



# **DEVELOPMENT MANAGEMENT COMMITTEE**

**Thursday, 10th March, 2016**

**7.30 pm**

**Town Hall**

**Publication date: 2 March 2016**

## **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](mailto:legalanddemocratic@watford.gov.uk) .

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

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## **SPEAKING AT DEVELOPMENT MANAGEMENT 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 Management 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 18 February 2016 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. **14/00511/OUTM WATFORD HEALTH CAMPUS** (Pages 5 - 12)  
  
Request for a Deed of Variation to the Section 106 agreement associated with planning permission 14/00511/OUTM.
  5. **15/01283/FULM HD HOUSE, IMPERIAL WAY** (Pages 13 - 32)  
  
Demolition of existing 2 storey office building to front of warehouse and erection of new 5 storey office building.
  6. **15/00115/OUTM 8, 10 AND 12 CHALK HILL** (Pages 33 - 96)  
  
Outline application for demolition of existing buildings and construction of up to 121 dwellings and a basement car park for residents of up to 197 spaces.

**7. 16/00076/VAR CHARTER PLACE SHOPPING CENTRE** (Pages 97 - 128)

Variation of Condition 2 of planning permission ref. 14/00779/VAR to incorporate amendments to the ground and first floor retail units, second floor leisure unit, design of the high level glazed canopy, reorientation of the escalators and stairs within the central space and other minor amendments.

# Agenda Item 4

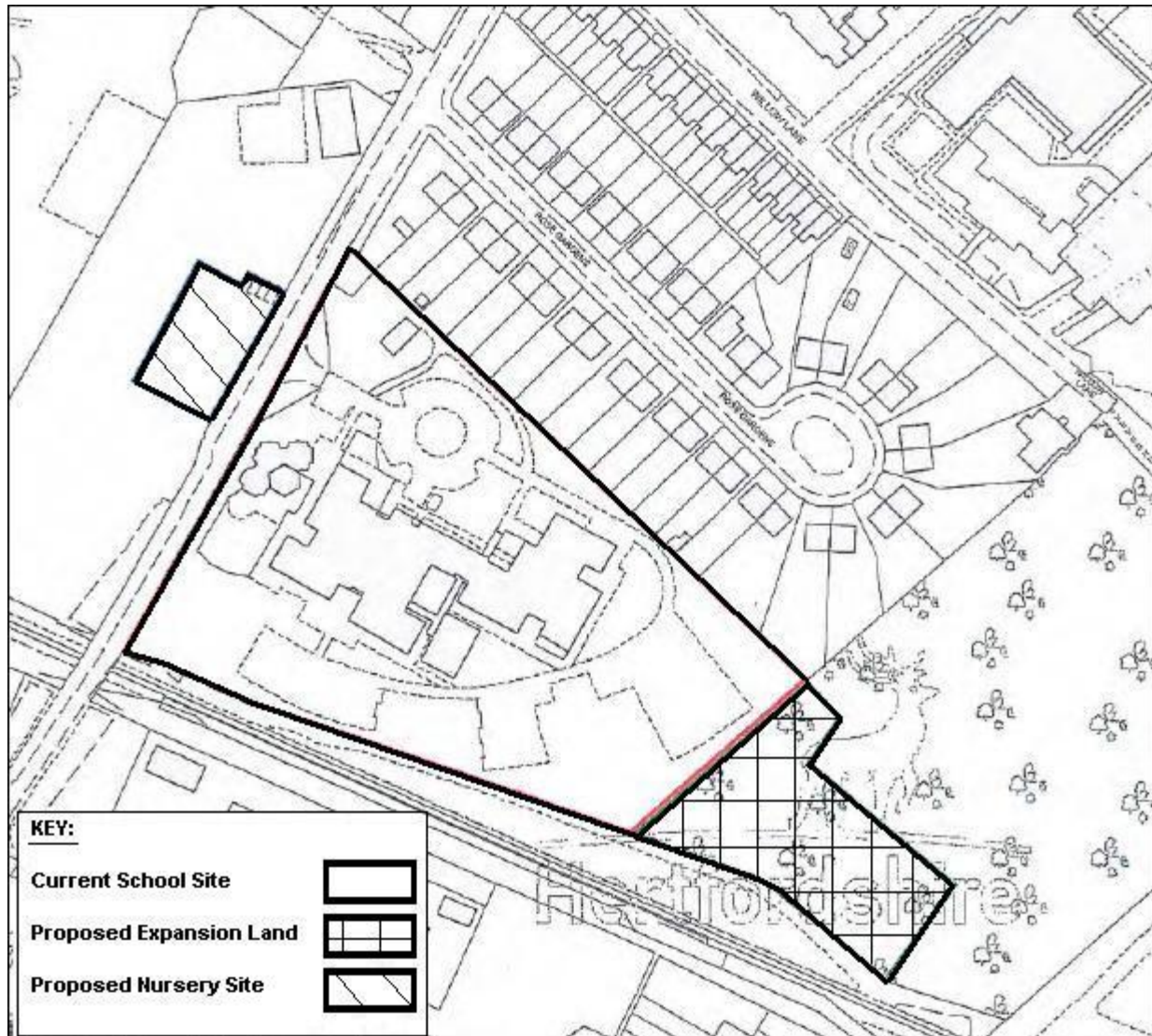
PART A	
Report of: <b>DEVELOPMENT MANAGEMENT SECTION HEAD</b>	
Date of Committee	<b>10<sup>th</sup> March 2016</b>
Site address:	<b>Watford Health Campus</b>
Reference Number :	<b>14/00511/OUTM</b>
Proposal:	<b>Request for a Deed of Variation to the Section 106 agreement associated with planning permission 14/00511/OUTM to allow an extension of the time period in which the County Council are obliged to notify the Council and the Developer if previously identified land is required for the expansion of Laurance Haines School.</b>
Request received by:	<b>Hertfordshire County Council (Head of Development Services)</b>
Request received:	<b>23<sup>rd</sup> February 2016</b>
Ward:	<b>Vicarage</b>

## **SUMMARY**

Planning permission was granted in January 2015 for the development of a mixed-use health campus (known as the Watford Health Campus) comprising: the construction of new hospital/healthcare accommodation, together with business, retail, office, food and drink, hotel, and leisure uses, and up to 681 new dwellings, safeguarding of land for the expansion of Laurance Haines primary school, new public spaces, play space and landscaping, associated car parking, access roads, footways and cycleways (granted outline planning permission); the construction of three industrial business units together with associated vehicle and cycle parking, site landscaping and the creation of a new wildlife area (detailed element granted full planning permission). This application was subject to a Section 106 (s106) planning obligation which sought to secure, inter alia, land

to be utilised for an expansion of Laurance Haines School. The obligation was made on 6<sup>th</sup> January 2015 between the Council, the County Council, the West Hertfordshire Hospitals National Health Service Trust and the Watford Health Campus Partnership LLP (the 'Developer').

A Deed of Variation relating to Parts 7 and 8 of Schedule 2 of the s106 agreement associated with planning permission 14/00511/OUTM is now required to allow an extension to the time period in which Hertfordshire County Council (HCC) are obliged to advise the Council and the Developer if the previously identified land (see plan below) is required for the expansion of Laurance Haines School. The purpose of this report is therefore to amend the date set out within the relevant paragraphs of the s106 agreement to allow HCC, as the Education Authority, additional time to reach an informed decision as to whether the land identified on the plan below is required.



Plan indicating current Laurance Haines School site, proposed expansion land and proposed nursery site

## BACKGROUND

At its meeting on the 18th September 2014, Development Control Committee resolved to grant planning permission for the Watford Health Campus hybrid masterplan development under application reference 14/00511/OUTM subject to the final terms of the planning obligation secured under s.106 of the Town and Country Planning Act 1990 and the final wording of the proposed conditions being referred back to the Committee for approval.

The final s106 planning obligation and proposed conditions were presented to the Committee at their meeting of the 16th December 2014. Members agreed with the content

of the planning obligation and resolved that the planning obligation be entered into based on the content presented to Members. This was done and the Agreement was signed by all parties and engrossed on 6th January 2015.

Following the submission of a revised planning application for the area of land known as Business Area South under application 15/01246/FULM, a Deed of Variation to the original s106 Agreement was required. This was to ensure that the obligations referred to within the original Agreement were linked to the revised planning application and all parties would continue to be bound by this. Given there were particular highway works within the s106 that were triggered by the construction of the units at Business Area South, it was essential that this revised planning application was covered by the Deed of Variation.

The purpose of this report is to amend the date set out within paragraphs 7.1, 7.4, 8.1 and 8.4 of the s106 agreement to allow HCC, as the Education Authority for Watford, additional time to reach an informed decision on the siting of a primary school associated with the Watford Health Campus.

As set out within the hybrid planning application, provision has been made for the expansion of Laurance Haines School by one form of entry. The Borough Council has agreed to set aside two areas of land for this, one within the Health Campus site on the former Willow Lane allotments ('School Land') and one at Harwoods Adventure Playground ('Additional School Land'), for use, if required, by the County Council in connection with the expansion of Laurance Haines school (see plan above).

In addition to this allocated provision, the Developer has also initiated discussions with the County Council in respect of the construction of a new 2 form entry school on that part of the Farm Terrace Allotment site not covered by the proposed hospital expansion. HCC has expressed a preference for the construction of a school on this site. At the time of writing this report, the Farm Terrace Allotment site remains allotment land as no decision has yet been made by the Secretary of State on the Borough Council's application for the



allotment status to be removed. There is therefore continued uncertainty over the availability of the Farm Terrace Allotment site and, consequently, the deliverability of a primary school on this site.

The current s.106 agreement was granted with the expectation that a final decision on the Farm Terrace Allotments would have been made significantly earlier than is currently anticipated. As a result, the date of 31/03/16 that is referred to within paragraphs 7.1, 7.4, 8.1 and 8.4 of the s.106 does not currently provide the County Council sufficient time to arrive at an informed decision on the most appropriate location for the school given the lack of certainty over the Farm Terrace Allotment land.

HCC has formally written to the Council as the Local Planning Authority requesting that that the date of the 31/03/16 for which the County Council were required to give notice to the Council for a decision in respect of both the School Land and the Additional School Land be varied to 31/03/17. Through allowing an additional year to come to a decision, it is anticipated that the final decision on the status of the Farm Terrace Allotment land would have been arrived at, allowing the County Council the ability to make an informed decision on the siting for the proposed school.

## **APPRAISAL**

A deed of variation to the s106 agreement associated with planning permission 14/00511/OUTM is required to allow an extension of the time period in which the County Council are obliged to advise the Council and the Developer if the 'School Land' or 'Additional School Land' is required for the expansion of Laurance Haines School.

The 'School Land' and 'Additional School Land' are defined within the s106 document and equate to the areas cross-hatched and hatched, respectively, on the map provided earlier in this report.

The s106 planning obligation stipulates, in paragraphs 7.1 and 8.1 respectively, that the County Council must serve written notice on the Council and Developer no later than 31

March 2016 should they wish to secure the aforementioned land parcels. Paragraphs 7.4 and 8.4 would also need amending.

The variation relates to Parts 7 and 8 of Schedule 2 of the s.106 agreement only. In all other respects the agreement, and its terms, are to remain unchanged. It is acknowledged that the provision of additional school facilities is of importance. Given the lack of certainty over the status of the Farm Terrace allotment land and where these facilities will ultimately be delivered the proposed Deed of Variation is considered to be acceptable.

