excluding the parking spaces. As such, this is a very even land swap in terms of area. All of the land is open to public use at present, despite being in different ownerships. As a result of the proposal, the open space to the rear will be lost,

being partially built on and partially used as private amenity areas for the blocks of flats. Overall, therefore, there will be a loss of open space in the locality.

- 6.3.4 Policy GI1 of the Core Strategy states that the Council will seek a net gain in the quality and quantity of green infrastructure as well as recognising the benefits of existing green infrastructure and seeking to enhance and improve it. New development should contribute to the delivery of new green infrastructure and the management of a linked network of enhanced open spaces and corridors. It continues that, in some instances, an improvement in the overall quality of green infrastructure may make it acceptable for minor open space loss, and that this should be considered on a case-by-case basis.
- 6.3.5 The proposal will result in a quantitative loss of open space from the recreation ground (6.8% of area) and no qualitative improvement. However, this needs to be considered against the other benefits of the scheme, arising through being able to incorporate the open space to the rear of the bungalows. Firstly, the main benefit is the gain in affordable housing of 22 units, which has been discussed above.
- 6.3.6 Secondly, the pedestrian entrance to the recreation ground is to be significantly improved. At present the main entrance to the recreation ground is from the south, alongside the Leavesden Green Community Centre. There are also entrances from the east and west (through the application site) linked by an east-west footpath across the recreation ground. Both of these entrances are poor quality and inconspicuous within the streetscene. The existing western entrance is a 1m wide footpath with 1m wide grass verges either side, set between the garden fences of the adjoining bungalows. The entrance itself is marked by a staggered barrier to prevent access by vehicles. Under the application proposal, this will be widened to a 2.8m footpath with 4.8m wide landscaped verges either side, set between the proposed two blocks. Overall, the blocks will be set 16m apart. This will create the effect of a wide avenue into the recreation ground with the two proposed blocks acting as gateway features, marking the entrance within the streetscene.
- 6.3.7 Thirdly, with the removal of the section of highway through the site, the crescent of

open space will have a direct link to the enhanced entrance and the recreation ground, almost forming an extension of the recreation ground 'spilling out' into the estate.

6.3.8 Overall, the proposed scheme will result in significant housing and environmental benefits without having any adverse impact on the use of the recreation ground or its existing facilities. Although the proposal will not result in any direct quantitative or qualitative improvements to the recreation ground, it is considered that these cumulative benefits outweigh the loss of the open space in this case.

6.4 (c) Design, appearance and the character of the area.

6.4.1 The existing estate was built in the 1920's and 1950's, largely to standard pattern book designs. The estate therefore has a high degree of uniformity but lacks any aesthetic quality or distinctiveness. In considering the development of the site, and with one of the aims to significantly improve the entrance to the recreation ground, there is little merit in seeking to replicate the existing vernacular. The approach taken has been to introduce two larger scale, contemporary blocks to act as gateway features to the entrance of the recreation ground and which will form high quality features within the streetscene and the wider estate. This is an approach that has been supported by the Design and Conservation Manager within the Policy team.

6.4.2 The blocks continue the strong building line on Hemming Way and also incorporate a strong horizontal 'eaves line' at first floor level to reflect the eaves line of the adjoining houses. This is marked by slightly extruded bays along the facades. The design of the blocks is simple and robust, incorporating a strong verticality and symmetry in the siting of the windows and recessed balconies. To further enhance the new entrance to the recreation ground, the main entrances to both blocks are sited off the footpath, increasing the use and passive surveillance of this footpath. This will further encourage the use of the footpath to access the recreation ground and create a safer environment, discouraging anti-social behaviour.

6.4.3 The blocks relate well to the adjoining houses to the north and south. The northern

block is sited away from the site boundary in order to incorporate a small parking court whilst the southern block sets down to two storeys adjacent to the existing houses. In both cases, the proposed blocks will sit comfortably adjacent to their neighbours without appearing visually dominant within the streetscene.

6.4.4 As originally submitted, the two L-shaped blocks were entirely flat roofed, incorporating brown roofs and solar photovoltaic panels. However, following submission of the application, the Trust undertook further consultation with local residents, who expressed concern regarding the flat roofs and requested pitched roofs be incorporated into the design. This could have had a number of adverse consequences, including eroding the robust contemporary design approach, large and awkward roof forms and the loss of opportunity to incorporate significant numbers of solar panels. The solution has been to incorporate shallow pitched roofs on the front elements of the blocks facing Hemming Way and retaining the flat roofs to the rear elements. This has the benefit of softening the appearance from Hemming Way and acknowledging the characteristic pitched roofs on the estate, avoiding large and awkward roof forms and minimising the loss of opportunity for solar panels. This is considered to be an acceptable and appropriate response to the local area.

6.4.5 Overall, it is considered that the proposed blocks will enhance the character and appearance of the streetscene and the wider estate.

6.5 (d) The quality of the new accommodation provided.

6.5.1 The proposed flats will all have dual aspect, with those in the front elements facing Hemming Way having an east-west orientation and those in the rear elements having a north-south orientation. Each flat will, therefore, have an aspect over the public realm and an aspect over the private garden areas. All will also receive good levels of natural daylight and sunlight as well as having good levels of privacy and outlook. Those flats at ground floor level will also benefit from small garden areas which will provide a suitable separation between their windows the adjoining footpaths.

- 6.5.2 All of the flats will exceed the internal floorspace standards in the Residential Design Guide. All of the one bedroom flats will have a floorarea of 50m² and all of the two bedroom flats a floorarea of 70m², compared to the respective minimum areas of 37m² and 61m² in the Residential Design Guide. All of the flats will have a recessed balcony of 5.1m² accessed off the main living area and an internal storage cupboard.
- 6.5.3 Both of the blocks will have private communal amenity areas to the rear. Block A will have an area of 190m² and Block B an area of 290m². The minimum garden areas for each block based upon the Residential Design Guide are 275m² and 305m² respectively. Whilst neither amenity area achieves the minimum standard, if the private balcony areas are also included, the total area for each block increases to 266m² and 376m² respectively. Overall, this level of provision is considered acceptable for each block.
- 6.5.4 Both blocks have separate bin stores and cycle stores within their curtilage and are of sufficient size to accommodate the required number of bins and cycles. Details can be secured by conditions.
- 6.6 (e) Highways impacts and car parking provision.
- 6.6.1 Hertfordshire County Council as the Highway Authority has raised no objection to the closure of the section of Hemming Way in front of the bungalows. Traffic will still be able to flow freely along Hemming Way around the crescent that links to the junction with Goodrich Close. Pedestrian access will be maintained across the site as part of the proposal, linking with the enhanced footpath leading to the recreation ground. The revised parking arrangements around the crescent will be a modification and enhancement of existing arrangements and will have no additional safety implications.
- 6.6.2 The main concern of residents is regarding car parking provision and the Trust has submitted a car parking survey with the application. The current situation is that the existing bungalows have no on-site parking spaces except one, where a parking space has been provided within the front garden area. However, opposite the

bungalows, on the eastern side of the crescent, are two parking bays, each accommodating 5 cars. On the western side of the crescent are two further parking bays, each sufficient for 7 cars. All other parking is on-street except where the front garden areas of properties have been paved to provide parking.

6.6.3 The closure of the section of Hemming Way will result in the loss of 31 parking spaces; the existing two parking bays on the eastern side of the crescent (10 spaces), the existing on-site space at no.36 and the existing on-street parking availability on Hemming Way (20 spaces). The proposal will incorporate new parking provision within 3 small parking courts (24 spaces) and through the extension of the parking bays on the western side of Hemming Way (10 additional spaces). Based upon the Council's current maximum car parking standards, the development would be expected to provide up to 46.5 spaces. Based upon the Census 2011 data for car ownership within the surrounding area (comprising 2,000 households) the predicted level of car ownership arising from the development is 47 cars.

6.6.4 The main consideration, therefore, is whether the additional parking spaces that have been provided to support the development and the remaining on-street capacity are sufficient to support the number of additional dwellings (22) proposed without having a significant adverse impact on the parking situation on the surrounding roads. The proposal will result in a net loss of 5 parking spaces on Hemming Way (see table below) and generate an additional demand for up to 34 spaces from the net gain of 22 dwellings.

	Existing	Proposed	Net change
On-site	1	6	+5
On-street (E)	20	0	-20
On-street (W)	8	0	-8
Parking bays (E)	10	18	+8
Parking bays (W)	14	24	+10
Total	53	48	-5

6.6.5 The parking survey undertaken followed the same format as those undertaken for the recent planning applications by the Trust at Boundary Way and Lincoln Court, utilising the model developed by Lambeth Council and which is now widely used for parking surveys.

The first stage established the survey area as all kerb space within 200m of the application site. This included the whole of Hemming Way, Goodrich Close and Summerfield Road, and small sections of Clarke Way and Harris Way around their junctions with Hemming Way. The capacity of all parking bays and unrestricted on-street kerb space was then recorded within the survey area to calculate the maximum capacity of parking within the area. This excluded any on-street parking that would block existing accesses or which was deemed to be unsafe.

6.6.6 Two overnight parking surveys were then undertaken on Thursday 26th and Friday 27th February 2015 at 01.00am to establish the existing level of parking demand (or parking stress as a percentage of existing capacity) from local residents. The results as an average of both surveys are set out below:

Street name	Overnight average		
	Total parking spaces	Cars parked	Parking stress (%)
Hemming Way	110	56	51%
Goodrich Close	31	27	85%
Summerfield Road	32	13	41%
Clarke Way	26	14	54%
Harris Road	26	11	42%
Total	225	121	54%

6.6.7 This survey data shows that the average parking stress was 54% within the survey area with Goodrich Close experiencing the highest stress at 85%. Hemming Way experienced a stress of 51%.

6.6.8 To assess the parking stress with the proposed development, the on-street parking generated by the current 9 bungalows without car parking (9 x 1 bed units will generate 11 spaces, based upon the Council's parking standards) needs to be subtracted from the recorded figures for Hemming Way (56-11=45) and the parking generated by the proposed development (47 spaces) needs to be added. This gives a revised figure of 92 parked cars on Hemming Way. The net loss of 5 spaces also needs to be deducted from the total parking spaces available (110-5=105). The predicted parking stress figures for the proposed development are set out in the table below.

6.6.9 This shows that the parking stress on Hemming Way will increase significantly as a result of the proposal, from 51% to 88%, but with a predicted 13 on-street spaces still available. In addition, further spaces will remain available within the survey area.

Street name	Overnight average		
	Total parking spaces	Cars parked	Parking stress (%)
Hemming Way	105	92	88%
Goodrich Close	31	27	85%
Summerfield Road	32	13	41%
Clarke Way	26	14	54%
Harris Road	26	11	42%
Total	225	121	72%

6.7 (f) Impact on amenity of adjoining residential properties.

6.7.1 Both blocks have a depth of 11.2m at their closest point to adjoining houses to the north and south. In the case of Block A, the block is sited 8.8m from the site boundary and 9.7m from the flank elevation of the house at 48, Hemming Way.

This house has a depth of 7.2m. As such, the proposed block does not encroach within a 45° line taken from the nearest window in this property and will have no adverse impact on outlook or natural light to this property. The nearest windows in Block A facing towards this property are the north facing windows in the rear element which face the rear garden at a distance of 21m. This distance is considered sufficient to prevent any significant loss of privacy to the garden.

6.7.2 The small parking court to Block A and its access will abut the whole length of the boundary with 48, Hemming Way. This will be a significant change to the existing garden area of the bungalow and the open space to the rear. This will only be visible from the first floor rear windows and is considered acceptable in terms of outlook. As the car park serves only 6 parking spaces, any noise and disturbance from vehicles will be minimal and not considered significant.

6.7.3 Block B is sited 2.8m from the southern boundary and 4.6m from the adjoining house at 26, Hemming Way. With a projection of 4m beyond the rear elevation of the house, it will not encroach within a 45° line taken from the nearest window in this property and will have no adverse impact on outlook or natural light to this property. Although the block is sited only 2.8m from the boundary, the visual impact of the projection will be mitigated by its two storey height at this point. It is not considered that the block will appear visually overdominant when viewed from the garden area. The nearest windows in Block B facing towards this property are the south facing windows in the rear element which face the rear garden at a distance of 20m. This distance is considered sufficient to prevent any significant loss of privacy to the garden.

6.8 (g) Sustainable surface water drainage.

6.8.1 In April 2015, the Government enacted legislation requiring all major developments to make provision for the sustainable management of surface water within application sites. The County Council as the Lead Local Flood Authority (LLFA) was also made a statutory consultee on all major applications for surface water drainage.

6.8.2 The applicant has submitted a surface water drainage scheme that incorporates the following measures to deal with surface water within the application site:

- i) Permeable paving to all footpaths and car parking areas.
- ii) Green and brown roofs.
- iii) Two soakaways within the area of grassed open space

The scheme has been designed to reflect the measured infiltration rates within the site and will avoid the need for any surface water to drain into the public sewer. This has been approved by the County Council as the Lead Local Flood Authority.

6.9 (h) Landscaping.

6.9.1 The proposed landscape masterplan seeks to define the communal open space as an 'arrival space' and highlight the route of the footpath into the recreation ground. This is achieved through the planting of a line of trees around the western crescent of the open space and pairs of trees along the footpath to create an avenue leading into the recreation. This tree planting will be supplemented by hedge and shrub planting and amenity grass. The planting will help to frame views, draw people into the 'arrival space' and lead people through to the recreation ground, whilst providing a high quality public space as part of the development.

6.9.2 The proposal will also incorporate a green, wildflower roof to the 2 storey element of Block B and 'brown roofs' to the 3 storey elements of both blocks.

6.9.3 A range of quality hard landscape features are also proposed, including paving, benches and lighting columns. These, together with the soft landscaping scheme, can be secured by condition.

7.0 **COMMUNITY INFRASTRUCTURE LEVY AND PLANNING OBLIGATION**

7.1 **Community Infrastructure Levy (CIL)**

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. The CIL charge covers a wide range of infrastructure as set out in the

Council's Regulation 123 list, including highways and transport improvements, education provision, youth facilities, childcare facilities, children's play space, adult care services, open space and sports facilities. CIL is chargeable on the relevant net additional floorspace created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted.

The CIL charge applicable to the proposed development is £120 per sqm.

The charge is based on the net increase of the gross internal floor area of the proposed development. Exemptions can be sought for charities, social housing and self-build housing. As the proposed development is intended to be all social housing, the scheme would not be liable for any CIL charge if this exemption were applied for.

In accordance with s.70 of the Town and Country Planning Act 1990, as amended by s.143 of the Localism Act 2011, a local planning authority, in determining a planning application, must have regard to any local finance consideration, so far as material to the application. A local finance consideration is defined as including a CIL charge that the relevant authority has received, or will or could receive. Potential CIL liability can therefore be a material consideration and can be taken into account in the determination of the application.

7.2 S.106 planning obligation

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. On and from this date, s.106 planning obligations can only be used to secure affordable housing provision and other site specific requirements.