### **Conclusion**

Without the proposed Deed of Variation being agreed, the land earmarked for the expansion of Laurance Haines School would no longer be allocated for such a use. The variation that is hereby applied for will allow HCC additional time to consider the options available for the provision of new school accommodation. It is therefore recommended that the Deed of Variation is granted to allow a fully informed decision to be made on the future provision of education facilities for the benefit of the Borough.

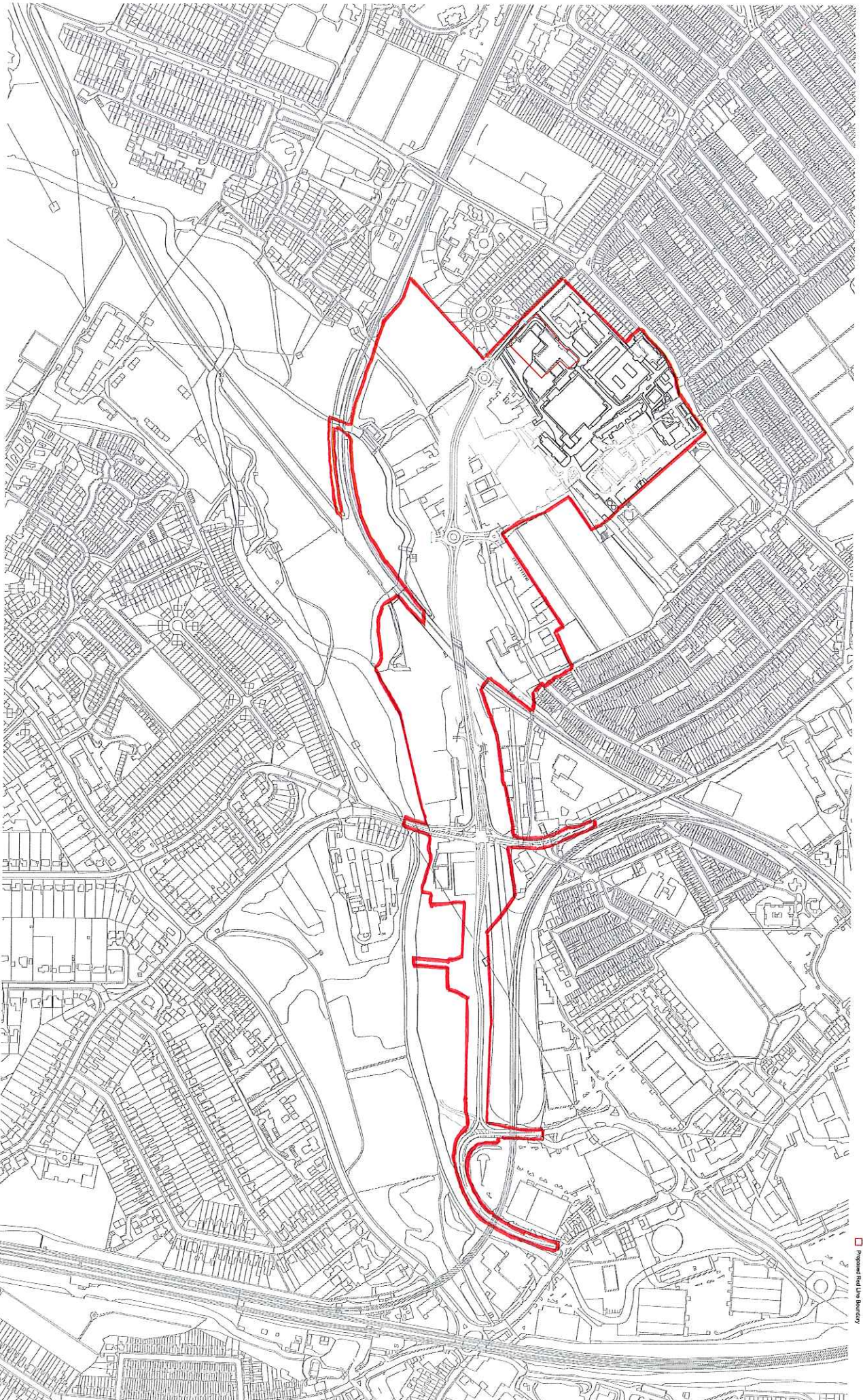
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### **RECOMMENDATION**

That a Deed of Variation to the Section 106 agreement associated with planning permission 14/00511/OUTM be granted to allow an extension of the time period from 31<sup>st</sup> March 2016 to 31<sup>st</sup> March 2017 in which the County Council are obliged to notify the Council and the Developer if previously identified land is required for the expansion of Laurance Haines School.

Case Officer:       **Simon Hoskin**  
Email:               **simon.hoskin@watford.gov.uk**  
Tel:                  **01923 278598**





As plans have been prepared from aerial imagery, they may not accurately reflect the current situation on the ground. The user should verify the accuracy of the information shown on this plan before using it for any purpose.

Proposed Red Line Boundary





PART A	
Report of: <b>HEAD OF DEVELOPMENT MANAGEMENT</b>	
Date of committee:	<b>10<sup>th</sup> March 2016</b>
Site address:	<b>HD House, Imperial Way</b>
Reference Number:	<b>15/01283/FULM</b>
Description of Development:	<b>Demolition of existing 2 storey office building to front of warehouse and erection of new 5 storey office building.</b>
Applicant:	<b>Sigma Pharmaceuticals Plc</b>
Date Received:	<b>12<sup>th</sup> October 2015</b>
13 week date (major):	<b>11<sup>th</sup> January 2016 (extended by agreement to 11<sup>th</sup> April 2016)</b>
Ward:	<b>Tudor</b>

## 1.0 SITE AND SURROUNDINGS

- 1.1 The site is located on the eastern side of Imperial Way, between the junctions with Colonial Way to the south and Bermer Road to the north, within the Imperial Way/Colonial Way industrial estate. It has a site area of 0.24 hectare and comprises a 2 storey warehouse with 2 storey office block on the Imperial Way frontage. The building is constructed of buff brickwork and white cladding with high level metal strip windows. It was formerly occupied by Securicor but is currently vacant. The site includes car parking to the frontage and along the side boundary off Bermer Road and has a rear servicing yard.
- 1.2 The surrounding buildings are typically 2 storeys in height and of various designs and materials, as would be expected in an industrial area of this nature. They are in Class B1 and B8 uses.

## **2.0 PROPOSED DEVELOPMENT**

- 2.1 The proposal is to demolish the existing office building (248m<sup>2</sup>) and erect a new 5 storey office building (1,572m<sup>2</sup>), refurbish the existing warehouse (1,390m<sup>2</sup>) and erect a new canopy over the rear servicing yard. The proposed building will have 4 full storeys and a significantly smaller, recessed top storey. The overall appearance of the building will be of 4 storeys. The proposed materials are dark grey and light grey insulated cladding panels with grey framed windows. For the warehouse, the existing white cladding and high level strip windows will be replaced by new white cladding.
- 2.2 The frontage to Imperial Way will include a drop-off facility, 4 parking spaces and a cycle store. The parking spaces along the northern side of the building on Bermer Road will be replaced by parking for vans waiting to load (the parking spaces will be relocated to the adjoining site, also in the applicant's ownership).
- 2.3 The applicant owns a total of 7 buildings within the area bordered by Colonial Way, Imperial Way and Bermer Road which forms the company's headquarters. It also leases other satellite buildings on Clive Way nearby and elsewhere in Watford. The proposal forms the first phase of a redevelopment as part of an expansion and consolidation of the company on their Colonial Way/Imperial Way site.

## **3.0 RELEVANT PLANNING HISTORY**

- 3.1 The existing warehouse/office building was granted planning permission in 1970 (ref. 4404/70).

## **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
- EMP1 Economic Development
- EMP2 Employment Land
- T2 Location of New Development
- T3 Improving Accessibility
- T4 Transport Assessments
- UD1 Delivering High Quality Design

4.4 **Watford District Plan 2000**

- SE7 Waste Storage, Recovery and Recycling in New Development

SE27	Flood Prevention
T10	Cycle Parking Standards
T21	Access and Servicing
T22	Car Parking Standards
E1	Employment Areas

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

No relevant policies.

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 *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.

#### 4.9 **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 7 Requiring good design

Section 10 Meeting the challenge of climate change, flooding and coastal change

Decision taking

## **5.0 CONSULTATIONS**

### **5.1 Neighbour consultations**

Ten properties surrounding the site were notified. No replies have been received.

### **5.2 Statutory publicity**

The application was publicised by site notice posted on 23<sup>rd</sup> October 2015 and by advertisement in the Watford Observer published on 23<sup>rd</sup> October 2015. The site notice and newspaper advertisement periods expired on 13<sup>th</sup> November 2015.

### **5.3 Technical consultations**

The following responses have been received from technical consultees:

#### 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 the commencement of the site works the applicant shall submit a construction management plan setting out details of on-site parking for all contractors, sub-contractors, visitors and delivery vehicles, storage of materials to be approved in writing by the Local Planning Authority in consultation 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.

#### Planning Application

Application is for demolition of existing vacant two storey office building and construction of 4 storey office building. This is a modernisation of the existing office building and does not include increase in employee.

#### Site and surrounding

The application site is vacant and is part of a wider site that comprises offices, industrial, ware houses and distribution. The complex is enclosed by Imperial Way, Colonial Way and Bermer Road. Both Imperial Way and Colonial Way contain number of commercial establishments.

#### Local Road Network

The site is at the corner of Imperial Way/Bermer Road. Colonial Way forms a Roundabout junction with M1 Link Road. Colonial Way after an sharp bend turn in to Imperial Way which forms a junction with Balmoral Road which leads to A412 St Albans Road. The local road network provides easy access to Watford Town Centre or to Berry Grove Roundabout to wider road network such as M1, A40 and M25. There is on-street parking restriction along Imperial Way by means of single yellow line.

#### Accessibility

The site is within few minutes walking distance to Watford Junction Railway Station and a short bus ride to Watford Town Centre or north to North Watford. Watford Junction Railway Station is one of the main railway stations in the area providing regular service to London and various other destinations. If employers wish to commute from long distance from London an express train from Watford Junction Station my take around 16 minutes by train. Watford Junction is also a major

bus/rail interchange providing bus services to various destinations at regular interval.

Watford Town Centre is only a few minutes bus ride from the development site. The town is a major regional shopping area with all the daily necessary facilities.

A bus stop is only 40meters from the site where there is an hourly bus service (no19) from the site to Watford Junction North Bushey ,Bushey, Carpenters Park and South Oxhey.

There are good walking facilities with footways adjacent to the road network. Public Right of Way Footpath 22 is located to the east of the application site. The cycle route 6 of the national bicycle route network runs along parts of Radlett Road which is in the vicinity of the application site.

In summary the site is in a highly sustainable location. However, it should be noted that the proposed development is a redevelopment which is a modernisation and employing the same staff.

#### Access and Parking

On-site parking is a matter for the local planning authority. However, there are opportunities to park in the wider complex. There is also a public car park within 700m walking distance at Timberlake Car park with an all-day parking charge of £3.

#### Conclusion

For the previous application the Highway Authority recommended refusal on lack of information and without a Transport Statement. A transport statement was recently submitted as an amendment which clearly indicates that the proposed redevelopment is unlikely have a material impact on the highway network. The Highway Authority does not wish to restrict the grant of consent subject to the above conditions and advisory notes.

Hertfordshire County Council (Lead Local Flood Authority)

Thank you for re-consulting us for the above application. Following the review of the additional information submitted 11 January 2016 we can confirm that we are now in a position to remove our objection which was raised on flood risk grounds.

We note that the proposed extension will be rebuilt on land which is currently occupied, therefore there will be no increase in impermeable surfaces and the existing drainage will remain.

The site currently drains to existing surface water sewers and we note that Thames Water have been contacted to continue to utilise the connection.

Thames Water

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

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

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.

## **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.
- (b) Scale and design.
- (c) Transport and parking.

### **6.2 (a) Principle of the development**

The site lies within the Imperial Way/Colonial Way industrial estate, a designated employment area. It is characterised by uses falling within Use Classes B1 (business) and B8 (storage or distribution). It is likely that some of the uses also fall within Class B2 (general industrial), as would be expected within an industrial area of this nature. The existing office building is an ancillary element to the warehouse use.

- 6.2.1 The applicants own and occupy 7 buildings in this part of the estate, bordered by Colonial Way, Imperial Way and Bermer Road. They are one of the country's largest distributors of pharmaceuticals, employing over 450 people, and this is where their headquarters are based. They also lease other warehouses on Colonial Way and Clive Way to the south and at the Croxley Business Park. These leases are all to come to an end over the next few years and the company wishes to consolidate and expand their operations around their existing properties on Imperial Way/Colonial Way. The application proposal forms the first phase of an ambitious expansion plan for the company including new and refurbished office and

warehouse facilities.

6.2.2 In this context, there is no objection to the proposal. The offices will form part of the company's warehousing and distribution operations centred around the site and is an appropriate use for this location. It will include head office functions, accommodation for the company's directors, conference rooms and staff facilities for employees within the offices, the warehouse and adjoining buildings. The existing warehouse will be refurbished and improved loading and waiting facilities provided for distribution vans. At present, vans arriving to collect goods have to park on the highway around the Imperial Way/Colonial Way junction in order to access the existing warehouses adjoining the site to the south. These warehouses will be linked internally to the refurbished warehouse on the site so that this becomes the main collection point. This will significantly improve the existing highway situation (see Section 6.4 below).

6.3 (b) Scale and design

The proposed office building will have 5 storeys although the top storey is only approximately 30% of the area of the lower floors. As such, the building will have the appearance of a 4 storey building. This is double the height of buildings in the immediate locality which are all 2 storeys in height. However, this industrial estate contains a wide range of buildings that include 5 no. 4 storey office buildings at The Belfry on Colonial Way, only 150m to the east of the site. 100m to the west on Imperial Park are larger scale warehouse buildings. In both cases, these buildings have a significantly larger footprint than that of the proposed building. The scale of the proposed office building will not, therefore, be out of character with this industrial area where buildings of a significantly larger scale are found.

6.3.1 In terms of appearance, the office building is rectangular in shape and will be clad in dark grey and light grey insulated cladding panels with grey metal framed windows on a blue engineering brick plinth. Whilst a not particularly inspiring or innovative design, it is appropriate for an industrial area of this nature and the materials will be high quality and long-lasting. The warehouse building will be refurbished with the existing lower level buff brickwork retained and the use of new

white cladding panels to replace the existing white cladding and high level strip glazing. Overall, the appearance of the building will be a significant improvement over the existing and will enhance the locality.

#### 6.4 (c) Transport and parking

In terms of the applicant's overall operations from their complex on Imperial Way/Colonial Way and the number of employees, these will remain unchanged as a result of the proposal. Existing staff and packing/distribution operations will be moved into the application building from other adjoining buildings which will improve efficiencies and allow other buildings to come forward for refurbishment and redevelopment.

6.4.1 In terms of staff, there are currently 349 employees within the 7 buildings. Of these, 263 work daytime shifts between the hours of 07.00 and 19.00 and 86 work night-time shifts between the hours of 19.00 and 07.00. It is not proposed to change the numbers of staff or their shift patterns.

6.4.2 In terms of collections from and deliveries to the site these follow the following pattern:

##### i) Collections

Monday to Saturday, between 05.00 to 09.00 hours – 60 transit vans.

Monday to Friday, between 13.00 and 15.00 hours – 40 transit vans.

##### ii) Deliveries

Monday to Friday, between 20.45 and 21.15 hours – 2 HGV articulated lorries.

6.4.3 These deliveries and collections take place outside 3 of the existing buildings around the Colonial Way/Imperial Way junction. With on-site loading facilities limited, this results in a number of vehicles having to park and wait on the surrounding roads. The application proposal will allow all these delivery and collection operations to take place from the application site. The rear service yard is of sufficient size to allow the articulated delivery lorries to enter and unload into the

warehouse. The rear service yard will also be the sole loading area for the distribution vans. The submitted drawings show that up to 7 vans can park and load within the service yard with 6-7 vans waiting within the parking area along the northern side of the building on Bermer Road. With a new automated assembly and packing system to be installed within the warehouse, goods can be ready for loading as the vans arrive at the site, reducing waiting times. As such, the proposal will significantly improve the existing situation on Imperial Way and Colonial Way.

6.4.4 In terms of car parking, there are currently 138 spaces available for employees within the applicant's complex of buildings and this will reduce slightly to 131 spaces as parking and servicing areas are reconfigured. Parking on Imperial Way and Colonial Way during the daytime by employees is prohibited by single yellow lines. The nearest public car park is the Timberlake Car Park on Radlett Road which has 56 spaces and allows all day parking. On Wednesday 3<sup>rd</sup> February 2016 at 11.30am this was observed to have 37 spaces available.

6.4.5 As part of the submitted Transport Statement, the applicant has proposed a draft Delivery and Servicing Management Plan to manage the on-site servicing and delivery operations and associated service vehicle arrangements. Also proposed is a draft Workplace Travel Plan to encourage employees to car share, use public transport, cycle and walk. Both of these will help to reduce further impacts on the highway network and can be secured by condition. They will also form a robust basis for future development proposals for the applicant's other buildings with deliveries, collections and employee numbers likely to increase. These can be secured by appropriate conditions.

## **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:

### **Watford Charging Schedule**

<b>Type of Development</b>	<b>CIL Rate</b>
Office	£0 per sqm
Industrial	£0 per sqm

Accordingly, no liability to CIL arises in the case of the development proposed in this application.

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. There is no requirement for a s.106 planning obligation in this case.

## **8.0 CONCLUSION**

8.1 The proposal forms the first phase of the applicant's plans for the consolidation and expansion of its operations within its complex of buildings on Colonial Way/Imperial Way. The proposed development, involving the erection of a new office building and the refurbishment of the existing warehouse, is acceptable in principle in this employment location in respect of its use, scale and appearance. The proposal will also allow the applicant's distribution operations to be focussed on the application site which will improve the current highway situation where vehicles have to load/unload from within the highway.

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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.

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## **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:-

4739/2/01, 02, 03, 04, 05

4739/3/06, 07, 08, 09, 10, 11, 12, 13

1861/200A, 210A

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

3. No construction works shall commence within the site until a Construction Environmental Management Plan has been submitted to and approved by the Local Planning Authority. The Plan shall include details of access for 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. The Plan as approved shall be implemented throughout the relevant demolition and construction periods.

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

4. 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.

5. No occupation of the office building or refurbished warehouse shall take place until the following documents have been submitted to and approved in writing by the Local Planning Authority:
  - i) Delivery and Servicing Management Plan.
  - ii) Workplace Travel Plan.

Both of these documents shall be based on the draft Plans contained in Appendices F and H respectively of the submitted Transport Statement dated February 2016 by TTP Consulting. These Plans shall be implemented as approved at all times during the occupation of the development.

Reason: To reduce the impact of the proposal on the local highway network.

### Informatives

1. Road Deposits: Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Reason: This is to minimise the impact of construction vehicles and to improve the amenity of the local area.
2. The applicant is advised that storage of materials associated with the development should take place within the site and not extend into within the public highway without authorisation from the highway authority, Hertfordshire County Council. If necessary further details can be obtained from the County Council Highways via either the website <http://www.hertsdirect.org/services/transtreets/highways/> or telephone 0300 1234047 to arrange this. Reason: In the interest of highway safety.

3. The developer should be aware that the required standards regarding the maintenance of the public right of way and safety during the construction. The public rights of way along the carriageway and footways should remain unobstructed by vehicles, machinery, materials and other aspects of construction works. Reason: In the interest of highway users safety

Drawing numbers

4739/2/01, 02, 03, 04, 05

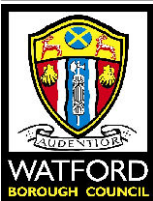
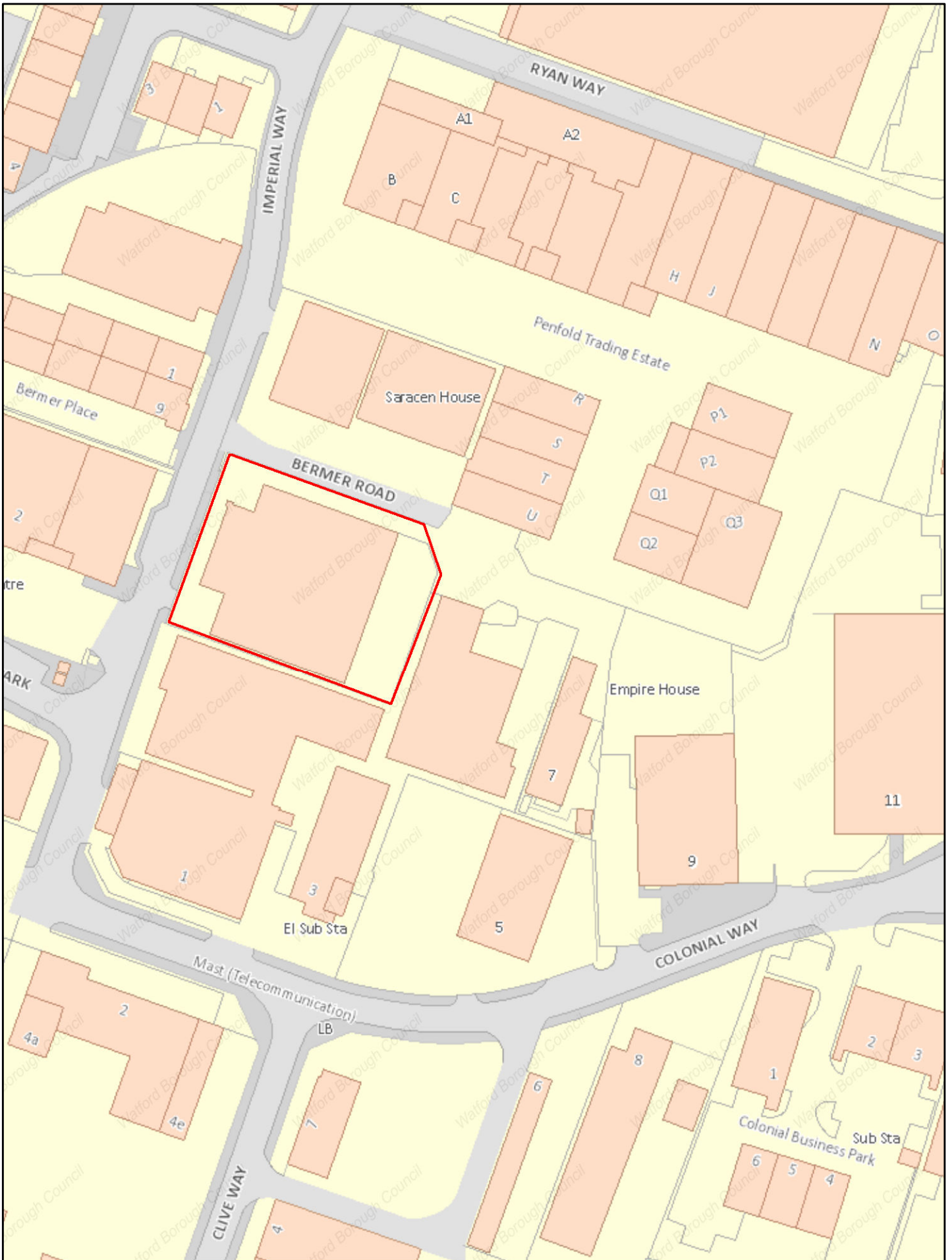
4739/3/06, 07, 08, 09, 10, 11, 12, 13