The proposed development is one where affordable housing should be provided, in accordance with saved Policy H16 of the Watford District Plan 2000 and Policy HS3 of the Watford Local Plan Part 1 Core Strategy 2006-31. In addition, the proposed development is one where Hertfordshire County Council, in pursuance of its duty as the statutory Fire Authority to ensure fire fighting facilities are provided on new developments and that all dwellings are adequately served by fire hydrants

in the event of fire, seeks the provision of hydrants required to serve the proposed buildings by means of a planning obligation. The requirements for fire hydrant provision are set out within the County Council's *Planning Obligations Toolkit* document (2008) at paragraphs 12.33 and 12.34 (page 22). In practice, the need for hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

Under Regulation 122 of the Community Infrastructure Levy Regulations 2010, where a decision is made which results in planning permission being granted for development, a planning obligation may only constitute a reason for granting planning permission for that development if the obligation is:

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

The provision of affordable housing is directly related to the proposed development, and is fairly and reasonably related in scale and kind to that development. It is also necessary to make the development acceptable in accordance with the Council's planning policies.

As the County Council's requirement for the provision of fire hydrants accords with the provisions of the *Planning Obligations Toolkit*, this obligation is also directly related to the proposed development and is fairly and reasonably related in scale and kind to that development. It is also necessary to make the development acceptable in accordance with the County Council's statutory duty as the Fire Authority.

Accordingly, the provision of affordable housing and the County Council's requirement for fire hydrants meet the tests in Regulation 122 of the Community Infrastructure Regulations 2010, and, consequently, these planning obligations can

be taken into account as material planning considerations in the determination of the application. Both the Council's approach to seeking affordable housing provision and the provision of fire hydrants by means of planning obligations are also fully in accordance with the advice set out in paragraphs 203 to 205 of the National Planning Policy Framework.

The affordable housing requirement in this case is for a minimum of 11 units to be affordable, in accordance with Policy HS3.

8.0 CONCLUSION

8.1 The loss of the existing bungalows and the provision of new residential flats on this site is acceptable in principle within this residential area. The development will provide two high quality buildings on this site that will define a new entrance to the recreation ground and will enhance the street scene and the wider area. In this case, the loss of an area of open space from the recreation ground is considered justified by the significant gain in affordable accommodation that will arise.

8.2 The siting and design of the proposed buildings will ensure that they will have no adverse impact on surrounding residential properties. All of the proposed flats will have acceptable internal areas and layouts and will provide a good level of amenity for future occupiers. A detailed parking survey has been undertaken to demonstrate that the proposed parking provision and existing on-street parking capacity will be sufficient to accommodate the predicted increase in parking demand. Overall, the proposal accords with the policies of the local development plan and is considered to be acceptable.

9.0 HUMAN RIGHTS IMPLICATIONS

9.1 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.

10.0 RECOMMENDATION

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

Section 106 Heads of Terms

- i) To secure all 32 of the units as affordable housing for affordable rent and social rent.
- ii) To secure the provision of fire hydrants as required by the County Council to serve the development.

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

0408 PL 010, 011, 020A, 050, 100, 101, 102, 103A, 110, 200A, 201A, 202A, 300A, 400A, 401A, ALA265 L01 PL4, L05 PL2, L06 PL0.

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

3. No demolition or construction of the development hereby permitted shall take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturdays or at any time 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 saved Policy SE22 of the Watford District Plan 2000.

4. No demolition or construction works shall commence within the site until a Construction Environmental Management Plan has been submitted to and approved by the Local Planning Authority for the relevant demolition and construction phase. Each Plan shall include details of temporary access for demolition/construction vehicles, contractors parking, the delivery and storage of materials, measures to mitigate noise and dust, wheel washing facilities, plant and equipment and a contact procedure for complaints. Each Plan as approved shall be implemented throughout the relevant demolition and construction periods.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties and prevent obstruction of the adjoining highway during the time that the demolition and construction phases. This is a pre-commencement condition as these details need to be agreed with the Local Planning Authority before the works commence.

5. No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

6. No construction works shall commence until details of the materials to be used for all the external finishes of the building, including walls, roofs, doors, windows and balcony railings, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved materials.

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

7. The development permitted by this planning permission shall only be carried out in accordance with the drainage strategy prepared by Price and Myers dated October, 2015 and the mitigation measures detailed within the drainage strategy:
 - i) Implementing appropriate SuDS measures giving priority to above ground measures such as green and brown roofs, permeable pavements and soakaways, as shown in Appendix D of the new drainage strategy prepared by Price and Myers.
 - ii) Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 120.9 m³ of total storage volume in two soakaways, as shown in appendix C of the revised surface water drainage strategy.
 - iii) Discharge of surface water via infiltration from the two soakaways.

- iv) Commitment by the applicant to the SuDS maintenance programme included in section 4.5 of the revised FRA

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory disposal of surface water from the site.

- 8. No development shall take place until the final design of the soakaways, permeable pavements and green and brown roofs, and the drainage network has been submitted to and approved in writing by the Local Planning Authority. Between both soakaways, a storage volume of 120.9 m³ should be provided. The design of all SuDS elements including the detailed engineering design should be in line with best practice standards as shown in *The SuDS Manual* (CIRIA C-697).

Reason: To ensure that the site can effectively be drained during the lifetime of the development; and to ensure that water treatment is provided to surface runoff before infiltrating into the ground.

- 9. No part of the development shall be occupied until full details of a soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. This shall include the retention of existing trees and hedging where possible and measures to enhance the ecological biodiversity of the site. The approved landscaping scheme shall be carried out not 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 and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

10. No part of the development shall be occupied until full details of a hard landscaping scheme, including details of all site boundary treatments and all fencing within the site, have been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details.

Reason: In the interests of the visual appearance of the site and the local area, and to provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access, in accordance with saved Policy T21 of the Watford District Plan 2000 and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

11. No part of either building shall be occupied until details of the size, design and appearance of the respective bin store and the cycle store for that building, as shown in principle on drawing no.0408 PL 020A, have been submitted to and approved in writing by the Local Planning Authority and the respective bin store and cycle store have been constructed in accordance with the approved details. The bin and cycle stores should be designed to be weatherproof and secure.

Reason: To ensure adequate facilities are provided for the future occupiers and in the interests of the visual appearance of the site, in accordance with

saved Policies SE7 and T10 of the Watford District Plan 2000 and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

12. No part of the development shall be occupied until the 48 car parking spaces shown on drawing no.0408 PL 020A, including the access junctions with Hemming Way, have been laid out and constructed in full. These spaces shall be retained for parking cars at all times.

Reason: To ensure adequate parking facilities are provided on the site and to minimise any additional on-street car parking, in accordance with saved Policies T22 and T24 of the Watford District Plan 2000.

13. No part of the development shall be occupied until the new access junction on Haines Way, as shown in principle on drawing no. LC/AP/XX/00/DR/A/0150/S4/P13, has been laid out and constructed in full and the existing access on Haines Way has been closed off and the footpath reinstated.

Reason: To ensure adequate access arrangements are provided to serve the development and in the interests of highway safety, in accordance with saved Policy T21 of the Watford District Plan 2000.

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 provision of 32 affordable housing units and the necessary fire hydrants to serve the development.
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

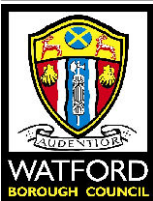
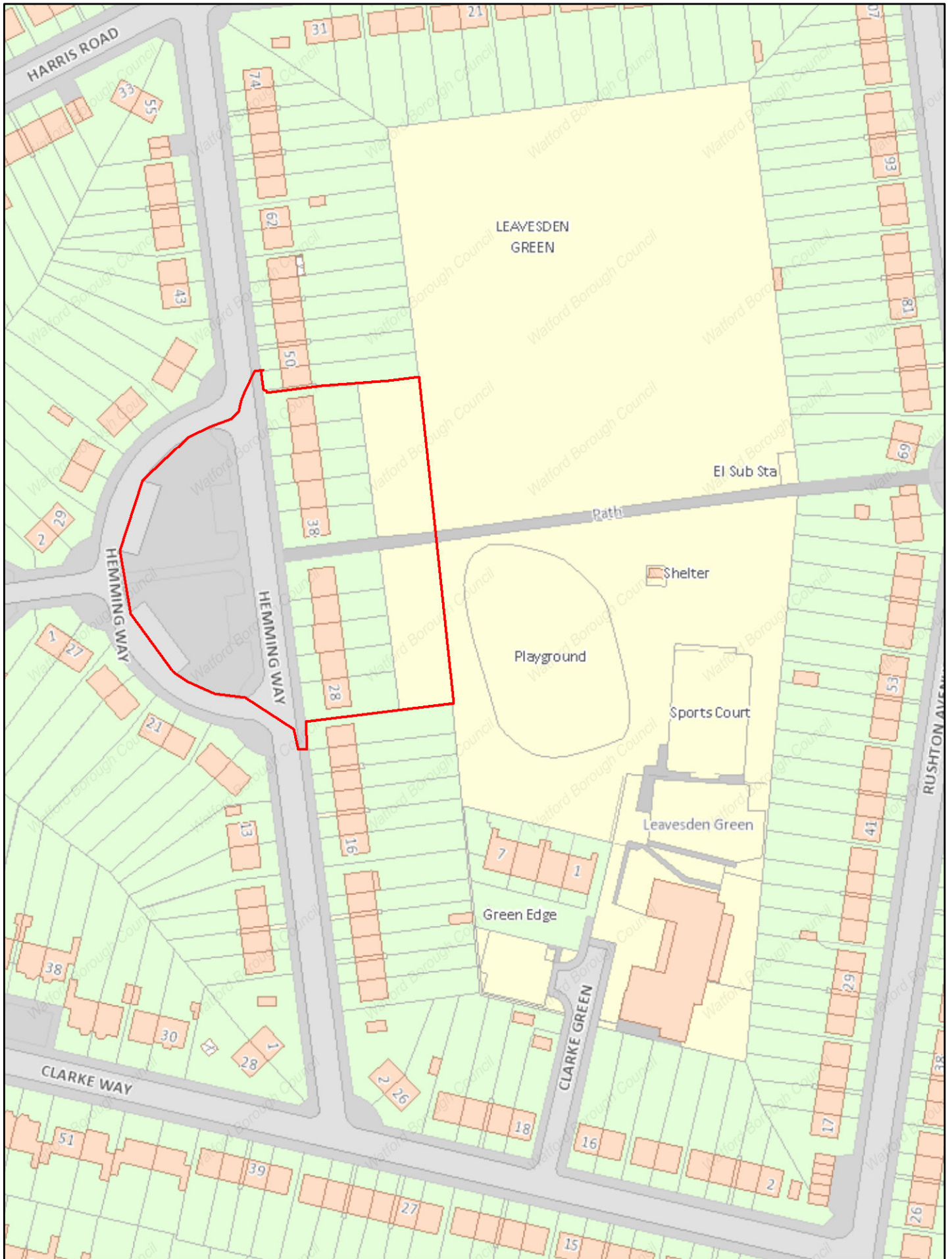
accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended. The Council also gave pre-application advice on the proposal prior to the submission of the application and undertook discussions with the applicant's agent during the application process.

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

Drawing numbers

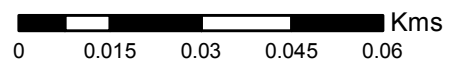
0408 PL 010, 011, 020A, 050, 100, 101, 102, 103A, 110, 200A, 201A, 202A, 300A, 400A and 401A, ALA265 L01 PL4, L05 PL2, L06 PL0

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Tel: 01923 278284



28-46 Hemming Way

Date: 20/10/2015



Scale 1:1,250



PART A	
Report of: DEVELOPMENT MANAGEMENT SECTION HEAD	
Date of committee	29th October 2015
Site address:	Central Meriden Estate, The Gossamers/York Way, Watford
Reference Number :	15/00919/FULM
Description of Development:	Demolition of 10 bungalows, existing shopping parade comprising 10 commercial units and residential accommodation above (9 maisonettes and 2 flats), estate office, MOT service garage and 27 garages plus garages/stores behind the shopping parade. Construction of 133 new dwellings, including a 50 bed extra care scheme, new shops plus associated works to landscape, parking and service access roads.
Applicant	Watford Community Housing Trust
Date Received:	30th June 2015
13 week date (major):	29th September 2015 (extended to 2nd November 2015 by agreement)
Ward:	Meriden

1.0 SITE AND SURROUNDINGS

- 1.1 The application site has an area of 2.97 hectares and occupies the central area of the Meriden estate, around the key road junctions of York Way, Meriden Way and The Gossamers, and includes the parade of local shops and Alterstart garage. The application site can broadly be divided into 4 areas.

1.2 Bungalows and open space at The Turnstones

This area is bordered by York Way to the south, The Turnstones to the east and north, and The Gossamers to the west. The eastern part comprises 10 bungalows arranged in L-shaped terraces fronting onto The Turnstones and York Way. The central and western parts are grassed open space with hedging and trees along the boundary with York Way and scattered trees. The area contains no other facilities, play equipment or landscaping and appears little used.

1.3 The northern side of The Turnstones is occupied by Teal House, a 4 storey block of flats, with 2 storey semi-detached houses located along the eastern side of the road. To the south, on the opposite side of York Way, are further 2 storey, semi-detached houses. All of these properties are outside the application site.

1.4 Shopping parade and Alterstart garage

This area is very much the 'heart' of the estate, along with the adjoining Badger public house, which does not form part of the application site. The parade of shops comprises a 3 storey building, with commercial uses at ground floor and maisonettes above, and a detached, single storey commercial unit. The parade includes 10 units in all and provides a good range of local convenience shopping and facilities including a foodstore, post office, newsagent, launderette, hairdresser/chiropract, cafe, two takeaways, charity shop and bookmaker. To the front of the parade is a parking area serving the shops. To the rear of the main building is a servicing area for the shops, underused garages and a fenced off area of former garages, now demolished. To the west and north are 2 storey, terraced houses backing onto the site.

1.5 The Alterstart garage occupies a prominent position at the junction of York Way and The Gossamers and provides car MOT, servicing and repair services together with van hire. Behind the garage, and sited at the end of the parade of shops, is an estate office and a community room.

1.6 Green verge at junction of Meriden Way/ York Way and car park to Coldharbour House

This area is sited on the western side of the junction and comprises the car park to Coldharbour House (a 4 storey block of flats) and the extensive green verge between this and the highway in Meriden Way and York Way. It contains a small group of trees and other scattered trees but no other facilities. It is crossed by two paths but otherwise appears little used. Adjoining to the south are terraced bungalows.

1.7 Green verges and garage courts along York Way and adjoining car park

This area comprises the green verges and garage courts located on the southern side of York Way, to the west of the Alterstart garage, and the car park that serves the three 4 storey blocks of flats adjoining. The site includes the open verge adjacent to the Abbey View tower block at the western end of York Way.

2.0 PROPOSED DEVELOPMENT

2.1 The proposed development will involve the demolition of all existing buildings within the application site and the erection of 11 new blocks. The breakdown across the site is as follows:

2.2 Bungalows and open space at The Turnstones

Demolition of the existing 10 bungalows.

Erection of the following:

Block A – A terrace of 9, one bedroom bungalows fronting York Way. Parking provision is within on-street parking bays on York Way.