1861/200A, 210A

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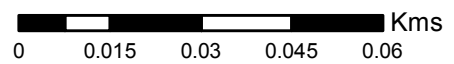
**Case Officer:** Paul Baxter  
**Email:** paul.baxter@watford.gov.uk  
**Tel:** 01923 278284





HD House, Imperial Way

Date: 01/03/2016



Scale 1:1,250







PART A	
Report of: <b>HEAD OF DEVELOPMENT MANAGEMENT</b>	
Date of Committee:	<b>10<sup>th</sup> March 2016</b>
Site Address:	<b>8, 10 and 12 Chalk Hill</b>
Reference Number:	<b>15/00115/OUTM</b>
Description of Development:	<b>Outline application for demolition of existing buildings and construction of up to 121 dwellings and a basement car park for residents of up to 197 spaces with access from a new junction on Chalk Hill. (All matters reserved)</b>
Applicant:	<b>Aldergrange Limited</b>
Date Received:	<b>12<sup>th</sup> August 2015</b>
13 week date (major):	<b>11<sup>th</sup> November 2015 (extended by agreement to 29<sup>th</sup> April 2016)</b>
Ward:	<b>Oxhey</b>

## 1.0 SITE AND SURROUNDINGS

1.1 The site is located immediately to the east of Bushey Arches Railway Viaduct (a listed building) and comprises the property at 12, Chalk Hill, the former Massey waste transfer station and an existing industrial building to the north. Along the western boundary of the site, abutting the railway, is an access road which joins Chalk Hill at Bushey Arches and extends through to Three Valleys Way to the north, although is gated at the boundary of the land owned by Three Valleys Water. The northern boundary of the site is marked by a heavily treed embankment with mature trees also extending along the eastern boundary. To the east are the properties at 14, 16 and 18, Chalk Hill and 48, Aldenham Road. 14, Chalk Hill is a listed building.

- 1.2 The railway viaduct and 14, Chalk Hill are both Grade II listed buildings.
- 1.3 The site has a limited road frontage to Chalk Hill in front of 12, Chalk Hill, which is set at a higher land level. The remainder of the Chalk Hill frontage is occupied by a small ground level car park owned by the Council. Vehicular and pedestrian access to the site is currently via the access road along the western boundary from Bushey Arches. The levels across the site vary with the land rising to the north. The former waste transfer station has ceased operation and the site has been cleared. The site is used for the parking of lorries.

## **2.0 PROPOSED DEVELOPMENT**

- 2.1 Outline planning permission is sought for the demolition of all existing buildings and construction of up to 121 dwellings and a basement car park for residents of up to 197 spaces with access from a new junction on Chalk Hill. All matters are reserved for future determination, however, illustrative drawings are provided to show how this number of dwellings could be accommodated on the site and how the appearance of the development could look. The illustrative details show the proposed dwellings comprising 12 x 1 bed, 100 x 2bed and 4 x 3bed flats and 5 x 3 bed houses to be accommodated in four development blocks. The blocks are arranged as a perimeter block in the southern part of the site with a detached block in the northern part of the site. The scale of the blocks range from 2.5 storeys along the Chalk Hill frontage and the western and eastern boundaries, 4.5 storeys in the centre of the site and 3.5 storeys for the northern block. The illustrative drawings show the appearance of the blocks based on a 'Garden City' style with the upper level of accommodation contained within pitched roofs. Vehicular and pedestrian access is proposed to be directly from Chalk Hill. A new vehicular access junction is shown over the site of 12, Chalk Hill, at the eastern end of the frontage, in the location agreed in principle in the appeal decision from 2010 (see planning history below). This will give direct access to the underground car park and also access into the site for servicing and delivery vehicles. A separate pedestrian and cycle access into the site is also shown to the west of this junction.

## **3.0 RELEVANT PLANNING HISTORY**

3.1 98/0076/9/LUC – Certificate of lawfulness granted for the use of land as a concrete batching plant.

07/01691/OUTM - Outline application for the erection of 126 flats and associated car parking spaces on the site of 12, Chalk Hill and the waste transfer station (layout, scale and means of access to be determined). Permission refused for 20 reasons.

08/00377/OUTM - Outline application for redevelopment to provide 201 two-bed flats and associated car parking spaces and cycle park (layout, scale, appearance and access to be determined) on the site of 12, Chalk Hill, the waste transfer station and the industrial building to the north. Application withdrawn.

08/01064/OUTM – Outline application for redevelopment to provide 64 one-bed flats and 112 two-bed flats and associated car parking (layout, scale and access to be determined) on the site of 12, Chalk Hill, the waste transfer station and the industrial building to the north. Permission refused for 23 reasons.

09/00194/OUTM - Outline application for demolition of existing buildings and construction of 176 flats comprising 10 one-bed flats and 166 two-bed flats with car parking, cycle storage and new site access (layout, scale and access to be determined). Permission refused for 16 reasons. An appeal against this decision was heard at a public inquiry in October 2010 and was dismissed by letter dated 3<sup>rd</sup> November 2010. As part of this decision, the Inspector considered the proposed new access junction over the site of 12, Chalk Hill to be acceptable in principle, subject to the existing access to the west, adjoining Bushey arches, being closed.

13/00343/OUTM - Outline application for change of use from commercial to residential, including demolition of existing buildings and the construction of 164 residential units comprising 63x1 bed flats, 96x2 bed flats and 5x3 bedroom houses with a public car park comprising 64 car spaces and 50 cycle spaces and a

residential car park comprising 278 car spaces and 112 cycle spaces. Application withdrawn.

13/01336/OUTM - Outline application for change of use from Commercial to Residential, including the demolition of existing buildings and the construction of 164 residential units comprising 5 number 3 bedroom houses, 18 number 1 bedroom flats, 136 number 2 bedroom flats and 5 number 3 bedroom flats together with a public car park comprising 64 car spaces and 50 cycle spaces and a residents car park comprising 290 car spaces and 168 cycles. Application invalid, no further action.

14/00194/OUTM - Outline application for change of use from Commercial to Residential, including the demolition of existing buildings and the construction of 163 residential units comprising 10 number 3 bedroom houses, 27 number 1 bedroom flats, 126 number 2 bedroom flats, together with a public car park comprising 64 car spaces and 50 cycle spaces and a residents car park comprising 293 car spaces and 168 cycle spaces. Application withdrawn.

## **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
HS1	Housing Supply and Residential Site Selection
HS2	Housing Mix
HS3	Affordable Housing
T2	Location of New Development
T3	Improving Accessibility
T4	Transport Assessments
T5	Providing New Infrastructure
INF1	Infrastructure Delivery and Planning Obligations
UD1	Delivering High Quality Design
UD2	Built heritage Conservation
GI1	Green Infrastructure
GI3	Biodiversity

#### 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
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
L8	Open Space Provision in Housing Development
L9	Children's Play Space
U15	Buildings of Local Interest

#### 4.5 **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
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 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 were sent to 151 properties in the following roads:

Chalk Hill, Aldenham Road, Ye Corner and Plantation Close together with all properties outside of these roads that had commented on previous applications.

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

Number of original notifications:	151
Number of objections:	3
Number in support:	0
Number of representations:	3

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

Representations	Officer's response
Access from Chalk Hill will be a disaster.	The point of access and the principle of the site being served from Chalk Hill was agreed by the Inspector at the planning appeal in 2010.
Additional traffic generated will overburden existing congested roads.	This matter has been the subject of detailed analysis and discussion with the county Council as the Highway authority. They have raised no objection to the proposal.
Question need for additional residential accommodation in this area.	There is an on-going need for additional residential accommodation in the Borough. This site is close to public transport and well situated for new residential development.



### 5.3 **Statutory publicity**

The application was publicised by site notice posted on 25<sup>th</sup> March 2015 and by advertisement in the Watford Observer published on 3<sup>rd</sup> April 2015.

### 5.4 **Technical consultations**

The following responses have been received from technical consultees:

#### 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 conditions listed below.

#### Amendment:

Further to my e-mail of 8 January, I have now received revised drawings from the architects covering some of the other points raised. Firstly, the cycle parking has been increased to 121 spaces, as suggested, with the new cycle stores positioned around the site. Please see architects Drawing 2703/P15 GL1/ E attached.

Secondly, I understand that the architects have checked the bin store positions with the 30m radius rule and all buildings comply. The bin positions and enclosure designs have, I understand, been passed by the Council's agency (Veolia). Finally, attached is the architects drawing numbered 2703/P15 CP A which shows the revised car park layout adjusted to accommodate the tracking drawings previously forwarded to you with my e-mail of 8 January. Stewart Bilsland, Rowland Bilsland Traffic Planning Ltd

#### Decision:

In response to the additional information provided by the applicant, Hertfordshire County Council (HCC) as highway authority has no objection to the proposed

development in principle subject to suitable conditions. HCC as highway authority previously provided comment on the application stating that HCC as highway authority could not support the proposals due to a lack of information justifying that the proposal would not have a severe impact on the free and safe flow of traffic on the local highway network. However, the applicant has since provided additional information addressing these concerns.

The below comments assess the additional information provided.

S278 Agreement:

Any works within the highway boundary (including alterations to the footway and the proposed site access) will need to be secured and approved via a s278 Agreement with the HCC.

S106 Agreement:

A s106 Agreement will be required to secure any Construction and Logistics Plan Planning Obligations.

A s106 Agreement will be required to secure a Travel Plan for the development. A monitoring fee will be agreed and secured through a Section 106 agreement; this will be paid to HCC to cover the costs of using the monitoring system and for monitoring the output data.

Conditions

Grampian Condition:

Within 3 months of the new access brought into use all other existing access points not incorporated in the development hereby permitted shall be stopped up by raising the existing bell mouth and reinstating the footway/verge and highway boundary to same line, level and details as the adjoining footway verge and highway boundary.

SHC 02: Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be submitted

to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following: -

- i) Roads, footways, cycleways, foul and on-site water drainage.
- ii) Roads and footway.
- iii) Foul and surface water drainage.
- iv) Visibility splays.
- v) Access arrangements.
- vi) Parking provision in accordance with adopted standard.
- vii) Loading areas.
- viii) Turning areas.

#### Description of the Proposal:

The proposal is for the change of use from Commercial to Residential including the demolition of existing buildings and the construction of 121 dwellings of mixed residential use. The proposed development comprises 5 x three bedroom houses, 12 x one bedroom flats, 100 x one bedroom flats and 4 x 3 bedroom flats.

The site is located to the north of Chalk Hill on the gyratory system consisting of Chalk Hill, Aldenham Road, Pinner Road and the roundabout junction of Eastbury Road, Lower High Street, Pinner Road and Chalk Hill.