Block B – A terrace of 9 two storey, three bedroom houses fronting onto the open space. Some parking spaces are provided in front of the houses.

Block C1 – A detached, two storey, two bedroom house fronting The Turnstones.

Block C2 – A row of 6 two storey, link-detached, 3 bedroom houses fronting The Turnstones. Each will have a single, on-site parking space.

The proposed dwellings will all have private garden areas and are arranged as a perimeter block around an internal parking court to supplement the parking provision. The open space will be improved with the addition of a children's play area.

2.3 Shopping parade and Alterstart garage

Demolition of the existing 3 storey parade of shops and maisonettes, single storey commercial unit, Alterstart garage, community room and estates office, and lock-up garages.

Erection of the following:

Block D – An irregular Y-shaped block of 2-4 storeys providing 47 one bedroom 'Extra care' flats for the elderly. The block also includes 3 one bedroom 'Extra care' bungalows for the elderly. The block is set around an internal garden courtyard for residents and also includes a residents' lounge/dining area, kitchen and staff facilities. The southern corner of the block incorporates a unit for a hairdresser to serve both the residents and the wider community. Parking spaces to serve the block are provided to the side and rear of the building.

Block E1 – This is attached to the southern end of Block D and incorporates 1, 3 and 4 storey elements. It provides a cafe and community room at ground floor and 9 one and two bedroom flats on the upper floors.

At the southern corner of the site, adjoining the junction with York Way and The Gossamers, a new market square will be formed which is intended as a multi-use space. This provides car parking to serve the shops but can also be used for community events, occasional markets, etc.

2.4 Green verge at junction of Meriden Way/ York Way and car park to Coldharbour House

Erection of the following:

Block E2 – A part 1, 3 and 4 storey fronting York Way providing 6 commercial units at ground floor and 8 one and two bedroom flats on the upper floors.

Block E3 – A part 3, part 4 storey block sited at the corner of York Way and

Meriden Way and attached to the eastern end of Block E2. It provides 2 commercial units at ground floor and 17 one and two bedroom flats above.

The existing car park serving Coldharbour House is to be enlarged and reconfigured to provide parking for the Coldharbour House and Blocks E2 and E3.

- 2.5 Green verges and garage courts along York Way and adjoining car park
Demolition of existing lock-up garages sited at the end of Foxtree House and Maple Court.

Erection of the following:

Block F1 – A 3 storey block attached to the eastern end of Foxtree House, providing 8 one and two bedroom flats.

Block F2 – A 3 storey block attached to the eastern end of Maple Court, providing 8 one and two bedroom flats.

Block G – A part 2, part 3 storey block sited at the junction of Garsmouth Way and York way and fronting York Way. The two storey element comprises 3 two bedroom houses and the 3 storey element 5 two bedroom flats.

Parking provision will be in the form of small parking courts between the blocks and new parking lay-bys on York Way and Garsmouth Way. The existing car park between Maple Court and Foxtree House is to be reconfigured and improved.

- 2.6 The overall scheme can be summarised in the following tables:

Demolition

	Number of bedrooms			Total	Floorspace (sqm)
	1	2	3		
Houses					
Flats		2	9	11	
Sheltered	10			10	
Retail					922
Community					56
Other					104
Total	10	2	9	21	1082

Proposed

	Number of bedrooms			Total	Floorspace (sqm)
	1	2	3		
Houses			15	15	
Flats	15	44		59	
Sheltered	9			9	
Extra care	50			50	
Retail					1060
Community					141
Other					
Total	74	44	15	133	1201

Net changes

	Number of bedrooms			Total	Floorspace (sqm)
	1	2	3		
Houses			+15	+15	
Flats	+15	+42	-9	+46	
Sheltered	-1			-1	
Extra care	+50			+50	
Retail					+138
Community					+85
Other					
Total	+64	+42	+6	+112	+223

3.0 RELEVANT PLANNING HISTORY

3.1 There is no planning history of relevance to the current application. The majority of the Meriden Estate (generally north of York Way and west of Meriden way) was developed in the 1950s as a municipal housing estate. The exception to this is the housing occupying the south-eastern part of the estate (to the east of Meriden Way) which was developed as private housing in the 1930s.

4.0 PLANNING POLICIES

Development plan

4.1 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;*
- (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.*

4.2 The *Watford Local Plan Core Strategy 2006-31* was adopted in January 2013. The *Core Strategy* policies, together with the “saved policies” of the *Watford District Plan 2000* (adopted December 2003), constitute the “development plan” policies which, together with any relevant policies from the County Council’s *Waste Core Strategy* and the *Minerals Local Plan*, must be afforded considerable weight in decision making on planning applications. The following policies are relevant to this application.

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

WBC1	Presumption in favour of sustainable development
SS1	Spatial Strategy
SD1	Sustainable Design
SD2	Water and Wastewater
SD3	Climate Change
SD4	Waste
TLC1	Retail and Commercial Leisure Development
TLC2	Neighbourhood Centres
HS1	Housing Supply and Residential Site Selection
HS2	Housing Mix
HS3	Affordable Housing
T2	Location of New Development
T3	Improving Accessibility
T4	Transport Assessments
INF1	Infrastructure Delivery and Planning Obligations
UD1	Delivering High Quality Design
GI1	Green Infrastructure
GI3	Biodiversity

4.4 **Watford District Plan 2000**

SE7	Waste Storage, Recovery and Recycling in New Development
SE22	Noise
SE23	Light Pollution
SE24	Unstable and Contaminated Land

SE27	Flood Prevention
SE28	Groundwater Quality
SE36	Replacement Trees and Hedgerows
SE37	Protection of Trees, Woodlands and Hedgerows
SE39	Tree and Hedgerow Provision in New Development
T10	Cycle Parking Standards
T21	Access and Servicing
T22	Car Parking Standards
T24	Residential Development
H16	Retention of Affordable Housing
S12	Planning Conditions for Use Class A3 Food and Drink
L8	Open Space Provision in Housing Development
L9	Children's Play Space
CS3	Loss of Community Facilities
U24	Shopfronts
U25	Advertisements and Signs

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

1A	Presumption in Favour of Sustainable Development
2	Waste Prevention and Reduction
12	Sustainable Design, Construction and Demolition

4.6 Hertfordshire Minerals Local Plan Review 2002-2016

No relevant policies.

4.7 Supplementary Planning Documents

The following Supplementary Planning Documents are relevant to the determination of this application, and must be taken into account as a material planning consideration.

4.8 *Residential Design Guide*

The Residential Design Guide was adopted in July 2014. It provides a robust set of design principles to assist in the creation and preservation of high quality residential environments in the Borough which will apply to proposals ranging from new individual dwellings to large-scale, mixed-use, town centre redevelopment schemes. The guide is a material consideration in the determination of relevant planning applications.

4.9 *Watford Character of Area Study*

The Watford Character of area Study was adopted in December 2011. It is a spatial study of the Borough based on broad historical character types. The study sets out the characteristics of each individual character area in the Borough, including green spaces. It is capable of constituting a material consideration in the determination of relevant planning applications.

4.10 *SPG10 Open Space Provision*

This guidance sets out the standards of open space provision required per thousand population as part of new developments. The guidance was adopted in October 2001 and is a material consideration in the determination of relevant planning applications.

4.11 **National Planning Policy Framework**

The National Planning Policy Framework sets out the Government's planning policies for England. The following provisions are relevant to the determination of this application, and must be taken into account as a material planning consideration:

Achieving sustainable development

The presumption in favour of sustainable development

Core planning principles

Section 1 Building a strong, competitive economy

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
Decision taking

5.0 CONSULTATIONS

5.1 Neighbour consultations

Letters of notification were sent to 404 properties in the following roads:

Bowmans Green
Butterwick
Gadswell Close
Coldharbour House, Gadswell Close
Foxtree House, Gadswell Close
Peartree Court, Gadswell Close
Abbey View, Garsmouth Way
Maple Court, Garsmouth Way
The Gossamers
Pinetree House, The Gossamers
Harvest Court, Harvest End
Meriden Way
The Phillipers
The Turnstones
Teal House, The Turnstones
Widgeon Way
York Way

5.2 The following is a summary of the representations that have been received:

Number of original notifications:	404
Number of objections:	90
Number in support:	0

Number of representations: 90

One of these is from the Meriden Residents Association and one from Councillor Hastrick.

A large number of issues have been raised by objectors, some very general and some very specific. Not all the objections raised are material planning considerations however. The main planning issues that have been raised are summarised and considered in the table below but are not exhaustive.

Representations	Officer's response
Traffic surveys carried out outside rush hour and not representative of through traffic.	The traffic surveys were undertaken using automatic traffic counters which were in place continuously from 20 April to 3 May 2015.
Bungalows on York Way unacceptable due to traffic and noise.	Two of the existing bungalows are already sited on York Way. There is no reason why this is an unacceptable location for any dwellings.
Overdevelopment of estate. Will destroy community. Loss of green space (75%) and trees. Three and four storey buildings will be overbearing. Will change character of estate for the worst. Loss of open aspect of the area. Not wanted by residents.	The proposal will be a significant intervention in the estate and will dramatically change the appearance of the central area. Open space and trees will be lost to create a higher density central area, as would normally be expected. This area should be the focus for the estate and be a destination in itself which the proposal is considered to successfully achieve.
Wasteful to demolish existing bungalows which are perfectly good. These should be kept. Residents want to stay.	There is no planning reason why these bungalows must be retained. These are matters for the applicant.

<p>New bungalows are bland boxes with smaller garden areas. Gardens will be overlooked by houses.</p>	<p>The design is simple and contemporary reflecting the overall design approach. The existing bungalows are uninspiring in themselves. The gardens will generally be smaller than the existing ones. The bungalows will be overlooked whereas the existing ones are not due to the new houses but this is not considered unacceptable in principle in an urban environment.</p>
<p>If to be replaced, the new bungalows should be on The Turnstones not York Way.</p>	<p>It would be acceptable for the bungalows to be sited on The Turnstones however, the proposed houses are also acceptable. The siting of the bungalows has been determined by the phasing of the development and the need to relocate existing tenants.</p>
<p>Parking on the estate will be made worse. Parking at shops will be reduced.</p>	<p>Parking is discussed in detail in the report.</p>
<p>Development will generate more traffic through the estate. Increased noise and pollution.</p>	<p>Traffic generation is discussed in detail in the report.</p>
<p>Driveways will be difficult to access on The Turnstones with cars parked on the roads.</p>	<p>This situation currently exists on The Turnstones due to the width of the road.</p>
<p>Increase difficulty of getting doctor's appointments.</p>	<p>The capacity of the local doctor's surgery to take new patients is not strictly a planning consideration. Doctor's surgeries are privately run businesses and it is for the practice to expand to meet demand.</p>
<p>Splitting the shops in two areas dangerous as shared surface will</p>	<p>There is no reason why the shops have to be located on the same site. At present,</p>

<p>be busy with traffic.</p>	<p>residents from the southern and eastern parts of the estate have to cross York Way and The Gossamers to reach the shops.</p>
<p>Two storey houses on The Turnstones will restrict outlook and views. Loss of privacy. Loss of daylight.</p>	<p>It is a normal suburban relationship for houses to face each other across a public highway. The scale of houses proposed (2 storey) and the facing distance between the proposed and existing houses will be more than sufficient to prevent any harmful loss of outlook or privacy.</p>
<p>Design of flats on market square look terrible. Design of care home block [D] is awful and monstrous. Looks like a prison block. Style of buildings do not blend in and will look prominent and ugly.</p>	<p>The design approach for the whole development is deliberately contemporary and does not seek to copy the existing estate buildings, which are uninspiring and of no architectural merit. It is considered the design, with high quality materials, will achieve an aesthetically pleasing and high quality appearance.</p>
<p>Shops may be lost if WCHT do not support moving costs and keep rents low.</p>	<p>This is not strictly a planning matter, however, it is understood the applicant is proposing financial support to assist existing tenants in relocation.</p>
<p>Shared surface junction will result in The Turnstones, Garsmouth Way and Phillipers becoming rat-runs.</p>	<p>Rat-running is an acknowledged issue on the estate. The Gossamers already has speed humps to deter this and slow speeds. There is no way of knowing whether those rat-running through the estate would be deterred from doing so or take alternative routes through the estate as a result of the proposals.</p>
<p>Existing shops should be regenerated.</p>	<p>This is a matter for the applicant. There is no objection in principle to the shops being</p>

	redeveloped to provide modern accommodation and more efficient use of the site.
Shared surfaces don't benefit community. Not wanted by residents. Will be dangerous especially on main route through the estate. Too hazardous for pedestrians.	The final form of any shared surface will be a matter for Herts. County Council as the Highway Authority. They remain an acceptable highway response but may not necessarily be appropriate in this location.
New development could cause flooding issues.	The development incorporates a sustainable surface water drainage scheme which has been approved by Herts. County Council as the Lead Local Flood Authority. This ensures flood risk will be reduced as a result of the proposal.
Block G sited next to Abbey View will result in loss of grass and trees, loss of outlook and look out of keeping.	This area of grass and trees will be lost, however, it is not considered this will have a significant adverse impact on the flats in Abbey View.
Parking spaces in front of Block G will be dangerous so close to the junction with Phillipers.	This section of York Way leads to Harvest End which is a no through road so does not carry high levels of traffic. As with all on-street parking or private driveways, care needs to be taken when entering the highway. These spaces are not considered inherently dangerous to use.
Blocks along York Way are overbearing, unsightly and out of keeping with the area.	These blocks have a different design to the existing four storey blocks and will be read as additions to them. They will help to create a greater sense of frontage and enclosure to this section of York Way without being overbearing or incongruous.

Block G will provide small houses with small gardens that will be overlooked by Abbey View.	These houses are intended as smaller family houses but will still have acceptable internal floor areas and layouts. The gardens areas will only experience very limited overlooking, as discussed in the report.
Blocks along York Way will result in loss of outlook and privacy to houses opposite.	Due to the facing distance across York Way of 28m, the new blocks will not give rise to any adverse loss of outlook or privacy.
Smells from new takeaways and their rubbish storage.	Any flues will need to be incorporated into the design of the relevant blocks. Adequate bin storage has been provided.
Estate should be left as it is.	There is no objection in principle to this part of the estate being redeveloped.
Loss of Alterstart garage.	There is no planning objection to the loss of the existing garage.
Block G will result in loss of light and privacy to flats in Abbey View.	It is not considered that there will be any significant loss of light or privacy to the flats in Abbey View.
Inadequate servicing for new shops, especially larger vehicles.	The scale of the units will require only smaller light goods vehicles. A loading bay for larger heavy goods vehicles is proposed on Meriden Way alongside Block E3.
Wrong location for the care home block next to The Badger public house.	Providing the public house operates within its licence, there is no reason why the 'Extra care' (or indeed any dwellings) should not be located next to it.
Loss of outlook, privacy and light to residents in Maple Court and Foxtree House.	The potential impact of blocks F1 and F2 on these existing blocks is discussed in detail in the report.
Lack of parking for Teal House.	The parking provision for Teal House will remain unchanged. The parking survey

	analysis shows that adequate on-street capacity will remain to accommodate casual parking after the development is completed.
Loss of open space at The Turnstones. Nowhere for residents to socialise or children to play.	The existing area of open space will be reduced but an enhanced area with play area will remain.
Loss of views over open space and trees from Teal House and Coldharbour House.	The views from these existing blocks will change but this in itself is not strictly a planning consideration. The flats in these blocks will still retain good levels of outlook.
Promised market square has become a car park.	This area will be used in part for car parking to serve the shops.
New accommodation seems very small.	All of the proposed dwellings will meet or exceed the Council's minimum floor area sizes set out in the Residential Design Guide and are acceptable.
High density development proposed could lead to anti-social behaviour.	There is no reason why higher density development should lead to anti-social behaviour. The greater degree of passive surveillance of the public realm and greater security for rear parking areas should reduce any opportunity for anti-social behaviour.
Installation of chicanes on The Gossamers will encourage rat-running on other roads.	No chicanes are proposed as part of the development. Ultimately, these will be a matter for Herts. County Council as the Highway Authority.
Blocks D, E1 and E2-E3 are too tall and will overshadow existing buildings. Roof elevations not broken up enough.	These blocks are four storey and the same height as the existing four storey blocks sited around this part of the estate. They will not result in any overshadowing of existing

	buildings. The roof forms are varied are include pitched and flat roofs to add interest.
Too many flats proposed.	The majority of properties on the estate are family houses so there is no objection in principle to further flats being provided. Also, 50 of the flats will provide 'Extra care' accommodation for the elderly.
Shops poorly sited and will lose passing trade.	The main block of shops (8) is in Block E2/E3 which directly adjoins the main junction of York Way and The Gossamers. These are busiest roads on the estate and, furthermore, the shops will have must greater visibility down The Gossamers than the existing shops which are set back from the road.

5.3 Statutory publicity

The application was publicised by 12 site notices posted on 10th July 2015 and by advertisement in the Watford Observer published on 10th July 2015. The site notice period expired on 31st July 2015 and the newspaper advertisement period expired on 31st July 2015.

5.4 Technical consultations

The following responses have been received from technical consultees:
No technical consultations were necessary in respect of this application.

Environment Agency

Thank you for consulting us with the above application. We request that the conditions below are added to any planning permission granted.

Condition 1. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning

Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Condition 2. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and

arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Condition 3. No development should take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

Condition 4. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Condition 5. No infiltration of surface water drainage into the ground at this site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Condition 6. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been

demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details

Reasons for conditions 1-6:

To protect highly sensitive groundwater resources. The Preliminary Risk Assessment submitted with this application indicates the presence of polluting substances from the previous uses (former petrol filling station now used as MOT & service centre, electrical substations and garages). The site is located within Source Protection Zone 1, indicating that groundwater beneath the site will reach the public drinking water supply within 50 days and is therefore highly sensitive to pollution.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

Thames Water

Waste Comments:

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer.

With the information provided Thames Water, has been unable to determine the waste water infrastructure needs of this application. Should the Local Planning Authority look to approve the application ahead of further information being provided, we request that the following 'Grampian Style' condition be applied:-

"Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed".

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer.

Supplementary Comments:

In order for Thames Water to determine whether the existing sewer network has sufficient spare capacity to receive the increased flows from the proposed development, details of any proposed foul water discharge rates to every connection point must be included in the drainage strategy. If initial investigations conclude that the existing sewer network is unlikely to be able to support the demand anticipated from this development, it will be necessary for the developer to fund an Impact Study.

Regarding surface water we have no objection to the above planning application.

Hertfordshire County Council (Highway Authority)

The Highway Authority raised objections to the submitted Transport Assessment, requesting further information and clarification regarding various aspects of the data used in the assessment. The applicant's consultant has provided this information and the Highway Authority has responded with final comments. Selected comments are given below.

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

1. Prior to the commencement of the development hereby permitted a Stage 2 Road Safety Audit for the proposed highway improvements and access junctions shall be completed and submitted for approval by Hertfordshire County Council. Reason: In the interests of highway safety.
2. Travel Plan Two months prior to the occupation of the development, details of the proposed Travel Plan for the residential elements of the development shall be submitted to and approved in writing by the Local Planning Authority. Reason: to

promote a sustainable development in accordance with Local Plan policies and highway authority requirements.

3. Delivery and Servicing Management Plan Two months prior to the occupation of any retail unit, details of a Delivery and Servicing Management Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. Reason: to promote a sustainable development in accordance with Local Plan policies and to protect highway safety and the amenity of other users of the public highway and rights of way.

4. Construction Management Plan Construction of the development hereby approved shall not commence until a Construction Management Plan has been 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. The Construction Traffic Management Plan shall include details of: a) Construction vehicle numbers, type, routing; b) Traffic management requirements; c) Construction and storage compounds (including areas designated for car parking); d) Siting and details of wheel washing facilities; e) Cleaning of site entrances, site tracks and the adjacent public highway; f) Timing of construction activities to avoid school pick up/drop off times; g) Provision of sufficient on-site parking prior to commencement of construction activities; h) Post construction restoration/reinstatement of the working areas and temporary access to the public highway. Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way.

5. Access details No access shall be brought into use until it has been laid out and constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Reason: In the interests of highway safety and convenience

6. Traffic counts on Phillipers Two months prior to the occupation of the development and then one year after its completion hourly traffic counts shall be taken over a full term-time week at an equivalent time of year and identical locations on Phillipers. The results shall be presented to the Local Planning

Authority for consideration by the highway authority. Reason: that a comparison can be made and the need for further compensatory measures to be installed by the Community Housing Trust under its wider stewardship responsibilities considered.

The initial response of the highway authority (sent on 7/8/15) recommended that permission be refused on the basis of a numbers of shortcomings in the information provided. Additional information was provided on 8 September 2015 in the form of a 134-page Technical Note from the highway consultant and a 12-page Highway Design Proposals Supplementary Information document produced by the urban design/ planning consultant. These documents were specifically written to address the points raised in the earlier highway response.

Impact on the local highway network and transport infrastructure and services

A Transport Assessment (TA) originally submitted was prepared in accordance with the County Council's requirements as set out in section 1 chapter 7 of our highway design guide Roads In Hertfordshire. The Technical Note from the highway consultant addresses the initial concerns of the highway authority.

Trip generation and distribution

Existing uses - According to the TA the existing commercial units and community use will remain largely unchanged and on this basis trips are already on the network and do not need to reassessed. This approach is considered to reasonable to prevent double-counting.

HCC were originally unable to comment on the appropriateness of the existing trip generation as the full TRICS reports including the parameters and sites used were not included. They have now been submitted in appendix A of the Technical Note and are found to be acceptable.

Proposed uses - The TRICS database has been used to estimate the vehicle trip generation associated with the net increase in residential dwellings on the estate. This assessment demonstrates that the proposals are expected to generate daily 286 vehicles and a maximum of 28 vehicles in the peak hours.

HCC were originally unable to comment on the appropriateness of these trip generation predictions as the full TRICS reports including the parameters and sites used were not included. They have now been submitted in appendix A of the Technical Note and are found to be acceptable.

In addition HCC requested that a multi-modal TRICS assessment should have been provided as the development is likely to have an impact on sustainable modes of travel. One such has since been provided at appendix B of the Technical Note and is found to be acceptable.

Impact on Highway Network - I concur with the conclusion that the impact of the development traffic is expected to be minimal and insignificant in relation to the volumes currently using the local network.

Rat Running - The proposals seek to slightly reduce rat running via changing the streetscape and landscape within the centre of the estate and in doing so calming the flow of traffic and mitigating the effects of rat running on residents, especially those on foot.

The potential impact on parallel routes within the estate has not been predicted. In order to ensure that residents of Phillipers, in particular, are not penalised I require that traffic counts are taken on that route prior to work on the proposed development taking place and that they are replicated one year after its completion so that a comparison can be made and the need for further compensatory measures to be installed by the Community Housing Trust under its wider stewardship responsibilities considered.

Parking demand - Parking surveys were undertaken as part of the scheme design in order to establish the existing parking conditions around the site. The parking surveys were undertaken on a London Borough of Lambeth parking survey methodology and this is acceptable.

The TA sets out that the surveys were undertaken on a typical weekday and Saturday. Whilst the weekday surveys are considered representative. It was noted in our first response to WBC that Saturday 2nd May was a bank holiday weekend and is not considered to be typical. Paragraphs 25 to 29 in the Technical Note

address this point and explain that the bank holiday weekend date was compared with that collected on the other weekend and differences identified and allowed for. I am satisfied that the data as presented and analysed is robust.

The highway authority's original response commented that 'whilst it is noted that within the survey area there is spare parking capacity overall, there are also areas with high parking stress or already over-capacity, for example Alma Place, The Meadows, Bowmans Green, Harvest End, The Gossamers, The Turnstones, rear of the Gossamers shops car park. Therefore, further information as to the impact of the development on to these high stress areas is required'. This has subsequently been answered in paragraphs 34 to 35 of the Technical Note. I concur with the responses.

Road Safety - There are no clusters of accidents or black spots or anything to suggest that there is an inherent road safety problem within the study area.

Highway Layout - Concern was expressed by the highway authority in August that no information was originally provided in the TA to suggest that existing access arrangements (i.e. The Gossamers, The Turnstones, Meriden Way, York Way) were to be changed. Paragraphs 39 to 46 in the Technical Note cover this point to my satisfaction by confirming that the outline design as presented complies with the highway authority's guidance (as set out in Roads in Hertfordshire) and industry standard national guidance (Manual for Streets).

Estate Layout - The proposals comprise improvements to the streetscape and landscape in the centre of the Meriden estate. The proposals include a shared surface at the heart of the estate connecting the new market square to the village green. The shared surface would take the form of a raised table at the junction of York Way with Meriden Way and The Gossamers. The width of the carriageway will be reduced to 5.5m and pedestrians protected by the creation of footways delineated by 20mm high kerbs with designated crossing points. Speeds would be lowered by reductions in the road width and kerb radii at junctions and bringing building frontages forward all in accordance with Manual for Streets. I am satisfied that this combination of features would effectively and safely balance the needs of all users by providing an additional deterrent to through traffic while not causing bus

passengers discomfort, creating a safer and more legible pedestrian environment and not penalising users of National Cycle Route 6 which follows Meriden Way and The Gossamers on its way between Watford and St Albans.

The design of the Market Square shown in concept in the application submission shows two-way flow at the proposed links to the road network on York Way and The Gossamers. There is concern in the community that this might cause unnecessary conflict with pedestrians and that a one-way system might be safer. This idea should be worked through at implementation stage in conjunction with a safety audit of the whole shared surface and Market Square.

The details of these measures will be agreed with the highway authority and constructed under a Section 278 agreement to ensure they comply with the appropriate standards. Areas to be adopted will require a Section 38 agreement with the highway authority. Surface finishes and street furniture to be employed on areas for adoption would have to be agreed. Where they are to a higher standards than those normally employed the additional costs of maintenance and replacement would be covered by commuted sums be negotiated as part of the adoption agreement.

Parking Layout - The TA sets out that all new parking spaces under the development would be laid out to industry-standard dimensions and layout. End-on parking bays will be 2.4m wide by 4.8m long with 6m aisle widths. All parallel parking spaces will be 6m in length and 2m in width. All forecourts within the development have been tested and are found to be adequately accessible. Computer-generated vehicle swept path plots have been provided in appendix F of the Technical Note and satisfactorily demonstrate this.

The parking areas to the rear of Blocks A to E3 will be secured via security barrier. The detail of the barrier is to be finalised but the barrier will be set 5m back from the carriageway. These details will be required to be submitted to HCC for approval.

Delivery and Servicing - The majority of deliveries will be associated with the commercial element of the development that is located in Blocks E2 and E3. A

servicing area to the rear of the block has been provided. It has been assumed that the largest vehicle that will deliver to the retail stores will be a 7.5 tonne box van.

The café is located in Block E1 and deliveries to it would take place at the kerb on York Way. It is anticipated that there would be only a small demand for these deliveries.

Retail unit 7 in Block E3 would be sited on the west side of the junction of Meriden Way and York Way. Deliveries by large rigid chassis or articulated lorries would be to the lay-by outside it on Meriden Way. This is described and illustrated on page 9 of 12-page Highway Design Proposals Supplementary Information document produced by the urban design/ planning consultant. Since the carriageway width is to be narrowed it is essential that this lay-by is deep enough to take such vehicles without obstructing the carriageway so that should two buses pass next to it they would not be obstructed.

Given that there are a number of different retail units deliveries would need to be managed. Therefore, a Delivery and Servicing Management Plan should be secured via condition to ensure deliveries are managed.

The TA sets out that the largest vehicle associated with the estate would be a refuse vehicle and that there are four new areas where the refuse vehicle will need to manoeuvre, which are new mews road, the rear of Blocks D/E1, the rear of Blocks E2/E3 and the rear of Blocks A/B/C1/C2. With regards to the Blocks further information regarding the distances that waste will be carried by residents to the waste store is required this distance should be provided in accordance with Manual for Streets. Also, it appears that the refuse vehicles are required to enter via the barrier into the parking areas to service the development. Confirmation that the borough council's refuse operator would enter these locations was required in our earlier response and is confirmed by meeting notes and swept path diagrams provided in appendix G of the Technical Note.

Swept path assessments were provided as part of the TA for a refuse vehicle, fire tender, box van and panel van. The swept paths demonstrate that a box van, panel van and fire tender can manoeuvre safely.

Construction - No information has been provided with regards to construction. Therefore a Construction Management Plan will be required, should permission be granted, to ensure construction vehicles would not have a detrimental impact on safety and amenity in the vicinity of the site and a condition will be required to provide adequate parking for construction vehicles on-site to prevent the vehicles using the existing facility from parking on the surrounding network during construction.

Travel Plan - A draft Travel Plan was provided with the application. The highway authority's Travel Plan officer commented as follows:

Measures. The proposals involve an increase in residential including extra care dwellings, and replacement of existing community and retail uses. Given that these are replacement and relatively small scale, I accept the focus on resident travel. The public realm improvements and provision of cycle parking etc. should help to improve active/sustainable travel opportunities for visitors as well as residents. Opportunities to promote active and sustainable modes in public and community spaces should be looked into (notice boards etc.).

Management. I would like a little more clarity on likely management arrangements for the travel plan, including the TPC and how WCHT and any other organisations relating to the extra care dwellings and community centre will be involved. Consideration also needed to how residents themselves can be involved.

A full Travel Plan provided in coordination with HCC safe and sustainable journeys team should be secured via a S106 agreement.

Hertfordshire County Council (Waste and Minerals)

Have requested a Site waste management Plan to ensure the reduction of demolition and construction waste produced on the site and the sustainable management of waste within the county.

Hertfordshire County Council (Development Services)

I refer to the above mentioned application and am writing in respect of planning obligations sought by the County Council towards fire hydrants to minimise the impact of development on Hertfordshire County Council Services for the local community. Based on the information provided to date for the demolition of existing properties and erection of 133 new dwellings we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit. We reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

All dwellings must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.

Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance. The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the need for hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

Hertfordshire County Council (Lead Local Flood Authority)

Objected to the original application on the grounds that no surface water drainage assessment had been submitted. The applicant then commissioned a study and provided additional information which was submitted to the LLFA who commented as follows:

I can confirm that following a letter from Conisbee Engineers received on the 10 September and drawing C103 carried out by Conisbee Engineers, we are now in a position to remove our objection on flood risk grounds. We would like to

acknowledge that the proposed drainage scheme will provide a betterment in relation to flood risk and water quality by reducing the discharge rates from the site and the implementation of various SuDS features. We therefore recommend the following condition to the LPA should planning permission be granted:

Condition:

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment carried out by Conisbee Engineers dated 24 August 2015, Revision 1.2 reference 150340/TG, drawing C103 and response letter to the LLFA received on the 10 September and the following mitigation measures detailed within the FRA:

- i) Limiting the surface water run-off generated by the 1 in 100 year + 30% for climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
- ii) Restricting the surface water run-off rates to each discharge point into the existing sewer network in accordance with Table 6.1 within the FRA.
- iii) Implement a range of SuDS measures in accordance with the FRA including permeable paving, swales, rain gardens and tanks.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Hertfordshire County Council (Ecology)

Thank you for consulting Herts Ecology on the above, for which we have the following comments:

1. We have no ecological information on the proposals site, although there would be some local interest at the site level associated with in the trees and open

grassland present within the site. Apart from the smaller verges, the two larger Public Open Spaces provide a significant element to the middle of the site.

2. These spaces are considered poorly defined; in as much as there is no fencing or signage, this is true, but the contrast between the built environment and open grassland and trees would appear rather emphatic to me.

3 They are described (dismissed) as '*essentially left over spaces between the roads and houses, without lighting, benches or planting*'. Whilst this may be true, their environmental functionality serves to provide what we would now consider to be Green Infrastructure – and without formal structures, contributes a semblance of environmental character and potential to the local area, even though they appear as typical amenity spaces at present. Sometimes, such resources don't need to be planned.

4. The spaces '*could be rationalised and designed to be better utilised as public open spaces by local people*'. This may be true; but public and environmental enhancements are eminently possible *now* without reducing the extent of the resource, and may involve simply a change in mowing regime and perhaps some reseeded to improve habitat and amenity value and interest. Such an approach rather contrasts with the proposals which will reduce this resource.

5. Whilst the proposed Village Green approach is welcomed, the development will significantly reduce the existing open space in this location. Furthermore, although the secure garden will be new, the open area at York Way / Meriden Way will be lost. Whilst I acknowledge its location and function will create a clear central focus, the claims suggested for biodiversity and edible gardening lack credibility at this stage, at least without any further details. The area will be further impacted by the proposed play area (LEAP) and associated infrastructure along its eastern edge, leaving the *actual* open Village Green perhaps only a third of the size of the existing open grassland area. The associated planting will be formal which may also reduce the beneficial impact of the proposed habitats, which could otherwise have an

informal character. This can only serve to compromise the wider environmental benefits of the redesigned area.

6. The walled garden provides a good opportunity for engagement with food growing; however I trust the fruit trees will not be the varieties modelled in the D&A Statement... Opportunities for a similar approach to providing edible plants could also be considered elsewhere if appropriate.

7. In relation to landscape ecology, the relative isolation of this area, lack of obvious green corridors and reduction in open space is likely to reduce opportunities for wildlife such as birds, bats and bugs by removing habitat. The value of the new open space areas will therefore be dependent upon significant habitat enhancements that will be needed in order to achieve genuine benefit.

8. Whilst providing artificial nesting opportunities for wildlife, without suitable habitats the ability of wildlife to thrive in any given area will be limited. In this respect I acknowledge the potential new contribution of green roofs as suggested, and the need for suitable planting regimes to benefit pollinators.

9. The nearest main ecological resources are associated with the M1 road corridor to the east the open spaces of Meriden Park to the south and the adjacent railway corridor to the west. Consequently any opportunity to enhance links with these areas should be sought. Retention of existing mature trees is important to provide locally significant habitat, stepping stones and ecological continuity.

10. Water retention through SUDS and associated planting regimes will be beneficial. Additional hedging should be with locally native species to increase pollination, feeding resources and local corridors.

11. Management of grassed areas can be critical to enhancing ecology, although areas of longer grass are often considered to be unsightly by residents. In this respect the character and purpose of the local landscaping needs to be properly considered and promoted from the outset.

12. I am not aware of any other ecological issues associated with these proposals for which I have any significant concerns. However, if existing Green Infrastructure is to be considerably reduced, any ecological compensation *and* enhancement consistent with NPPF will need to be carefully detailed within an application to demonstrate how this is going to be achieved both in respect of capital works and subsequent management.

Crime Prevention Design Advisor

Comments:

1. Rear Parking area behind Care Home: I am pleased to see that this is shown as being gated with access control, and the DAS on page 62 confirms this.

2. Rear parking area behind new shops south side of Market Square:

I am not sure if this area was to be gated or not, with access control to protect residential parking? A line is shown on plans, but no detail.

3. Rear parking area behind bungalows, terraced housing and link detached homes off Turnstones:

a) Can I confirm this is secured and gated with electrically operated access controlled gates? The DAS says it is on page 42 & 62 and about this area being secured, but the plans do not appear to show this? If planning permission is granted is as per the plans?

b) Because of the rear parking, residents who have allocated parking in this area will be using a rear garden gate to access their vehicle in the rear parking court area. A padbolt fitted to the inside of the gate is not suitable to lock the gate from either side. I would suggest something similar to a Cays Lock, so the rear gate can be locked and unlocked from either side. Reason is that most domestic burglaries occur from the rear.

4. Shops:

I am pleased there will be no colonnade for youths to gather under outside the shops? Looking at the elevation plans, it is unclear if the design will create informal seating by creating a ledge on the outside lower part of the shop windows. If such a ledge is created, this could be sloped to deter youths informally sitting on this.

5. Public Art in Market Square:

Page 58 of the DAS shows a fountain in the Market Square. Public Art, when a water feature can be problematic, and have these problems been allowed for? Such problems are: youths putting washing up liquid in the water to make it bubble, or in high wind, water spray wetting walk areas and roadways and making them slippery.

6. Secured by Design part 2 physical security:

To alleviate any concerns regarding security for the proposed dwelling and care home development, I would look for the development to be built to the physical security of Secured by Design part 2, which is the police approved minimum security standard. This would involve:

- a) All exterior doors to have been tested to BS PAS 24:2012 or STS 202 BR2
- b) All individual flat front entrance doors to BS Pas 24:2012 (internal specification).
- c) Ground level (easily accessible) exterior windows to BS Pas 24:2012. All glazing in the exterior doors, and ground floor (easily accessible) windows next to doors to include laminated glass as one of the panes of glass.
- d) Access control for flats should be to the SBD standard (ie: 4 to 10, audible – more than 10 flats there should also be audible and visual access control) at the pedestrian entrances to the block. Such access control must NOT have a Tradesman's Button fitted as this assists offenders to gain entry during the day to break into the flats.

These standards are entry level security and meet the Secured by Design part 2 physical security standard. Building to the physical security of Secured by Design, which is the police approved minimum security standard, will reduce the potential

for burglary by 50% to 75%. I would encourage the applicants to seek Secured by Design certification to this standard when it is built.

Planning Policy

Have no objections to the proposed development.

Environmental Health

No comments received.

Housing

No comments received.

Arboricultural Officer

Whilst a significant number of trees are shown to be removed there is significant replacement planting proposed. However regarding the latter I do have some concerns regarding the locations and space available in some areas based on the indicative masterplan (Outerspace drawing L-100). One difference between the Arboricultural reports and the submitted plan is that an Oak T14 is now retained which will have a positive effect upon the street scene. This apart providing all the tree protection measures as shown on the draft tree protection plan (C11962-04-01) are adhered to the losses should be restricted to those indicated. Standard landscaping and tree protection detail conditions should be attached to any consent granted.

6.0 APPRAISAL

6.1 Main issues

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

- (a) The principle of redevelopment
- (b) Housing provision
- (c) Impact on the character and appearance of the area
- (d) Quality of accommodation for future residents

- (e) Impact on the amenities of existing residents
- (f) Traffic impacts and servicing
- (g) Car and cycle parking provision
- (h) Retail and employment implications
- (i) Sustainability and flood risk
- (j) Open space and landscaping

6.2 (a) The principle of redevelopment

The Meriden estate exhibits a number of features typical of housing estates of its era, including high rise tower blocks (Abbey View and Munden View) and low rise, low density housing set within areas of open space. Although this gives the estate a relatively spacious and 'green' feel, the open spaces are generally underused grassed areas and wide verges that serve little other purpose. The main area of open space serving the estate lies along the southern boundary of the estate where the community centre, inclusive children's play area and Sports Legacy Zone are located. Consequently, the open spaces within the estate have no other facilities and are generally of relatively poor quality, comprising mown grass and scattered trees.

The application site is physically, socially and economically at the heart of the estate. It provides a well used local shopping parade, a local pub, a community room and bus stops providing good services to the town centre. However, in terms of urban design it is very poor. The most prominent corner within the estate is occupied by the Alterstart garage and van hire business. The shopping parade is set back from the road with car parking in front of it and is looking tired and of its age. The community room is sited behind the garage. The key road junction is dominated by two areas of open space which are little used. Arrival at the centre of the estate is underwhelming and disappointing when it should be vibrant and exciting. The applicant has identified opportunities to make better use of the land available in this important location.

The applicant's vision for this area is to transform and improve it to create a new, vibrant, high quality centre for the estate with modern shops, new high quality

housing for all ages and high quality open spaces in the form of a 'village green' and market square. The new buildings will provide good street enclosure with active frontages and passive surveillance of the public realm. The roads and junctions will be re-paved to provide a better environment for pedestrians and cyclists. Overall, the proposal will create the scale, form and activity expected for the centre of the estate as well as providing significant new housing for all ages.

6.3 (b) Housing provision

The proposal will provide a total of 133 new, high quality dwellings with a net increase of 112 dwellings, as set out in paragraph 2.6 above. These will include one and two bedroom flats and two and three bedroom houses for general needs, one bedroom bungalows for the elderly and a significant new 'Extra care' facility for the elderly comprising 50 flats and bungalows. This will enhance the range and quality of accommodation on the estate and help meet a range of differing housing needs for all sectors of the community, in accordance with Policy HS2 of the Core Strategy.

Saved Policy H16 of the Watford District Local Plan 2000 seeks to ensure development does not result in the loss of affordable housing. In this case, 21 existing dwellings will be lost. Policy HS3 of the Core Strategy seeks a provision of 35% affordable dwellings in all new development of 10 or more dwellings. Based on the provision of 133 dwellings, this equates to 47 units. However, it is the applicant's intention, as a registered housing provider, to provide at least 89 dwellings (67%) as affordable housing with an aspiration, based upon the final viability of the scheme, to provide all of the dwellings as affordable housing. The proposal will therefore provide a net increase of 68-112 affordable dwellings, which complies with Policy H16 and significantly exceeds the requirements of Policy HS3.

Policy HS3 also sets out the desired tenure split for new affordable housing as 20% social rented, 65% affordable rented and 15% intermediate/shared ownership. The minimum requirement would therefore be 9 social rented, 31 affordable rented and 7 intermediate/shared ownership. The applicants proposed tenure split is to provide 9 social rented dwellings and 80 affordable rented dwellings. The remaining 44

dwellings will be provided as either affordable rent, shared ownership or market rent. The applicant's aspiration is that all these 44 dwellings be provided as affordable rent.

All existing tenants have been consulted by the applicant who is working with them to ensure that those who wish to relocate to one of the new dwellings or elsewhere on the estate has the opportunity to do so. The construction programme is to be phased to ensure that, wherever possible, tenants will be able to move from their existing dwelling to a new dwelling in a single move without the need to go into temporary accommodation.

6.4 (c) Impact on the character and appearance of the area

The Meriden estate comprises a range of dwelling types including single storey bungalows, two storey houses, 4 storey blocks of flats and the two 17 storey tower blocks. With the exception of the tower blocks, the proposal incorporates these different building typologies. Within and surrounding the application site there is a juxtaposition of bungalows, 2 storey houses and 4 storey blocks of flats that characterise the central part of the estate. The siting of the 4 storey blocks helps to acknowledge the importance of this central area within the estate where higher density development, close to the shopping parade and bus stops would be expected. The proposal builds on this existing character to create a higher density heart to the estate. It is also appropriate that the new 'Extra care' accommodation is located adjacent to the new shopping parade and bus stops.

The different heights of the buildings have been used following good urban design principles, to define the new areas of public space, act as 'gateways' to the central area and act as end points to longer views. In this way, the central area becomes much more clearly defined and has a sense of 'arrival' rather than 'passing through' as with the existing layout. The new public realm is clearly defined by Block E2/E3 on York Way to the south, Blocks D/E1 on The Gossamers framing the market square to the west and Block B framing the open space to the east. Views along all the approach roads are terminated by the new buildings which also act as gateway buildings on York Way from the west (Block E1) and east (Block E2), Meriden Way

from the south (Blocks E2/E3) and The Gossamers from the north (Block D).

The design and appearance of the new buildings does not seek to copy or reflect the existing buildings which are varied in appearance and not of any particular architectural or aesthetic merit. The design approach is contemporary and simple and is described by the architects as 'a family of masonry gabled typologies' with the key 4 storey buildings incorporating green, flat roofs to highlight their importance within the urban form. The variation in scale, window openings, balconies and roof forms avoids a bland and monolithic appearance and creates interest and variation in a simple and uncluttered way.

The principal materials to be used are two types of buff coloured facing brick, fibre cement roof tiles, aluminium windows, timber composite doors, timber cladding and limited use of metal cladding. This limited palette of materials will help to integrate the buildings as a coherent development, complimenting each other rather than competing against each other.

Although the design and appearance of the new buildings will differ from the existing buildings on the estate, those defining the new central area will be seen and read as a coherent group forming a new coherent centre to the estate and adding a vibrancy and focus to the area. The proposal will deliver the scale and form of development one would expect to see in the centre of the estate whilst using a complimentary suite of building typologies and high quality materials that will compliment the existing development. Along the western part of York Way, Blocks F1, F2 and G will form a new building line and active frontage where currently blank end walls to the existing flats and small groups of garages provide a very poor streetscape.

Overall, the proposal is considered to significantly enhance the character and appearance of this area and fully accords with Policy UD1 of the Core Strategy, which seeks high quality design that respects and enhances the character and appearance of the surrounding area.

6.6 (d) Quality of accommodation for future residents

The Residential Design Guide sets out the minimum standards the Council will expect for new residential development and guidelines for the assessment of privacy, outlook and natural light to ensure future residents experience a high level of amenity. All of the proposed flats, bungalows and houses within the scheme will meet or exceed the minimum floorarea standards in the RDG and have good internal layouts. This is acceptable. With regard to privacy, outlook, natural light and amenity space, each block will be considered separately.