The nearest town centre located to the proposed development is Watford which is within 1km North West of development and Bushey which is less than 1km South East of proposed development. Chalk Hill is a 30mph main distributor road.

Hertfordshire County Council (HCC) previously objected to the proposed development and had the concerns related to the following aspects of the assessment of the proposed development:

- i) The applicant needs to provide a robust TRICS assessment to justify the proposed trip generation;
- ii) The applicant has not provided a Travel Plan as requested previously by HCC;

- iii) The applicant has not undertaken an Independent Road Safety Audit for the proposed access as requested previously by HCC;
- iv) The applicant will need to undertake an autotrack assessment of the site demonstrating that vehicles can manoeuvre safely within the internal layout;
- v) The applicant has not provided any information on access widths and visibility splays for the proposed access; and
- vi) The applicant needs to provide further information on collision data for the surrounding network and also for the proposed access location for years 2014 and 2015.

As such, HCC as highway authority requested additional information to be submitted so that the application could be fully assessed.

The below comments address the additional information provided by the applicant.

#### Planning History:

The site has significant application history, with regards to the proposal the following applications are of note:

- 1) 09/00194/OUTM: The applicant submitted a similar proposal in 2007 to redevelop the whole site to replace the existing uses with a total of 200 residential flats. A Transport Statement was submitted to support this proposal. However, HCC objected to the proposal for a number of reasons, specifically based on insufficient information being submitted to demonstrate that the access is suitable for the intensity and type of use proposed and the access will not have an adverse impact upon traffic flows and highway safety.
- 2) Appeal (app/Y1945/A/09/2111925): In 2010 the application was taken to appeal against a refusal to grant outline planning permission. A Statement of Common Ground was agreed with the Highway Authority. The statement indicates that the Highway Authority's concerns have been met. The Council subsequently confirmed that, while technical objections to the new access had been

overcome, a policy objection in principle to a site access at the point proposed remained.

- 3) 15/00115/OUTM: The applicant resubmitted the proposal in 2015 However, HCC refused the proposal due to a lack of information and requested an updated TA be submitted to support the proposal

The applicant has since submitted a TA for the proposal which the below comments will address.

## Analysis

### Trip Generation and distribution

#### Existing Trip Generation:

The existing trip generation has been based on information submitted as part of the 2007 TA. The TA states the summary of the agreed existing permitted traffic generation to and from the existing uses is as follows:

#### 7.45 to 8.45 hours:

- Toolmaker/Warehouse: 24 Arrivals, 4 Departures
- Concrete Batching Plant: 5 Arrivals, 5 Departures
- Waste Transfer Station: 5 Arrivals, 5 Departures
- Builders Yard: 5 Arrivals, 5 Departures
- 1 Residential House: 0 Arrivals, 1 Departure
- Totals: 39 Arrivals, 20 Departures

#### 17.45 to 18.45 hours:

- Toolmaker/Warehouse: 0 Arrivals, 7 Departures
- Concrete Batching Plant: 0 Arrivals, 0 Departures
- Waste Transfer Station: 0 Arrivals, 0 Departures
- Builders Yard: 1 Arrival, 5 Departures

- 1 Residential House: 1 Arrival, 0 Departures
- Totals: 2 Arrivals, 12 Departures

The TA states that as far as heavy goods vehicles are concerned, it has been assumed that there would be 20 arrivals and 17 departures in the morning peak period but no heavy goods vehicles in the evening peak period.

The above existing trip generation is deemed appropriate as it is consistent with the data provided in the 2007 application.

Proposed Trip Generation:

The applicant has undertaken an assessment of the likely trip generation being undertaken for the proposal using the industry standard TRICS trip rate database. The TA sets out trip rates established for Residential - Flats Privately Owned (Multi-Modal).

The locations identified in the TRICS assessment were:

- Essex;
- Hertfordshire;
- Hounslow;
- Kingston;
- Kensington and Chelsea;
- Surrey;
- Southwark; and
- Tower Hamlets

HCC previously raised concerns that these sites were not consistent with the sites selected as part of the 2007 TA. However, as part of the additional information submitted, the applicant has provided justification that the sites selected for the current TA are robust.

Committed Developments:

The applicant has added the flows from the committed developments in the area to the flows. The TA states that HCC asked the following sites/developments to be considered as committed developments:

- Veolia Water Site (Persimmon Homes)
- JR Tagger Site, Pinner Road/Aldenham Road
- Croxley Rail Link
- Watford Health Campus

The applicant has stated that the Veolia Water Site and the JR Tagger Site are both complete and therefore the trips from these sites have been incorporated into the surveys undertaken in July 2015. This is considered acceptable.

The applicant has referred to external TAs for the traffic flows for Croxley Rail Link and the Watford Health Campus. HCC originally commented that the applicant had not submitted any information on this data and that this needed to be submitted with this proposal. The applicant has since provided this data and this is considered acceptable.

The data presented in the TA states that the maximum Degree of Saturation (DoS) is 107.7% in the PM peak period for the ahead and left from Chalk Hill (W). The AM peak periods have a maximum DoS of 94.1% and 90.6% for the earlier AM1 and normal peak AM2 periods respectively on the Chalk Hill (W) approach.

#### Trip Distribution:

The TA states that all generated traffic will distribute on to the surrounding highway network via the proposed access on Chalk Hill. Departing traffic will distribute at the Aldenham Road/Chalk Hill traffic signal junction. The TA states that the assignment of traffic at this junction has been discussed with HCC and has been agreed that the existing distribution at this junction from the surveys that have been carried out, will be used as follows for Chalk Hill West. It is considered acceptable to use information from the 2015 surveys to justify trip distribution.

## Impact on Highway

### Junction Modelling:

The capacity assessment has been undertaken using LINSIG. The TA states that the various traffic signal parameters have been established and a model set up for the Aldenham Road/Chalk Hill junction.

The TA states the first situation considered using the LINSIG model is utilising the Base 2022 Design Year flows i.e., Base 2022+ committed developments for the two AM and single PM peaks.

This is set out in the TA as:

### 2022 - AM 1 Peak:

- Chalk Hill (W) Left Ahead: Base 94.1% DoS, With Development 94.8% DoS
- Chalk Hill (W) Right: Base 93% DoS, With Development 93.7% DoS
- Aldenham Road Ahead Left: Base 91.8% Dos, With Development 92.0% DoS
- Chalk Hill (E) Left: Base 67.5% DoS, With Development 67.6%

### 2022 - AM 2 Peak:

- Chalk Hill (W) Left Ahead: Base 90.6% DoS, With Development 89.7% DoS
- Chalk Hill (W) Right: Base 80.5% DoS, With Development 79.5%
- Aldenham Road Ahead Left: Base 85.5% DoS, With Development 91.1% DoS
- Chalk Hill (E) Left: Base 69.4% DoS, With Development 67.9% DoS

### 2022 - PM Peak:

- Chalk Hill (W) Left Ahead: Base 107.7% DoS, With Development 108.3% DoS
- Chalk Hill (W) Right: Base 80.1% DoS, With Development 81.0% DoS
- Aldenham Road Ahead Left: Base 106%, With Development 106.9% DoS
- Chalk Hill (E) Left: Base 61.7%, With Development 62.2% DoS



Given that Chalk Hill (W) is operating over capacity at 107% saturation in the PM Peak baseline the increase to 108.3% saturation with development will make the situation worse. Additionally, the Aldenham (ahead) approach has an increase of DoS of 106.0% to 106.9% with a corresponding mean maximum queue length increase of 1.8 pcus. Given these figures the applicant will need to provide mitigation measures to ensure that queues do not exceed the baseline queue lengths and the degree of saturation is taken to the baseline. Alternatively the applicant will need to provide a clear justification on why mitigation measures are not being provided by the applicant.

Additionally, HCC previously provided comment that the data provided for the 2022 - AM 2 Peak indicates that the DoS is reduced with development for Chalk Hill (W) and Chalk Hill (E). HCC requested the applicant to provide justification for why the DoS is reduced with development for this peak time. The applicant has since provided additional information stating that this was due to the LINSIG program minimising the overall Practical Reserve Capacity. The justification provided by the applicant is considered acceptable.

#### Road Safety:

The applicant has submitted collision data to support the revised TA. The collision data was obtained from HCC for the years 2010 to 2013. The data indicates that over this period there were 13 slight collisions and 1 serious collision within the vicinity of the site. However, the applicant has not included data for the years 2014 and 2015. HCC collision data indicates that a sever collision occurred in April 2014 directly outside the site on Chalk Hill. However, as stated below a RSA Stage 1 will be required for any subsequent application to ensure any safety issues are addressed at an early stage in the design process.

#### Highway Layout

#### Vehicle Access:

The existing access to the site is located immediately adjacent to the railway viaduct that passes over the top of the roundabout.

The TA states that access to the main residential development is to be directly off Chalk Hill on the gyratory system through a left-in/left-out access. The TA states that this is in a similar location as the access for the whole previous development discussed and agreed in principle with HCC at the time of the Appeal in 2010.

The Appeal Decision dated November 3, 2010 stated that a Grampian type condition could be imposed on any permission, requiring that the existing access be closed before the new one is brought into use. This condition will be reapplied to this application.

The applicant has submitted additional information indicating that the proposed access width will be 4.8m. This is in accordance with the requirements in the Roads in Hertfordshire Highway Design Guidelines 3rd edition.

#### Visibility Splays:

HCC previously requested that the applicant provide visibility splays for the proposed access. The applicant has since provided additional information indicating that a visibility splay of 2.4 x 43 metres can be achieved for the proposed access. This is in accordance with the requirements in Roads in Hertfordshire Highway Design Guidelines 3rd Edition.

#### Road Safety Audit:

As stated in the previous correspondence from HCC, as Chalk Hill is part of a principal route and part of the Bushey Arches gyratory, traffic slowing to enter the site would increase already heavy congestion between the roundabout and the traffic lights at Ye Corner. Therefore, a Stage 1 Road Safety Audit will be required to resolve any safety problems at an early stage in the design process.

Additionally, any works within the highway boundary (including alterations to the footway and the proposed site access) will need to be secured and approved via a s278 Agreement with the HCC.

#### Internal Layout:

The applicant has provided an autotrack assessment of an 11.89m refuse vehicle using the access road this is considered acceptable. HCC previously commented that it was unclear from the information provided in the TA where exactly the refuse bins will be stored for collection. The applicant has since provided additional information stating the bin storage will comply with the requirements set out in Manual for Streets, which states that residents should not be required to carry waste more than 30 m (excluding any vertical distance) to a refuse storage point.

## Parking

### Parking Provisions:

The 2007 TA states that the existing site has 32 parking spaces.

The applicant proposes an underground car parking below the main buildings with access to the car park off the new access onto Chalk Hill. The parking provision is 202 car parking spaces including 8 spaces for parking by disabled persons.

The parking provision for the development will be required to adhere to the standards set out in the Watford Borough Council Local Plan and it will be the responsibility of the LPA to determine the appropriateness of the level of parking provided.

### Car Parking Layout:

The TA states that a swept path analysis has been undertaken in relation to the two principal vehicles likely to visit the site i.e. large refuse vehicle and a large removals lorry. HCC previously stated that the swept path assessments provided in Appendix K of the TA were for the access road and did not demonstrate how vehicles will manoeuvre within the proposed car park. The applicant has since provided a swept path assessment of the site which demonstrates that vehicles can manoeuvre within the internal layout.