1) Block A

Each of the bungalows will be dual aspect, facing York Way to the front and a private garden area to the rear. The front elevations will be set back 2m from the edge of the highway behind small front gardens, which will ensure acceptable privacy for a front elevation. The rear elevations and gardens will generally have acceptable levels of privacy. The only direct overlooking will occur to the garden area of the western most bungalow which will be overlooked by the rear bedroom window of the adjacent house in Block B. This can be mitigated sufficiently by increasing the side boundary fence to the garden area from 2m to 2.5m. All of the bungalows will have good outlook and levels of natural light to the front and rear. Each bungalow will have a private garden area of 40m², which is below the minimum requirement of 50m² for a one bedroom dwelling in the RDG.

2) Block B

Each house will be dual aspect, facing the 'village green' open space to the front and a private garden area to the rear. All of the houses will have good levels of privacy, outlook and natural light. Each house will have a private garden area of 52m², which is below the minimum requirement of 65m² for a 3 bedroom dwelling in the RDG.

3) Block C1

This house has a dual aspect, facing The Turnstones to the front and a private garden area to the rear. The front elevation will be set back 1.5m from the highway with a kitchen window overlooking the public realm. This will ensure an acceptable

level of privacy. The rear garden area will experience direct overlooking from the first floor bedroom window of the adjacent house in Block B. This can be mitigated sufficiently by increasing the side boundary fence to the garden area from 2m to 2.5m. The house will have good outlook and levels of natural light to the front and rear. The house will have a garden area of 40m², which is below the minimum requirement of 50m² for a 2 bedroom dwelling.

4) Block C2

Each of the houses is dual aspect, facing The Turnstones to the front and a private garden area to the rear. The front elevations are set back 5m from the edge of the highway behind a front garden area and parking space. This will ensure good levels of privacy to the front. The rear elevations and garden areas are not overlooked. All of the houses will have good outlook and levels of natural light to the front and rear. Each house will have a private garden area of 50m², which is below the minimum requirement of 65m² for a 3 bedroom dwelling in the RDG.

All the case of all of the dwellings in Blocks A, B, C1 and C2, the garden areas are below the minimum requirement set out in the RDG. However, given that all of the dwellings exceed the minimum internal floorarea requirements, all have good levels of amenity, and adequate car parking is being provided (see paragraph 6.9), it is considered that the shortfalls in garden sizes are not sufficient to merit a refusal of the scheme.

5) Block D

This block comprises the 50 'Extra care' units. The main building contains 47 flats the majority of which are single aspect, facing either The Gossamers (15 flats) or the internal courtyard garden (24 flats). Seven of the flats on the upper floors will overlook the new market square and one the dining garden area. Also included are 3 bungalows which are dual aspect but with the main living rooms and bedrooms facing the courtyard garden. The ground floor flats facing The Gossamers will be set back 5m from the edge of the highway behind a landscaped linear garden, ensuring good levels of privacy. All of the proposed flats and bungalows will have good levels of privacy, outlook and natural light.

The residents will have access to two private garden areas, the internal courtyard garden and a smaller dining garden adjoining the communal lounge and dining area. Both of these garden areas will be landscaped to a high quality and will be laid out with paths, seating, raised beds and other features suitable for the intended residents.

6) Block E1

All of the flats on the upper floors will be either single or dual aspect and all will have their principle outlook over the market square. All will have good levels of privacy, outlook and natural light. These flats will have no private communal amenity area, although this is not unusual for flats above commercial premises, but each will have a small private balcony.

7) Blocks E2 and E3

All of the flats on the upper floors will be either single or dual aspect and all will have their principle outlook either over York Way towards the market square or over the rear parking court.. All will have good levels of privacy, outlook and natural light. These flats will have no private communal amenity area, although this is not unusual for flats above commercial premises, but each will have a small private balcony. In some cases, privacy screens will be required to the projecting balconies in order to maintain the privacy of these. These have been included by the applicant and are acceptable.

8) Block F1

These flats will have dual aspect with 5 of the flats having their principle aspect overlooking York Way. All of these flats will have good outlook, privacy and natural light. The remaining 3 flats will have their principle aspect facing between the existing 4 storey blocks of Coldharbour House and Foxtree House towards the existing play areas. Their outlook and natural light will consequently be more compromised, particularly to the single, second bedroom. These flats will have acceptable levels of privacy. These flats will have no communal amenity space. Overall, it is considered these flats will still provide acceptable levels of amenity and

would not merit a refusal of the scheme.

9) Block F2

These flats will have dual aspect with 5 of the flats having their principle aspect overlooking York Way. All of these flats will have good outlook, privacy and natural light. The remaining 3 flats will have their principle aspect facing through the space between the existing 4 storey blocks of Foxtree House and Maple Court, towards the existing courtyard car park. These flats have been redesigned to improve their privacy, outlook and natural light in relation to the existing Foxtree House and are acceptable. These flats will have no communal amenity space.

10) Block G

The flats in the 3 storey block will be dual or triple aspect, overlooking York Way, Garsmouth Way and the visitors parking area at the front of Abbey View. The front elevation to York Way is set back 3.5m from the public footway behind a front garden area. They will all have good levels of outlook, privacy and natural light. The 2 storey houses are also dual aspect at ground floor but single aspect at first floor, with their front elevation facing York Way. As with the flats, they are set back 3.5m from the public footpath. Although the rear elevation and garden areas are overlooked by the flats in Abbey View, any loss of privacy is mitigated through the nature of the windows in Abbey View (to kitchens only), the siting of only landing and bathroom windows at first floor level in the houses, and boundary fencing to the garden areas. Each will have a private garden area of 30m², which is less than the minimum requirement of 50m² in the RDG. Overall, these houses will have acceptable levels of outlook, privacy and natural light.

6.7 (e) Impact on the amenities of existing residents

The Residential Design Guide also sets out guidelines for the assessment of the potential impact of new development on the amenities currently enjoyed by existing residential occupiers.

1) Blocks A, B, C1 and C2

This part of the site comprises the existing bungalows and open space at The

Turnstones. The northern part of The Turnstones is dominated by the 4 storey block of Teal House. The eastern side of The Turnstones and the southern side of York Way by 2 storey houses. The new bungalows in Block A will face the 2 storey houses across York Way at a distance of 19m and the 2 storey houses in Block C2 will face the houses across The Turnstones at a distance of 20m. These are perfectly normal and acceptable facing distances within an urban environment and will result in no adverse impacts on the amenities of the existing dwellings and their occupiers.

The house in Block C1 and the flank elevation of the northernmost house in Block B will face the existing Teal House across The Turnstones at a distance of 19m. Again, this relationship will have no adverse impact on the amenities of Teal House.

2) Blocks D and E1

These multi-storey blocks of 2-4 storeys will replace the existing 3 storey parade of shops and single storey Alterstart garage. The eastern wing of Block D faces the end elevation of Teal House and the front elevation of Pinetree House (also 4 storeys) across The Gossamers (at a minimum distance of 50m). There is a significant treed and landscaped area to the front of Pinetree House including a residents parking area. Block D will have no adverse impacts on the amenities of these blocks.

To the north of Block D is the Badger public house and 2 storey houses in Bowmans Green. The 3 storey flank elevation of the eastern wing of Block D will face the flank elevation of the Badger public house at a distance of 11-18m. This relationship will have no adverse impact on the public house. The houses in Bowmans Green have 20m deep gardens and their rear elevations will be sited approximately 36m from the single storey bungalows in Block D and the 2 storey flank elevation of the western wing. Block D will, therefore, have no adverse impact on these houses.

To the west of Block D are 2 storey houses in Bowmans Green. These houses

have 19m deep gardens and their rear elevations are sited 29-42m from the 2 storey western wing of Block D. As such, Block D will have no adverse impacts on the amenities of these houses.

Block E1 is part 3 storey, part 4 storey. The 3 storey element faces towards the rear garden area of the house at 154, York Way and is sited parallel to this property. The distance between Block E1 and the side garden boundary of no.154 is 25m. This distance is sufficient to ensure no adverse overlooking or loss of privacy to this property.

3) Blocks E2 and E3

These blocks, which read as a single building, are located on the open space between Coldharbour House and York Way. This block varies in height from single storey at its western end (under the high voltage electricity cables), stepping up to 3 storeys and finally to 4 storeys at its eastern corner facing the junction of Meriden Way and York Way. The southern wing then steps back down to 3 storeys. The single storey element is sited between 18-25m from the eastern elevation of Coldharbour House and will have no adverse impact on the amenities of these flats. The 3 storey element is located a minimum of 30m from Coldharbour House and exceeds the minimum guideline distance of 27.5m in the RDG. This is sufficient to ensure the block will have no adverse impact on the amenities of the flats in Coldharbour House.

The 3 storey element forming the southern wing (Block E3) is sited immediately to the north of and in front of the single storey bungalow at 10 Meriden Way. The western corner of this wing closest to the bungalow is cut back at first and second floor level to provide balconies to the flats. The bungalow is dual aspect with a wide frontage (10.5m) and a narrow depth (4.5m) with a large private garden to the rear. The scale and siting of Block E3 will result in some loss of outlook and natural light to the front of this bungalow, however, this room will have a dual aspect to the rear as well which will help to mitigate this impact. As Block E3 is sited to the north, it will have no impact on direct sunlight. The proposed balconies at the western corner of the building will give rise to overlooking and a loss of privacy to the front

windows of the bungalow. This can be adequately mitigated by the installation of privacy screens, which have been included in the scheme. This is acceptable.

4) Blocks F1, F2 and G

Block F1 is sited between the flank elevations of the existing 4 storey blocks of Coldharbour House and Foxtree House. The flats in these blocks are all dual aspect. Its projection beyond the rear elevation of Coldharbour House will result in some limited loss of outlook and natural light to the rear windows of the flats at the western end of the block, but this impact is not considered significant. Block F1 will also have a limited projection beyond the rear elevation of Foxtree House, but this will have no significant adverse impact.

Block F2 is sited adjoining the flank elevation of the 4 storey block Maple Court and partially in front of the rear elevation of Foxtree House. The flats in these blocks are also dual aspect. Block F2 will have no adverse impacts on the flats in Maple Court. In the case of Foxtree House, the Block F2 has the potential to give rise to a more significant loss of outlook, privacy and natural light to the rear facing windows. In order to mitigate this, Block F2 has been redesigned to increase the distance with Foxtree Court to a maximum of 17m and 13m at its closest point. The spacing between the existing blocks, albeit they are off-set against each other, is 19m. The main windows in the rear flats in Block F2 have also been redesigned to mitigate overlooking of Foxtree House.

The British Research Establishment's (BRE) guide 'Site Layout Planning for Daylight and Sunlight', gives rules of thumb for assessing the potential impact of new development on natural light to existing properties. The 25° rule for assessing the impact on daylight can be applied to the windows in Foxtree House. This rule also provides a useful guide to the impact on outlook although this is not its intended purpose. When considering the main element of Block F2 sited 17m from Foxtree House, the block does not breach a 25° line in the vertical plane taken from any of the ground floor windows in Foxtree House. This indicates that there will be no significant loss of natural light to these windows or those on the upper floors. Where the block is at its closest point of 13m the 25° line will be breached for the

ground floor windows only, indicating that some loss of daylight will occur. However, as this part of the block is only 4.5m wide, the loss of light will not be significant. The upper floor windows will comply. On this assessment, there will be no significant loss of light to the flats in Foxtree House. Furthermore, given this situation and the fact that all of the flats in Foxtree Court are dual aspect, it is considered that there will also be no significant loss of outlook to these flats.

In respect of privacy, the main living room window is sited on the corner of the block facing in between the existing buildings towards the courtyard parking area, thereby minimising any opportunity for overlooking. The main bedroom window faces York Way.

Block G is sited on the wide grass verge between the 17 storey tower block Abbey View and York Way, adjacent to the northern end elevation of the block. The 3 storey flats at the eastern end will overlook the front parking area of Abbey View and will have no adverse impact on the flats in the block. The 2 storey houses at the western end have their rear elevations facing Abbey View but have only ground floor windows. The nearest windows in Abbey View are to kitchens only. As such, Block G will have no adverse impacts on the flats in Abbey View.

6.8 (f) Traffic impacts and servicing

A full transport assessment has been submitted with the application. This has been informed by the following surveys:

- Traffic surveys carried out using automatic traffic counters placed on 5 roads (Meriden Way, York Way, The Gossamers, Phillipers and Westlea Avenue). These were in place from 20th April to 3rd May 2015.
- Queuing surveys undertaken with video cameras at the junction of Meriden Way and Westlea Avenue and at the Garston Lane railway bridge. These were undertaken on Tuesday 28th April 2015.
- A survey to identify 'rat-running' through the estate utilising automatic number plate recognition cameras. These cameras were placed at the junction of Westlea Avenue and the A41 at the southern entrance to the

estate and at the junction of Garston Lane with the A412 at the northern entrance to the estate on 28th April 2015.

1) Traffic generation

The traffic surveys show that the highest vehicle flows are on Meriden Way and The Gossamers, as would be expected, being the main north-south roads through the estate. These figures also show a ‘tidal flow’ of traffic related to the morning and evening peak periods.

The Gossamers	Average weekly traffic flow		
	North bound	South bound	Total
0000-2400	4272	3686	7958
0800-0900	243	516	760
1700-1800	515	242	758
Meriden Way			
0000-2400	4996	3577	8573
0800-0900	215	209	424
1700-1800	595	239	833

The predicted traffic flows for the proposed development have also been calculated based upon the net increase in residential dwellings and the loss of the Alterstart garage (predicted to generate 28 vehicle movements per day). This gives a predicted increase of 258 vehicle trips with 23 in the morning peak and 24 in the evening peak. These increases are all considered to be low having regard to the existing traffic flows on The Gossamers and Meriden Way and, consequently, are not considered to have any significant impact on the local highway network.

The Gossamers	Predicted Trip Generation		
	Existing Totals	Net change	% increase
0000-2400	7958	258	3.2
0800-0900	760	23	3.0
1700-1800	758	26	3.4
Meriden Way			
0000-2400	8573	258	3.0
0800-0900	424	23	5.4
1700-1800	833	26	3.1

2) Queuing surveys

The queue data show maximum queue lengths at the Meriden Way/Westlea Avenue junction of 11-13 vehicles between 0715-0800 and 10 vehicles at 0845-0900. Queues are much lower in the evening peak. At the Garston Lane railway bridge, the maximum queue eastbound is 12-13 vehicles between 0830-0900 and 22 vehicles westbound between 1600-1615. In the evening period (1600-1900), queue lengths generally are between 10-16 vehicles.

When the predicted peak period traffic increases are distributed between these two junctions, based upon the 'tidal flow' of vehicles through the estate, the increase in vehicles at these junctions varies between 3-9 vehicles per hour, or one vehicle every 7-20 minutes. This level of additional vehicles using these junctions is not considered to have a significant impact on the existing queue lengths.

3) Rat-running

The level of rat-running through the estate was established by defining a 'rat-running' trip through the estate as a vehicle passing through both the Westlea Avenue/A41 junction and the Garston Lane/St Albans Road junction within a period of 15 minutes. This survey established that rat-running occurs through the estate throughout the day with the highest number of vehicles being 38-40% northbound in the morning peak (0700-0900), 47-48% northbound in the evening peak (1700-

1900) and 55-69% southbound in the morning peak (0700-0900).