### Cycle Parking Provisions:

The applicant originally proposed a total of 50 cycle spaces for the residents located at ground level. This represents 0.4 cycle spaces per dwelling. However, as part of the additional information provided the applicant has stated that the architects will be increasing the number of cycling bays.

It will be the responsibility of the LPA to determine the appropriateness of the level of parking provided.

#### Accessibility - Public Transport

##### Bus Services:

The nearest bus stops are located in Lower High Street just to the northwest of the puffin crossing. They are around 100 to 120 metres from the site. These serve a number of bus services, the principle ones being routes 8, 142, 258, 602, 306/306A, and W19. There are also bus stops located outside Bushey Station on the Pinner Road part of the gyratory. There is a further service W20 which stops at Watford High Street Railway Station.

##### Rail Services:

Bushey Station is approximately 250 metres from the site. There are principally two routes stopping at the station. One is the local London Overground service running between London Euston and Watford Junction. This service calls at various stations in North London such as Wembley, Harlesden, Queens Park. There are 3 trains per hour calling at Bushey Station on this service.

There is also the London Midland service between London Euston and Tring. These trains stop at a more limited number of stations e.g., Harrow & Wealdstone, Kings Langley, Hemel Hempstead, Berkhamsted and Tring. There are between 2 to 4 trains per hour on this route depending on the time of day.

Watford High Street Station is approximately 900 metres from the site. There will be trains every 6 to 10 minutes between Watford Junction and London.

Overall, the site is deemed to be accessible by sustainable transport modes.

#### Travel Plans:

HCC has previously requested that the applicant provide a Travel Plan to support the proposal. This will be secured by condition at the full planning application stage. The Travel Plan should also set out the programme of measures and how the allocated money is to be spent also including a monitoring and penalties programme. A monitoring fee will be agreed and secured through a Section 106 agreement; this will be paid to HCC to cover the costs of using the monitoring system and for monitoring the output data.

#### Planning Obligations/ Community Infrastructure Levy (CIL):

Watford Borough Council has a Community Infrastructure Levy, which was adopted in April 2015 and therefore, contributions towards local transport schemes will be sought via CIL if appropriate.

#### Construction:

A construction traffic management plan would need to be provided to ensure that there is no impact on the highway during the construction of this development.

#### Conclusion:

Hertfordshire County Council (HCC) has no objection to the proposed development in principle subject to suitable conditions. Additionally, as previously stated a Stage 1 Road Safety Audit will be required to resolve any safety problems at an early stage in the design process.

#### Hertfordshire County Council (Lead Local Flood Authority)

The drainage strategy prepared by jnp group, dated 25<sup>th</sup> of November 2015, project number C85264 submitted to the LPA presents an acceptable drainage strategy. The proposed development site can be adequately drained and mitigate any potential existing surface water flood risk if carried out in accordance with the overall drainage strategy.

The drainage strategy details an assessment of the potential increase in flood risk and how to manage the increase in run-off rates, volumes and overland flows. The applicant has demonstrated an appropriate sustainable drainage scheme can be implemented in accordance with industry best practice, prioritising on surface drainage methods which provide adequate storage, water quality treatment and where possible biodiversity benefits. Existing highway and public sewers have been identified surrounding the site.

The drainage strategy has been shown on a layout plan along with the corresponding detailed surface water calculations of each SuDS scheme and the drainage strategy provides evidence of a clear management and treatment train for the SuDS system.

We recommend to the LPA that outline planning permission could be granted to the proposed development if the following planning conditions are implemented as set out below.

#### Condition 1

The development permitted by this planning permission shall be carried out in accordance with the approved drainage strategy carried out by jnp group, dated 25<sup>th</sup> of November 2015, project number C85264 and the following mitigation measures detailed within the drainage strategy:

1. Limiting the surface water run-off generated by the 1 in 100 year + climate change critical storm so that it will not exceed the rate of 5 l/s.
2. Discharge into the Thames Water sewer network.
3. Undertake the drainage to include permeable paving and attenuation tanks as indicated in Appendix E of the drainage strategy.
4. 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.

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 storage and disposal of surface water from the site.

#### Condition 2

No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

1. Detailed drainage plan showing the location, size and engineering details of the proposed SuDS, pipe runs, manholes etc.
2. Detailed surface water run-off and volume calculations for 1:100 year (+30% CC) are required within the surface water drainage assessment, which ensures that the site has the capacity to accommodate all rainfall events up to 1:100 year (+30% CC).
3. Exploration of the feasibility of above ground SuDS measures in the western part of the site.
4. Maintenance and adoption of all SuDS measures.

Reason: To prevent the increased risk of flooding, both on and off site.

#### Hertfordshire County Council (Development Services)

I 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 erection 121 residential units 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. 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.

#### Environment Agency

Thank you for consulting us with the contamination risk assessments for 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.

## Reason for Conditions 1-6

The desk study and site investigation indicate the potential presence of contamination from the previous uses of the site. The site is located on a Principal Aquifer, and within Source Protection Zone 1, indicating that groundwater will reach the public drinking water supply within 50 days. The Principal Aquifer is a designated groundwater body under the Water Framework Directive – Mid-Chilterns Chalk that is currently poor status. The groundwater needs to be protected from further contamination, particularly those contaminants already identified in the Thames River Basin Management Plan, so that the water quality does not deteriorate.

## Thames Water

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 sewerage flooding; to ensure sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

## Hertfordshire Constabulary (Crime Prevention Design Advisor)

### Comments

#### 1. Underground / Basement Parking Area:

I have a fundamental concern regarding the underground parking area and as to how it will function. My concern is that by being open to the public it will attract crime and residents will then be likely to abandon the facility and then cause obstruction on surrounding roads.

*Officer comment: The public element of the car park has now been removed. It will be for the use of residents of the development only.*

a) No separation between public and private parking: I have concerns regarding the underground parking which is for private and public use. By it being open to the public it means that offenders can easily break into residents vehicles unobserved. The only separation between public and private residential parking is shown as a barrier in the driving lane. Page 20 of the DAS just mention security coded barriers. This will not stop offenders from walking around the side of the barrier to the residential side of the car park. If permission is granted there must be access control full height gate and weldmesh fencing separation between the public and private parking areas.

*Officer comment: The public element of the car park has now been removed. It will be for the use of residents of the development only.*

b) Easy escape routes: There is a stair core from the residential side of the parking which appears open to the communal area in front of block F. This will provide an easy escape route for offenders.

*Officer comment: As the application is in outline only, this matter can be addressed at reserved matters stage.*

c) No mitigation / security measures: No mitigation measures are given and no security features incorporated. There is no mention regarding painting the ceiling and walls white so people can be seen easier within the car parking area. (Whilst plain concrete surfaces are a light finish when first built, over years they turn dark to black with exhaust fumes, and then create a fear of crime. If painted white they can be easily washed down). There is no mention regarding secure access control and stopping offenders having access to the private residential parking area. No mention regarding CCTV and whether it will be recorded and monitored. No mention regarding level of lighting.

*Officer comment: As the application is in outline only, this matter can be addressed at reserved matters stage.*

2. Car park management office: No mention is made of hours of operation of any staff and whether they will be dedicated staff to this one site. There is no clear vision along the length of the car park from a window of the office. No mention is made monitoring of any CCTV. No mention as to whether the public car park will be open 24/7/365 or have limited hours of operation.

*Officer comment: As the application is in outline only, these matters can be addressed at reserved matters stage.*

a) Access via stair cores to residential blocks above: There are two stair cores within the underground parking area that give access to residential block above. Because of the hidden away location and being open to the public, offenders could work on these doors to gain access to the residential blocks above, so they can then break into residential flats during the day when residents are away at work.

b) Cycle storage: Page 20 of the DAS says about there being residential parking for 150 cars and 50 cycles in the basement car park. No cycle storage is shown on the plan for this level?

### 3. Secured by Design part 2 physical security:

To alleviate some of my concerns regarding security of and access to the proposed residential blocks, I would look for the residential blocks to be built the physical security of Secured by Design part 2, which is the police approved minimum security standard. This would involve all exterior doors to have been tested to BS PAS 24:2012 or STS 202 BR2 and ground level (easily accessible) exterior windows to BS Pas 24:2012. Individual flat entrance doors to BS Pas 24:2012. All glazing in the exterior doors , and ground floor (easily accessible) windows to include laminated glass. If there were to be more than 10 dwellings off a communal entrance door I would look for the audible access to also include visual verification as well, (which is the Secured by Design standard).

### 4. Cycle storage:

a) Basement Parking Level: This is mentioned at 1.f above.

b) Ground Level: This is shown on the ground level plan by the vehicle access and egress ramp down to the underground parking area. This is positioned where there will not be good natural surveillance over this area due to the balustrade around the vehicle ramp. There is also shown shrubbery on the west side of the balustrade of the vehicle ramp which again will hinder natural surveillance. The end gable wall of block B has no windows overlooking. On the Ground floor plan where the cycle parking spaces are shown it says that they will be covered and secured vertical cycle racks. How will children, aged, persons be able to use such vertical racks? By being vertical and covered I am assuming again this will hide the cycle away from natural surveillance?

*Officer comment: As the application is in outline only, this matter can be addressed at reserved matters stage.*

#### Urban Design and Conservation Manager

The proposed development is at the upper end of the housing numbers set out for the site in the draft Local Plan Part 2. It would appear that around 120 units can be accommodated on the site, but this will rely on the development of a basement level car park. If the aforementioned car park is not affordable to the developer then related parking would have to be accommodated at ground floor level and the quantum of development would have to decrease dramatically to ensure a high quality of urban design.

The proposed access from the street is broadly acceptable, although the design of movement networks within the site is poor. A large proportion of the site is set aside for an access road which is ostensibly there for weekly bin collections. A better thought through design could minimise the amount of land required for this access. Similarly, the design of the proposed basement car park entrance is poorly designed, with an access ramp sitting in a open space with no landscaping. To better utilise space the entrance should be integrated into wider development, with blocks above it and any ground floor space utilised with integrated bin/cycle stores. The composition of the basement car parks appears flawed, with management of the public car park being potentially quite problematic.

*Officer comment: As the application is in outline only, these matters can be addressed at reserved matters stage.*

The proposed lift access, which is shown emerging in the middle of the central amenity space is poorly considered and would work better if it came out in the ground floor of a residential block. Similarly, the proposed freestanding bin stores and cycle parking is badly designed and would be better integrated into block structures. Although the design is only indicative, there are still issues which are worth raising at this stage. The houses proposed adjacent to the main road should front onto the existing street network, rather than turn their backs on it. Blocks B, H, J, K and I would work better if realigned into a more conventional and solid perimeter block, with bin and cycle stores accommodated at ground floor level in part of the corner blocks (e.g. block J – with access for bin collections from the outer perimeter road). A solid building line would work better, but would of course require pedestrian access through. Keeping vehicular access out of the central amenity space would result in a more cohesive space.

*Officer comment: As the application is in outline only, these matters can be addressed at reserved matters stage.*

The proposed building heights are broadly acceptable.

#### Arboricultural Officer

Following the recent changes to the car park basement (the reduction of 5 spaces and associated manoeuvring area) together with its setting back from Chalk Hill now allows the safe retention of trees located within the neighbouring property. Whilst there will still need to be a few trees removed these are of low quality and replacement planting should offset these.

Should consent be granted I would wish to see conditions attached providing details of landscaping and tree protection measures.

## 6.0 APPRAISAL

### 6.1 Main issues

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

- (a) Principle of residential development.
- (b) General housing policies.
- (c) Character of the area.
- (d) Impact on heritage assets.
- (e) Layout and design.
- (f) Impact on neighbouring properties.
- (g) Transport, access and parking.
- (h) Trees and landscaping.
- (i) Noise.
- (j) Air quality.
- (k) Sustainable drainage.
- (l) Land contamination.

### 6.2 (a) Principle of residential development

Policy SS1 of the Core Strategy sets out the spatial strategy for the Borough. This states that higher density homes will be delivered in the town centre, at the Watford Junction and Health Campus SPAs and to a limited extent around the proposed new station at Ascot Road. In the rest of the Borough the focus will be on low to medium density residential development, with preference for family housing with gardens. However, the site is in close proximity to Bushey Station with good access to passenger transport (rail services and bus routes) and is adjacent to a local shopping parade. Its location close to the station supports in principle higher density development with a focus on sustainable transport.

6.2.1 Policy HS1 of the Core Strategy sets out criteria for residential land allocation and the assessment of windfall sites. Factors that support residential use of the site include being previously developed land, close to good public transport (including walking and cycle routes), close to local facilities and the site not being at risk of



flooding. Furthermore, in the emerging Site Allocation Plan (second consultation) the site is allocated as a housing site for 80-120 dwellings. The application therefore accords with this emerging allocation.

### 6.3 (b) General housing policies

Policy HS2 seeks a mix of dwelling types, sizes and tenures at a local level to meet the requirements of all sectors of the community. With regard to the adjoining area to the east (Character Area 7G), this is characterised by two storey, terraced, family housing built between 1860 and 1890. The proposed higher density, largely flatted development of the application will provide a greater variety of dwellings within the local area and reflect the flatted development at Attenborough Court opposite Bushey Station. Given the proximity to the station and local bus routes, it is considered appropriate to provide a greater number of smaller units of accommodation as well as some larger family units.

6.3.1 As the proposal is more than 10 dwellings, Policy HS3 requires a provision of 35% affordable housing, with a tenure mix of 65% affordable rent, 20% social rent and 15% low cost home ownership. This can be secured by a s.106 planning obligation.

6.3.2 In terms of residential amenity for future occupants, the layout of the site is a reserved matter so no detailed assessment can be made. However, the illustrative layout shown enables an initial assessment to be made regarding residential amenity. This is also supported by a daylight and sunlight assessment by the British Research Establishment. These details are sufficient to demonstrate that the proposed number of 121 dwellings can be accommodated satisfactorily on the site and ensure that all dwellings would have an acceptable level of amenity in respect of outlook, natural light and privacy. Further analysis will be required at detailed design stage when the final layout of the site and position of windows is known.

### 6.4 (c) Character of the area

The immediately surrounding area comprises the visually significant Bushey Arches railway viaduct and the road gyratory of Chalk Hill, Aldenham Road and Pinner Road. Both Chalk Hill and Pinner Road rise to the east and south-east before

joining Aldenham Road. All three roads are characterised by predominantly 2 storey buildings of a residential, commercial and mixed-use nature. The surrounding areas to the east and south are also characterised by predominantly 2 storey residential properties. To the west, beyond the railway viaduct, are 2 storey retail warehouses in Lower High Street.

6.4.1 The whole of the application site is sited at a higher level than Chalk Hill with land levels rising to the north. It is also framed on 3 sides by the railway embankment to the west, a heavily treed embankment to the north and a line of mature trees to the east. As such, the embankment and trees screen direct views of the site from the west (Lower High Street) and east (Chalk Hill). However, from the south, along Eastbury Road, there are partial views into the site. From the west and south, the listed railway viaduct is seen in the context of the mature trees that border the site. These rise above the viaduct and, as a result, views of the viaduct are framed by the trees. The proposed buildings will be seen alongside the viaduct in this context.

6.4.2 The southern side of Chalk Hill, between Bushey Arches and Aldenham Road, is fronted by two storey terraced properties. However, the northern side is far more fragmented with the only strong frontage buildings towards the junction of Aldenham Road at Ye Corner. To the east of the site, the listed building at 14-16, Chalk Hill is set back from the road frontage at a higher level and behind a screen of trees. The frontage is marked by a retaining boundary wall. The situation is similar with 12, Chalk Hill, which is set at a higher level with a retaining boundary wall abutting the highway. The western part of the site frontage comprises the Council owned car park which has an unmade surface and is bounded by 48-sheet advertising hoardings. As such, the site frontage has a detrimental impact on the streetscene and the immediate locality and significant opportunity exists to improve this through the application proposal.

6.4.3 Although only illustrative at this stage, the proposal is to site two blocks towards the Chalk Hill frontage to help to create a new frontage to this part of Chalk Hill. Previous schemes have proposed 4 storey development towards the Chalk Hill frontage which was considered to be too overbearing and out of keeping with the

character of the area. The current proposal of 2.5 storey development is considered appropriate and will provide a significant enhancement to the streetscene. Due to the nature of this part of Chalk Hill, which carries heavy traffic flows and is subject to noise and poor air quality (see Sections 6.10 and 6.11 of this report), and the varying land levels, it is currently proposed that the new dwellings will not front directly onto Chalk Hill. This is considered to be a practicable solution in the circumstances but will require careful design at detailed stage.

6.4.4 The proposed blocks increase in height in the central and northern parts of the site, away from the frontage, and this is considered acceptable in principle.

6.4.5 The higher density, predominantly flatted nature of the development is considered an appropriate response to this difficult site and its proximity to Bushey Station. With appropriate design at detailed stage, it is considered that the proposal can significantly enhance the locality. The current site is in poor condition and has for many years had a detrimental impact on the character and appearance of the locality.

#### 6.5 (d) Impact on heritage assets

The site adjoins a number of heritage assets:

- i) Bushey Arches viaduct to the north. This is a Grade II listed building.
- ii) 14-16, Chalk Hill to the east. This is a Grade II listed building.
- iii) 18, Chalk Hill to the east. This is a locally listed building.
- iv) 48, Aldenham Road to the east. This is a locally listed building.
- v) World War Two pill box under Bushey Arches. This is a locally listed building.

6.5.1 Bushey Arches viaduct is a very prominent feature in the immediate locality due to its height and scale (together with the modern, adjoining viaduct). It is also prominent in views along Lower High Street to the west where it forms a 'gateway' feature at the edge of the Borough. Concerns with previous schemes proposed for the site related to the height of proposed buildings, which would have been significantly higher than the viaduct, and their proximity to the viaduct. It was

considered that the buildings would have detracted from the setting of the viaduct and its visual importance, both in the immediate locality around Bushey Arches and in longer views along Lower High Street. The current application proposes buildings of 2.5 storeys along the Chalk Hill frontage and the western boundary of the site adjoining the viaduct. This scale ensures the buildings are no higher than the viaduct and will not, therefore, have any significant detrimental impact on its setting.

6.5.2 The listed building at 14-16, Chalk Hill is two storeys and is set away from the site boundary at a higher land level. There is also a belt of preserved trees along the boundary screening views of the building from the site and providing a backdrop to the building in views from the east. The proposed buildings along the eastern boundary are 2.5 storeys and are of a similar scale to the listed building. They will also be set at a lower land level. In this context, the proposal will have no significant detrimental impact on the setting of the listed building.

6.5.3 18, Chalk Hill. This building adjoins the eastern boundary and, like 14-16, Chalk Hill, is set at a higher level and is largely screened from the site by 2 groups of preserved trees. The proposed buildings along the eastern boundary are 2.5 storeys and are of a similar scale to this building. They will also be set at a lower land level. In this context, the proposal will have no significant detrimental impact on the setting of the building.

6.5.4 48, Aldenham Road is set back from the eastern boundary of the site and set at a significantly higher level. It is a two storey house. It overlooks the northern part of the site where the proposed block is part 2.5 storeys and part 3.5 storeys high. The scale of the proposed northern block will ensure it will have no significant detrimental impact on the setting of the building.

6.5.5 The World War Two pill box is sited underneath one of the arches of the viaduct. The development of the application site will have no impact on this structure.

6.5.6 The existing buildings on the site comprise a former two storey house at 12, Chalk Hill and the existing factory building occupying the northern part of the site. Neither

building is of any architectural or historic interest and there is, therefore, no objection to the loss of these buildings.

#### 6.6 (e) Layout and design

The layout of the site is a reserved matter but an illustrative layout has been shown to demonstrate how the proposed number of units could be accommodated on the site. The layout shows a perimeter block arrangement for the main southern part of the site and a single L-shaped block in the northern part of the site. The perimeter block approach allows buildings to form a new building line along the Chalk Hill frontage and along the existing access road to the west (which will be closed to vehicles but available for use by pedestrians and cyclists). It also creates a large courtyard area within the site which helps to create a unique sense of place to the development which is removed from the noise and traffic of Chalk Hill and the railway viaduct. A smaller courtyard will be created by the L-shaped northern block which will be surrounded by an embankment of trees. The new access road will pass along the eastern boundary of the site before forking north to serve the northern block and south to enter the southern courtyard.

6.6.1 Although illustrative, the drawings demonstrate that a layout can be achieved which provides adequate and appropriate servicing of the development. Tracking diagrams have been submitted as part of the transport assessment to show how service vehicles up to 12m in length could enter and leave the site in forward gear and manoeuvre within the site. Communal bin storage areas are shown to be located within the respective courtyards to serve the dwellings and be accessible for collection purposes.

6.6.2 Pedestrian and cycle access to the development is shown to be via three points – i) via the new access road, ii) directly from Chalk Hill from a dedicated pedestrian/cycle entrance, and iii) from the existing access road along the western boundary which is to be closed to vehicular traffic. It is also proposed that there should be a separate pedestrian access at the western corner of the site, adjacent to Bushey Arches, directly into the basement car park. This would need to be subject to careful design at detailed stage for security reasons.

6.6.3 There remains within the application site a small strip of land in unknown ownership (located in the north-western corner). This land currently forms the access to the factory unit, which has a right of access over this land. In the illustrative layout, this land is used only for landscaping purposes. This is considered an acceptable approach to the treatment of this land in the circumstances, until such time as the land can be legally acquired.

6.6.4 The appearance of the development is also a reserved matter but illustrative details have been submitted of an 'Arts and Crafts' style for the blocks. This seeks to reflect and complement the traditional building styles found in the locality and is an acceptable approach. This approach has regard to an appeal decision on the nearby former JR Taggar site where an overtly modern design was not considered acceptable and a more traditional design approach was eventually consented and developed.

6.6.5 It is noted that the layout shown on the illustrative plans may not be the optimal solution for the site and that further design work at reserved matters stage may yield a more efficient layout of the site and improve on the illustrative details shown. Notwithstanding this, the illustrative plans do demonstrate that appropriate access around the site can physically be achieved. Given the outline nature of the application this is adequate to enable the grant of permission and the final layout of roads and building can be addressed within any subsequent reserved matters submission.

6.7 (f) Impact on neighbouring properties

There are a number of properties adjoining the site to the east and north. To the east are 14-16 and 18, Chalk Hill and 48, Aldenham Road. These have already been referred to in Section 6.5 of this report. Only 48, Aldenham Road is in residential use, the others are in commercial use. The proposed scale of the northern block on the site, the distance between this block and no.48, and the difference in land levels, will ensure that the proposed block will have no significant adverse impact on the amenities of this property.