The proposed development itself will not increase rat-running through the estate as, by definition, rat-running occurs from vehicles with their origin and destination outside the estate. The proposed environmental improvements around the Meriden Way/York Way/The Gossamers junction will help discourage some rat-running although this cannot be quantified.

6.9 (g) Car and cycle parking provision

Parking provision for the original estate was based around the provision of lock-up garages in small courts, larger open parking courts and on-street parking. In more recent years, the lock-up garages have proved to be under utilised due to the greater size of modern vehicles, especially family cars. Works to improve parking within the estate have included the demolition of garages to provide open parking courts and the provision of small on-street parking bays.

1) Car parking demand

In order to assess the current demand for car parking within the central part of the estate and ensure adequate provision within the proposed development to meet this existing demand and the predicted demand from the new dwellings, a series of parking surveys were undertaken on the estate. Although the surveys were originally intended to focus on the roads within and immediately adjoining the application site, following public consultation, the survey area was widened. Consequently, the survey area included 17 roads and extended from Harvest End in the west to Butterwick in the east, and from Westlea Avenue in the south to the central part of The Gossamers in the north.

The methodology used is the widely regarded and industry standard developed by the London Borough of Lambeth. This is the same methodology used by the applicant for other developments within the Borough, including Boundary Way and Lincoln Court. Within the survey area, both on-street and off-street parking capacity was calculated. The on-street capacity was calculated by counting end-on parking bays and assessing the parallel, kerbside space that could be legally and safely

used.

The results of the survey identified 533 safe and legal on-street spaces and 300 off-street spaces. In order to assess the current demand for parking spaces, a series of parking beat surveys were undertaken, two on a typical weekday at 5pm, 7pm, 9pm and 12 midnight and two on a typical Saturday at 10am, 12pm, 2pm and 4pm. These surveys were then used to calculate average figures for a typical weekday and Saturday. These are summarised in the table below:

Weekday average

Time	Kerbside Parking		
	Cars parked	Free spaces	% Stress
17.00	237	282	46%
19.00	282	238	54%
21.00	323	197	62%
00.00	334	185	64%

It can be seen from this table that the maximum demand was recorded at midnight, which is normally regarded as the time of maximum demand when most residents are likely to be at home. However, the parking stress figure of an average 64% is moderate and certainly not high, with 185 kerbside spaces on average available within the study area. Only 4 roads had a high parking stress of over 85% (Alma Place, Bowmans Green, Harvest End and The Meadows).

Weekday average

Time	Off-Street Parking		
	Cars parked	Free spaces	% Stress
17.00	176	114	61%
19.00	169	121	58%
21.00	169	120	58%
00.00	169	120	58%

This table shows that the maximum demand for off-street spaces was at 17.00

hours with the demand at other times, including midnight, only moderate at 58%. This left 120 off-street spaces on average available for use. Only Munden View and Foxtree House had a parking stress of over 85% (Munden View was at 100%).

Saturday average

Time	Kerbside Parking		
	Cars parked	Free spaces	% Stress
10.00	269	250	52%
12.00	265	255	51%
14.00	277	243	53%
16.00	300	219	58%

This table shows that average parking stress was moderate and did not exceed 58%, with an average of 219 kerbside spaces available. With the exception of Alma Place (which only has 5 on-street spaces) no other road exceeded 85% parking stress.

Saturday average

Time	Off-Street Parking		
	Cars parked	Free spaces	% Stress
10.00	165	127	57%
12.00	162	127	56%
14.00	168	124	58%
16.00	173	119	59%

This table shows that the demand for off-street spaces on a Saturday was very similar to that for kerbside parking, at an average of 59%. This left an average of 119 spaces available. The only areas to exceed a parking stress of 85% were the parking areas to the front and rear of the shopping parade. In the front (public) parking area, a maximum of 25 cars were parked where only 23 spaces exist, indicating a maximum demand slightly in excess (2 cars) of the number of spaces available.

2) Car parking provision - residential

The site is located within Parking Zone 4, as set out in the Watford District Plan 2000. The maximum standards for residential dwellings is as follows:

Dwelling size (bedrooms)	Maximum parking standard (spaces)
1 bedroom	1.25
2 bedrooms	1.5
3 bedrooms	2.25
4+ bedrooms	3
Retirement dwellings	1.0
Sheltered dwellings (with warden)	0.5

For non-residential development, the maximum standard is 75-100% of the maximum. Based upon the number and size of proposed dwellings and non-residential floorspace, the maximum parking provision for each block/area can be calculated.

Block	Maximum	Proposed			
		On-site	Court/bay	On-street	Total
A	9			9	9
B	20.25		10	9	19
C1	1.5		1		1
C2	13.5	6	3		9
Total	44.25	6	14	18	38

Block	Maximum	Proposed			
		On-site	Court/bay	On-street	Total
D	25	25			25
E1	12.25	12			12
Total	37.25	37			37

Block	Maximum	Proposed			
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		On-site	Court/bay	On-street	Total
E2 + E3	36.5	20	13		33
Coldharbour House	18 (existing demand)	18			18
Total	54.5	38	13		52

Block	Maximum	Proposed			
		On-site	Court/bay	On-street	Total
F1	11.25		7	3	10
F2	12		11	1	12
G	12		12		12
Foxtree House	16 (existing demand)	16			16
Total	51.25	16	30	4	50

Based on this analysis, the maximum number of new spaces required to serve the 133 new dwellings (excluding the existing demand for Coldharbour House and Foxtree Court) is 153.25 spaces. Within the application site, 142 spaces are provided either on-site, within parking courts or bays, or on-street. If the 'Extra care' flats are excluded (these are considered specialist accommodation and, in any event, have full dedicated on-site provision), the total number of general needs dwellings and retirement dwellings is 83 with a maximum provision of 128.25 spaces and an actual provision within the application site of 117 spaces (91.2%) for these dwellings.

In order to assess the adequacy of this provision, the parking survey also reviewed the existing car ownership within the Meriden Ward (Super Output Area Middle Layer) as a whole based on the 2011 Census data. The breakdown of actual car ownership is:

Car ownership	Count	%
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No cars in household	773	23.9
1 car in household	1396	43.2
2 cars in household	790	24.5
3 cars in household	187	5.8
4 or more cars in household	83	2.6

If the ward level breakdown is applied to the 83 general needs and retirement dwellings, the predicted car ownership is 99 cars.

Car ownership	%	83 dwellings	Total cars
0	23.9	20	0
1	43.2	36	36
2	24.5	20	40
3	5.8	5	15
4	2.6	2	8
Total	100	83	99

On the basis of this analysis, the provision of 117 spaces for the 83 general needs and retirement dwellings is considered an adequate and acceptable level of provision, being 91.2% of the maximum standard and an excess of 18 spaces over the predicted level of car ownership.

3) Loss of garages

The proposal will result in the loss of 27 lock-up garages on York Way from the sites of Blocks F1 and F2. These garages (as with others on the estate) are largely defunct for garaging cars due to their small size. Of the 27, 14 are vacant and 13 rented out. Of these, 1 is used for storage (Meriden Residents Association), 4 rented to residents within the immediate area of the application site, 2 rented to residents within the wider estate, 3 to residents not within the estate and 3 to persons of unknown address. On this basis, only 4 of the garages could potentially be being used for the garaging of cars of residents within the immediate area of the application site. These 4 cars would therefore be displaced onto the surrounding

roads. Given the low to moderate levels of parking stress observed on the roads within the application area (York Way has a stress of only 36%), these 4 additional cars will not have a significant effect on parking stress in the area.

4) Car parking provision – non-residential

The existing parade of shops has 18 marked bays in front of it for customer use. The maximum recorded number of cars in this car park from the parking surveys was 25. The proposed provision for the new shops comprises 20 spaces within the new 'market square', 5 spaces within a parking bay adjoining Block E1 (a net increase of 2 spaces), and 6 new spaces on Meriden Way adjacent to Block E3. This is a new provision of 28 spaces, which exceeds the existing provision (18 spaces) and the maximum recorded number of cars (25). This level of provision is considered acceptable.

5) Cycle parking provision

The Council's requirement for cycle parking is 1 secure cycle space per dwelling. Each of the bungalows and houses in Blocks A, B, C1, C2 and G will be provided with garden sheds in their garden areas sufficient for 1 or 2 cycles. The flats in Blocks E1, F1, F2 and G will have access to secure communal cycle stores within the blocks sufficient for 1 cycle per flat. The flats in Blocks E2 and E3 will have secure external cycle stores within the rear parking area. The 'Extra care' units in Block D have no cycle provision but do have secure storage facilities for mobility scooters, which is considered to be an appropriate provision for this specialist residential use.

Short term cycle parking hoops are also provided for the shop units.

6.10 (h) Retail and employment implications

The existing parade of shops comprises 10 units and a floorspace of 922m². These include a range of local convenience services, as set out in paragraph 1.4. The application proposal will replace these 10 units with 11 new units, 9 within Block E2/E3, 1 within block D and 1 within Block E1, with a total floorspace of 1060m². It is intended that all existing lessees will be offered one of the new units of an

equivalent size. The new units within Block E2/E3 are to be constructed before the existing parade of shops is demolished to enable continuity of use. As such, there will be no loss of existing services.

Employment is provided within the 10 retail units, the Alterstart garage and within the applicant's estates department (maintenance and cleaning). As a result of the re-provision of the 10 retail units, there should be no loss of employment. The garage currently employs circa. 6 people. This facility will be lost as part of the scheme and the applicant has been unable to find a suitable alternative site within the Meriden estate. It is therefore anticipated that this facility will relocate elsewhere in Watford. The applicant is providing assistance in this process.

6.11 (i) Sustainability and flood risk

It is the applicant's aspiration to achieve Level 4 of the Code for Sustainable Homes, however, this Code has now been abolished by the Government, so a formal code level assessment is longer possible. The applicant is therefore investigating the possibility of the development being a pilot scheme for the British Research Establishment's (BRE) new Home Quality Mark. Notwithstanding this, the development has been designed to meet the criteria of Level 4. The buildings have been designed with a 'fabric first' approach with enhanced insulation and air-tightness to reduce energy use. Solar photovoltaic panels have also been incorporated into the roofs of Blocks A, B, C2, D, E2 and E3 and extensive green roofs have been incorporated into Blocks D, E1, E2 and E3.

With regard to minimising flood risk from surface water run-off, the applicant's surface water drainage scheme has been approved by Herts. County Council as the Lead Local Flood Authority (LLFA). This incorporates various attenuation measures including rain gardens, swales, permeable paving, green and blue roofs and attenuation tanks that will result in a betterment in run-off rates and water quality.

6.12 (j) Open space and landscaping

The landscape strategy for the development forms an integral part of the proposals.

The use of high quality hard and soft landscaping is designed to enhance the public realm, help to create a sense of arrival at the centre of the estate and encourage the use of new open space. The proposals incorporate 2 new open spaces, the market square and the village green, sited opposite each other across the junction of The Gossamers and York Way. The market square will be paved in high quality paving and will incorporate rain gardens and trees. It will provide a multi-use space that will be used generally to provide car parking for the shops and outdoor seating areas but can also be used for community events and markets. The village green will be a grassed open space with new tree and hedge planting and will incorporate a linear children's play area.

The highway adjoining these spaces will be resurfaced to provide a more pedestrian friendly environment with a more flush surface and contrasting tarmac surfacing, entered via speed ramps to slow down traffic. This will give greater priority to pedestrians and allow easier interaction between the new buildings and open spaces.

The planting strategy utilises both native and non-native species to provide colour and interest throughout the seasons, with the species selected appropriate to the different areas of the site. The hard landscaping scheme will incorporate the use of block paving to the market square and parking areas, flag paving, wide flush kerbs, high quality asphalt with chippings to the roads and resin bonded gravel to footpaths. High quality seating and lighting will be used throughout the different spaces.

The proposals will result in the loss of open space and trees within this part of the estate of approximately 0.4 hectare. However, the estate as a whole is well served with open space. The main area is located along the southern boundary of the estate off Garsmouth Way and Meriden Way and amounts to approximately 3.12 hectares. Overall, it is considered that the benefits of the proposal outweigh the loss of open space from the application site.

7.0 COMMUNITY INFRASTRUCTURE LEVY AND PLANNING OBLIGATION

7.1 Community Infrastructure Levy (CIL)

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

The CIL charges applicable to the proposed development are:

Watford Charging Schedule

Type of Development	CIL Rate
Residential	£120 per sqm
Specialist accommodations for the elderly and/or disabled including Sheltered and Retirement Housing and Nursing homes, Residential Care Homes and Extra Care Accommodation. (This does not include registered, not for profit care homes')(within Use Class C2 and C3).	£120 per sqm
Retail (Class A1 – A5)	£120 per sqm
Other uses	£0 per sqm

The charge is based on the net increase of the gross internal floor area of the proposed development. Exemptions can be sought for charities, social housing and self-build housing. If any of these exemptions is applied for and granted, the CIL liability can be reduced. In the case of this application, all of the residential and specialist accommodation is intended to be affordable and will therefore attract no

CIL charge providing the social housing exemption is correctly applied for. With regard to the retail uses, the CIL charge will only be applied to the net increase in floorarea, with the existing floorspace to be demolished being deducted from the proposed floorspace.

In accordance with s.70 of the Town and Country Planning Act 1990, as amended by s.143 of the Localism Act 2011, a local planning authority, in determining a planning application, must have regard to any local finance consideration, so far as material to the application. A local finance consideration is defined as including a CIL charge that the relevant authority has received, or will or could receive. Potential CIL liability can therefore be a material consideration and can be taken into account in the determination of the application.

7.2 **S.106 planning obligation**

The Council introduced the Community Infrastructure Levy (CIL) with effect from 01 April 2015. On and from this date, s.106 planning obligations can only be used to secure affordable housing provision and other site specific requirements, such as the removal of entitlement to parking permits in Controlled Parking Zones and the provision of fire hydrants.

Unilateral undertaking for affordable housing and fire hydrants

The proposed development is one where affordable housing should be provided, in accordance with saved Policy H16 of the Watford District Plan 2000 and Policy HS3 of the Watford Local Plan Part 1 Core Strategy 2006-31. It is also the applicant's intention to provide all of the proposed residential units as affordable accommodation, in excess of the policy requirements.

In addition, the proposed development is one where Hertfordshire County Council, in pursuance of its duty as the statutory Fire Authority to ensure fire fighting facilities are provided on new developments and that all dwellings are adequately served by fire hydrants in the event of fire, seeks the provision of hydrants required to serve the proposed buildings by means of a planning obligation. The requirements for fire hydrant provision are set out within the County Council's

Planning Obligations Toolkit document (2008) at paragraphs 12.33 and 12.34 (page 22). In practice, the need for hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

Under Regulation 122 of the Community Infrastructure Levy Regulations 2010, where a decision is made which results in planning permission being granted for development, a planning obligation may only constitute a reason for granting planning permission for that development if the obligation is:

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

The provision of affordable housing is directly related to the proposed development, and is fairly and reasonably related in scale and kind to that development. It is also necessary to make the development acceptable in accordance with the Council's planning policies.

As the County Council's requirement for the provision of fire hydrants accords with the provisions of the *Planning Obligations Toolkit*, this obligation is also directly related to the proposed development and is fairly and reasonably related in scale and kind to that development. It is also necessary to make the development acceptable in accordance with the County Council's statutory duty as the Fire Authority.

Accordingly, the provision of affordable housing and the County Council's requirement for fire hydrants meet the tests in Regulation 122 of the Community Infrastructure Regulations 2010, and, consequently, these planning obligations can be taken into account as material planning considerations in the determination of the application. Both the Council's approach to seeking affordable housing

provision and the County Council's approach to seeking the provision of fire hydrants by means of planning obligations are also fully in accordance with the advice set out in paragraphs 203 to 205 of the National Planning Policy Framework.

The affordable housing requirement in this case, in accordance with Policy HS3, is 47 dwellings. However, it is the applicant's intention to provide all 133 dwellings as affordable housing.

8.0 CONCLUSION

- 8.1 The proposal will be a significant intervention into the urban fabric of the central area of the Meriden estate. The applicant's vision is to create a new, vibrant heart at the centre of the estate and make it a destination to visit rather than a place that people just pass through. They have taken a restrained but contemporary approach to the design of the buildings which reflect the scale of existing buildings in this part of the estate. The layout of the proposals apply good urban design principles to create an environment that has a clearly defined, high quality and safe public realm with secure private parking and garden areas for residents.
- 8.2 The proposal provides a significant increase in dwellings which cater for a range of different housing needs within the estate and with a significant majority of units being affordable. The quality of the new accommodation is good with adequate car parking provision. The proposal respects the amenities of existing residents and ensures the existing on-street parking situation is more than sufficient to cater for existing demand. The existing traffic conditions within the estate are acknowledged but the additional traffic generated by the proposals will not be significant and will not generate any additional rat-running through the estate.
- 8.2 Overall, it is considered that the proposals will achieve a successful and high quality regeneration of this part of the estate and the benefits of the proposals will significantly outweigh the loss of open space and the local garage that are necessary to facilitate the development.

9.0 HUMAN RIGHTS IMPLICATIONS

- 9.1 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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10.0 RECOMMENDATION

- (A)** That planning permission be granted, subject to the completion of a planning obligation under section 106 of the Town and Country Planning Act 1990 (as amended) as set out below, and subject to the following conditions:

Section 106 Heads of Terms

- i) To secure the provision of fire hydrants as required by the County Council in accordance with Policy H10 of the Watford District Plan 2000.
- ii) To secure a minimum of 89 dwellings as affordable housing comprising 9 social rented and 80 affordable rented units. The remaining 44 dwellings to be provided as social rented, affordable rented or private rented units.

Conditions

1. The development to which this permission relates shall be begun within a period of 3 years commencing on the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall only be constructed in accordance with the following approved drawings, unless otherwise agreed in writing by the Local Planning Authority:

101_PL_011A, 002B, 003D, 004A, 005A, 006B, 007A, 008A, 009A, 010A, 011A, 012A, 013B, 014A, 015B, 016B, 017B, 018B, 019B, 020A, 021A, 022A, 025C, 026C, 027E, 028E, 029D, 030C, 031D, 032B, 033B, 034B, 035C, 036C, 037A, 038A, 039B, 040B.

Reason: For the avoidance of doubt as to what has been permitted.

3. Construction of the development hereby permitted shall not take place before 8am or after 6pm Mondays to Fridays, or at any time on Saturdays, 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.

4. No development shall commence until the scheme has been registered with the Considerate Constructors Scheme and a certificate of registration has been submitted to the Local Planning Authority. The construction shall be carried out in accordance with the requirements of this scheme.

Reason: To safeguard the amenities of neighbouring properties and prevent obstruction of the adjoining highway during the time that the development is being constructed.

5. No development shall commence until a Development Phasing Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include for each phase a site plan delineating the following works to be undertaken in that phase:

- i) the dwellings to be constructed;
- ii) the parking spaces to be constructed;
- iii) the improvement works to be undertaken within the highway;
- iv) the footpath improvement works to be undertaken.

No dwelling shall be occupied in any given phase until all works within that phase and each preceding phase have been completed in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development is undertaken in a way that minimises the impact on existing residents and that each phase of the development has adequate parking and servicing facilities.

6. No development shall commence within any phase as approved in the Development Phasing Plan until an Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority for that phase. This Plan shall include details of contractors' parking, arrangements for the delivery and storage of materials, any temporary access/egress points to adjoining highways, measures to mitigate noise and dust, and wheel washing facilities. The Plan as approved shall be implemented throughout the demolition/construction period for each phase.

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.

7. No development shall commence within any phase as approved in the Development Phasing Plan until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority for that phase. This Plan shall include demolition and construction works within each phase. The

Plan as approved shall be implemented throughout the demolition/construction period for each phase.

Reason: To minimise the waste generated by the development and ensure the sustainable re-use and management of waste within the county.

8. No development shall commence within any phase until fencing of a style, height and in a position to be agreed in writing by the Local Planning Authority shall have been erected to protect all trees which are to be retained. No materials, vehicles, fuel or any other items shall be stored or buildings erected or works carried out inside this fencing and no changes in ground level shall be made within the spread of any tree or shrubs (including hedges) without the prior written approval of the Local Planning Authority.

Reason: To safeguard the health and vitality of the existing trees which represent an important visual amenity during the period of construction works in accordance with Policies SE37 and SE39 of the Watford District Plan 2000.

9. No construction works shall commence until full details and samples of the materials to be used for the external surfaces of the buildings (including walls, roofs, windows, doors, balconies and solar panels) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved materials.

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

10. No construction works shall commence until details of a lighting scheme for the development have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be installed as approved prior to the first occupation of each phase of the development to which it relates.

Reason: To meet the needs for safety and security for users of the site and to ensure no adverse impacts on the adjoining public highways or adjoining properties, in accordance with Policy SE23 of the Watford District Plan 2000.

11. No removal of trees, scrub or hedges shall be carried out on the site between 1st March and 31st August in any year unless a suitably qualified ecologist has previously searched the trees, scrub or hedges and certified in writing to the Local Planning Authority that such works of removal may proceed.

Reason: In order to avoid harm to nesting birds which are protected.

12. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete

and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To protect highly sensitive groundwater resources. The Preliminary Risk Assessment submitted with this application indicates the presence of polluting substances from the previous uses (former petrol filling station now used as MOT & service centre, electrical substations and garages). The site is located within Source Protection Zone 1, indicating that groundwater beneath the site will reach the public drinking water supply within 50 days and is therefore highly sensitive to pollution.

13. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To protect highly sensitive groundwater resources. The Preliminary Risk Assessment submitted with this application indicates the presence of polluting substances from the previous uses (former petrol filling station now used as MOT & service centre, electrical substations and garages). The site is located within Source Protection Zone 1, indicating that groundwater beneath the site will reach the public drinking water supply within 50 days and is therefore highly sensitive to pollution.

14. No development should take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect highly sensitive groundwater resources. The Preliminary Risk Assessment submitted with this application indicates the presence of polluting substances from the previous uses (former petrol filling station now used as MOT & service centre, electrical substations and garages). The site is located within Source Protection Zone 1, indicating that groundwater beneath the site will reach the public drinking water supply within 50 days and is therefore highly sensitive to pollution.

15. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To protect highly sensitive groundwater resources. The Preliminary Risk Assessment submitted with this application indicates the presence of polluting substances from the previous uses (former petrol filling station now used as MOT & service centre, electrical substations and garages). The site is located within Source Protection Zone 1, indicating that groundwater beneath the site will reach

the public drinking water supply within 50 days and is therefore highly sensitive to pollution.

16. No infiltration of surface water drainage into the ground at this site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To protect highly sensitive groundwater resources. The Preliminary Risk Assessment submitted with this application indicates the presence of polluting substances from the previous uses (former petrol filling station now used as MOT & service centre, electrical substations and garages). The site is located within Source Protection Zone 1, indicating that groundwater beneath the site will reach the public drinking water supply within 50 days and is therefore highly sensitive to pollution.

17. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect highly sensitive groundwater resources. The Preliminary Risk Assessment submitted with this application indicates the presence of polluting substances from the previous uses (former petrol filling station now used as MOT & service centre, electrical substations and garages). The site is located within Source Protection Zone 1, indicating that groundwater beneath the site will reach the public drinking water supply within 50 days and is therefore highly sensitive to pollution.

18. No development shall commence until a drainage strategy, detailing any on and/or off site drainage works, has been submitted to and approved by, the Local Planning

Authority. The proposed foul water discharge rates to every connection point must be included in the drainage strategy. If initial investigations conclude that the existing sewer network is unlikely to be able to support the demand anticipated from this development, an Impact Study must be undertaken to inform the drainage strategy. No discharge of foul or surface water from the site shall be accepted into the public system until all works referred to in the approved drainage strategy have been completed in full.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

19. No impact piling shall take place within the site until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

20. No development shall commence until a Stage 2 Road Safety Audit for the proposed highway improvements and access junctions has been submitted to and approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved works.

Reason: In the interests of highway safety.

21. No demolition or construction works shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local

Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

- a) Construction vehicle numbers, type, routing;
- b) Traffic management requirements;
- c) Construction and storage compounds (including areas designated for car parking);
- d) Siting and details of wheel washing facilities;
- e) Cleaning of site entrances, site tracks and the adjacent public highway;
- f) Timing of construction activities to avoid school pick up/drop off times;
- g) Provision of sufficient on-site parking prior to commencement of construction activities;
- h) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way.

22. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment carried out by Conisbee Engineers dated 24 August 2015 (Revision 1.2, reference 150340/TG), drawing no.C103 and the response letter to the LLFA received on the 10 September 2015 and the following mitigation measures detailed within the FRA:

- i) Limiting the surface water run-off generated by the 1 in 100 year + 30% for climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

- ii) Restricting the surface water run-off rates to each discharge point into the existing sewer network in accordance with Table 6.1 within the FRA.
- iii) Implement a range of SuDS measures in accordance with the FRA including permeable paving, swales, rain gardens and tanks.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To provide a betterment to flood risk by reducing the overall surface water run-off rates from the new development and ensuring the satisfactory disposal of surface water from the site, in accordance with Policy SE30 of the Watford District Plan 2000.

23. No individual dwelling in any given block of houses or flats, as identified on the approved drawings, shall be occupied until a detailed soft landscaping scheme for all the land within and adjoining the respective part of the site, has been submitted to and approved in writing by the Local Planning Authority. This shall include the retention of existing trees and hedging where possible and measures to enhance the ecological biodiversity of the site. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of the respective block forming part 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 and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

24. No individual dwelling in any given block of houses or flats, as identified on the approved drawings, shall be occupied until a detailed hard landscaping scheme for all the land within and adjoining the respective part of the site, including details of all site boundary treatments and internal plot boundaries, has been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details.

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

25. No individual dwelling in any given block of houses or flats, as identified on the approved drawings, shall be occupied until the respective refuse and recycling facilities and cycle storage facilities to serve the dwellings, as shown on the approved drawings, have been constructed. These facilities shall be retained as approved at all times.

Reason: In the interests of the visual appearance of the site and to ensure that adequate facilities exist for residents of the proposed development, in accordance with Policy SE7 of the Watford District Plan 2000.

26. No individual dwelling in any given block of houses or flats, as identified on the approved drawings, shall be occupied until the respective vehicle parking accommodation, as shown on the approved Development Phasing Plan has been provided and made available for use. This parking accommodation shall be permanently retained and shall not be used for any other purpose than the parking of vehicles of occupants of the development or visitors to the site.

Reason: To ensure that the development makes adequate provision for the parking of vehicles of the future occupiers of the development and their visitors in the interests of highway safety and to accord with Policies T22 and T24 of the Watford District Plan 2000.

27. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, F of the Order shall be carried out to the houses 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 with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

28. At least four months prior to the first occupation of the development, details of the proposed Travel Plan for the residential elements of the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To promote a sustainable development in accordance with Local Plan policies and highway authority requirements.

29. At least four months prior to the occupation of any commercial unit, details of a Delivery and Servicing Management Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the size of delivery vehicles, the locations for parking delivery vehicles and the times during which deliveries shall take place.

Reason: To protect highway safety and the amenity of other users of the public highway and rights of way and to protect the amenities of neighbouring residential properties.

30. No access shall be brought into use until it has been laid out and constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and convenience.

31. No plant or equipment associated with the commercial uses in Blocks E1, E2 and E3 or the communal kitchen in Block D shall be sited on the external elevations of the buildings unless details of the plant or equipment has been submitted to and approved in writing by the Local Planning Authority. The details shall include size, appearance, siting and technical specifications relating to noise and odour control as appropriate.

Reason: In the interests of the appearance of the buildings and the amenities of adjoining residential properties.

32. The commercial units within the development shall only be used for the following uses within the Town and Country Planning (Use Classes) Order 1987 (as amended), unless otherwise agreed in writing by the Local Planning Authority:
- a) The unit labelled as 'hairdresser' in Block D shall only be used for purposes within Class A1 (Shops).
 - b) The unit labelled as 'café' in Block E1 shall only be used as a café within Class A3 (Restaurants and cafes) or for purposes within Class A1 (Shops).
 - c) Units 1-8 in Block E2 shall only be used for purposes within Class A1 (Shops) with the exception of one unit which may be used as a launderette (Sui generis), one unit which may be used for purposes within Class A2 (Financial and professional offices) and two units which may be used for purposes within Class A5 (Hot food takeaways).
 - d) Unit 9 in Block E3 shall only be used for purposes within Class A1 (Shops).

Reason: To ensure an acceptable range of uses to serve the local community.

33. No commercial unit within Blocks E1, E2 and E3 shall be open to the public before 0700 hours or after 2200 hours on any day.

Reason: In the interests of the amenity of neighbouring residential properties.

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 provision of a minimum of 89 affordable housing units and the necessary fire hydrants to serve the development.
 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.
 3. Before commencing the development the applicant shall contact Hertfordshire County Council Highways (0300 123 4047) to obtain i) their permission/requirements regarding access for vehicles involved in the demolition of the existing building; ii) a condition survey of any adjacent highways which may be affected by construction vehicles together with an agreement with the highway authority that the developer will bear all costs in reinstating any damage to the highway.
 4. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer.
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Drawing numbers

101_PL_011A, 002B, 003D, 004A, 005A, 006B, 007A, 008A, 009A, 010A, 011A, 012A, 013B, 014A, 015B, 016B, 017B, 018B, 019B, 020A, 021A, 022A, 025C, 026C, 027E, 028E, 029D, 030C, 031D, 032B, 033B, 034B, 035C, 036C, 037A, 038A, 039B, 040B.

(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 30th October 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 reasons:

1. The proposal fails to make provision for affordable housing on-site and as such is contrary to Policy HS3 of the Watford Local Plan Core Strategy 2006-31.
 2. The proposal fails to make provision for fire hydrants to serve the development and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.
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