6.7.1 To the north is a recently completed development at Plantation Close, comprising 3 no. blocks of flats of 3-4 storeys in height. These blocks are set well away from the site boundary and are separated from the site by a belt of preserved trees. They are also sited at a higher land level. As such, the proposed northern block will have no adverse impact on the amenities of these flats.

6.8 (g) Transport, access and parking

Transport and access issues have been the subject of detailed and extensive analysis in respect of this and previous applications.

6.8.1 Considering first the proposed access, which is a matter for approval at this stage, the principle of a new access over the site of 12, Chalk Hill was established at appeal in 2010, although the appeal itself was dismissed, subject to the existing access from Bushey Arches being closed off. The access as shown is of sufficient width and design geometry to allow vehicles up to 12m in length to enter and leave the site, with adequate visibility to the west (Chalk Hill is one-way at this point) being demonstrated. Detailed design of the junction will be refined through the required Stage 1 and Stage 2 road safety audits with the Highway Authority. However, at this stage, the Highway Authority has no objection to the proposed junction.

6.8.2 The detailed transport assessment has modelled the predicted traffic generation from the site having regard to the latest traffic flow data and the predicted traffic flows associated with the Health Campus and Croyley Rail Link developments. The existing data shows that the surrounding roads (Chalk Hill, Aldenham Road and Pinner Road) and their associated junctions are already close to or exceed capacity at peak times. The proposed development will not improve this situation but, equally, will not have a significant additional impact. The site is very well served by rail and bus services from Bushey Station and Lower High Street and is therefore a site where traffic generation could be lower than predicted.

6.8.3 The detailed comments of the Highway Authority are reproduced in Section 5.4 of

this report (pages 9-21) and they conclude that planning permission can be granted subject to appropriate conditions relating to junction design, the closure of the existing access, a construction traffic plan and a Travel Plan.

6.8.4 Car parking standards are set out in the Watford District Plan 2000. These are given as maximums and are based on the size of dwelling (number of bedrooms) and location. The illustrative details show 197 spaces for residents. The original submission proposed a public car park of 50 spaces and a further 150 spaces for residents. The proposed public car park has since been deleted from the proposal. Based upon the proposed number and size of dwellings and location, the maximum number of spaces would be 185. This is less than the 197 proposed. It is therefore considered appropriate that at detailed stage, the maximum number of spaces should accord with the standards in the Watford District Plan.

6.8.5 Cycle spaces will also need to be provided for residents at a ratio of one space per dwelling and this can also be secured by condition.

#### 6.9 (h) Trees and landscaping

The site contains a number of individual trees and 1 group of trees covered by TPO 33. Other individual trees and 5 other groups of trees also covered by TPO 33 adjoin the boundaries of the site to the east and north.

6.9.1 The site of 12, Chalk Hill, over which the access is proposed, contains 9 individual trees covered by TPO 33. However, it is evident from the arboricultural survey and aerial photographs that many of these trees have been lost since the Order was made in 1981. The remainder of these 9 trees will also be lost as a result of the proposal. Whilst this is regrettable, there is no other means of accessing this site safely to facilitate a redevelopment of this site. The existing site is in poor condition, is detrimental to the character and appearance of the locality and is a significant regeneration opportunity. In these circumstances, the loss of the trees is considered to be justified.

6.9.2 Furthermore, the adjoining individual and groups of trees to the east and north, also



covered by TPO 33, are shown to be retained. A detailed arboricultural survey has been submitted with the application and demonstrates that that the proposed development will not have any significant impact on the retention of trees bordering the site subject to appropriate mitigation measures during construction. These can be secured by condition. Landscaping of the site remains a reserved matter for future determination.

#### 6.10 (i) Noise

The application was supported by an updated statement on noise by the British Research Establishment (BRE). A report assessing noise and vibration was originally prepared in 2009 and was subsequently reviewed in 2013, both in relation to previous applications. The current review was undertaken in February 2015. New noise measurements were carried out at the site frontage on Chalk Hill, outside no.12. This position is close to the proposed building façade as shown on the illustrative drawings and is therefore representative of the likely noise levels at this façade. The noise levels recorded (63.7-64.6 dB LAeq,1hr) were lower than those recorded in 2009 and 2013 indicating that noise levels across the site do not appear to have increased. The original 2009 environmental noise assessment is therefore still valid for the site. Given that the proposal is in outline, the conclusion remains that interior noise levels will be able to achieve the recommended values in BS 8233:2014 at detailed design stage. These values are given as follows:

Activity	Location	0700 to 2300 LAeq, 16 hour	2300 to 0700 LAeq, 8 hour
Resting	Living room	35dB	-
Dining	Dining room	40dB	-
Sleeping	Bedroom	35dB	30dB

6.10.1 With regards to vibration, the conclusions remain that vibration from rail traffic is unlikely to result in adverse comment from future residents.

## 6.11 (j) Air quality

The site is located adjacent to an Air Quality Management Area (3A) on Chalk Hill, immediately to the east of the site. The application was supported by an Air Quality Assessment which considered the Council's monitoring data and Air Quality Action Plan (2011). The main source of air pollution at the site is from road traffic, particularly Particulate Matter (PM<sub>10</sub>) and nitrogen dioxide (NO<sub>2</sub>). There is no local monitoring data for particulate matter but data from the automatic monitoring station at the Town Hall, adjacent to the busy Rickmansworth Road, shows that the PM<sub>10</sub> concentration is well below the national objective annual concentration of 40µg/m<sup>3</sup>.

6.11.1 With regard to nitrogen dioxide, a diffusion tube monitoring station on Chalk Hill outside the site has recorded a mean annual concentration of 83µg/m<sup>3</sup> significantly in excess of the national objective annual concentration of 40µg/m<sup>3</sup>. In order to protect future residents from this high level of pollution, a number of mitigation measures are proposed:

1. Installation of mechanical ventilation and filtration systems (including air conditioning) with appropriate PM<sub>10</sub> and NO<sub>2</sub> filters.
2. Mechanical ventilation inlet location to be located so that it only draws air in from roof level.
3. Non-opening windows on facades affected by air pollution, i.e. facing Chalk Hill, especially on lower floors.

6.11.2 These can be secured by appropriately worded conditions. Similar measures were required for the proposed development at 26-30, Aldenham Road, a short distance to the east and sited within a AQMA, which was approved by the Committee in June 2015.

## 6.12 (k) Sustainable drainage

The County Council as Lead Local Flood Authority and Thames Water have no objections in principle to the proposal subject to appropriate conditions being imposed. The submitted surface water drainage strategy incorporates surface water storage tanks to attenuate surface water flows to the mains sewer system.

Details of the final design can be secured by condition.

6.12.1 As the application is only in outline at this stage, the actual number of dwellings and the demand on the foul water system cannot be fully assessed by Thames Water. They have therefore requested a condition to secure a foul water drainage strategy.

6.13 (l) Land contamination

The southern part of the site was formerly in use as a waste transfer station and concrete batching plant and the northern part remains occupied by an industrial building. A ground investigation report has been submitted with the application which identifies contamination of the ground by lead and organic compounds on the southern (cleared) part of the site. Detailed investigations have not been possible where the existing industrial building is sited. This will need to be the subject of further investigation once the building has been demolished. A strategy for remediation and further investigation is proposed which is acceptable to the Environment Agency in principle, subject to appropriate conditions.

## **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:

### **Watford Charging Schedule**

Type of Development	CIL Rate
Residential	£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.

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 a financial contribution 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 cannot be specified as the application is in outline. However, in order to comply with Policy HS3 of the Core Strategy a provision of 35% affordable housing will be required.

## **8.0 CONCLUSION**

- 8.1 The principle of residential development on this site is considered acceptable having regard to the selection criteria set out in Policy HS1 and the allocation of the site for housing development in the emerging Local Plan Part 2 Site Allocation Plan. The site is, however, subject to a number of significant constraints, particularly relating to access, proximity to heritage assets, proximity to preserved trees, road and rail traffic noise, air quality and drainage.
- 8.2 The application has been submitted in outline with all matters reserved for subsequent approval. The proposed access from Chalk Hill has been the subject of detailed consideration by the Highway Authority, together with the potential traffic generation from the site. This is now considered to be acceptable and the Highway Authority has raised no objection to the proposal. Compared to previous, unsuccessful schemes, the number of dwellings has been reduced to a maximum of 121 and the scale of buildings has been reduced accordingly. Although all matters are reserved for subsequent approval, nevertheless, the illustrative details are sufficient to demonstrate that this number of dwellings can be accommodated on the site in a satisfactory manner.
- 8.3 Subject to the imposition of appropriate conditions to ensure matters relating to preserved trees, noise, air quality and drainage are resolved at detailed stage, outline planning permission can be granted.

## **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 RECOMMENDATIONS**

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

### Section 106 Heads of Terms

- i) To secure the provision of 35% of the dwellings as affordable dwellings, of which at least 65% are to be for affordable rent, at least 20% for social rent and a maximum of 15% for intermediate tenures, in accordance with Policy HS3 of the Watford Local Plan Core Strategy 2006-31.
- ii) To secure the provision of necessary fire hydrants as required to serve the development.

### Conditions

1. Approval of the details of the access, appearance, landscaping, layout and scale (hereinafter called the 'reserved matters') shall be obtained from the Local Planning Authority before any development commences.

Reason: To comply with the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

2. Application(s) for approval of the 'reserved matters' must be made not later than the expiration of three years from the date of this permission.

The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matter to be approved.

Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The reserved matters submitted pursuant to Condition 1 shall include a detailed tree survey and arboricultural impact assessment for all trees preserved under Tree Preservation Order 33 that lie within the site and immediately adjoining the eastern and northern boundaries of the site, to include the following:
  - i) Details of all trees to be removed and retained.
  - ii) Details of any arboricultural works to be undertaken to retained trees.
  - iii) Details of canopy spread and root protection zones extending within the application site of all trees to be retained, both within and adjoining the site.
  - iv) Method statements for all works within the site to be undertaken within the canopy spread and root protection zone of any retained tree.

Reason: In the interests of the character and appearance of the site and the wider area and to ensure the retention of the existing trees on the site is not prejudiced by the development, pursuant to Policies UD1 and GI3 of the Watford Local Plan Core Strategy 2006-31 and Policy SE37 of the Watford District Plan 2000.



4. 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 unless agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties during the time that the development is being constructed.

5.
  - i) No demolition works shall commence within the site until a Demolition Environmental Management Plan has been submitted to and approved by the Local Planning Authority. This Plan shall include details of the phasing of the development, access arrangements for demolition vehicles, a traffic plan for demolition 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. The Plan as approved shall be implemented throughout the construction period.
  - ii) No construction works shall commence within the site until a Construction Environmental Management Plan has been submitted to and approved by the Local Planning Authority. This Plan shall include details of the phasing of the development, access arrangements for construction vehicles, a traffic plan for 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. The Plan as approved shall be implemented throughout the construction period.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties and prevent obstruction of the adjoining highway during the time that the development is being constructed.

6. No development shall commence 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: The desk study and site investigation indicate the potential presence of contamination from the previous uses of the site. The site is located on a Principal Aquifer, and within Source Protection Zone 1, indicating that groundwater will reach the public drinking water supply within 50 days. The Principal Aquifer is a designated groundwater body under the Water Framework Directive – Mid-Chilterns Chalk that is currently poor status. The groundwater needs to be protected from further contamination, particularly those contaminants already identified in the Thames River Basin Management Plan, so that the water quality does not deteriorate.

7. No occupation of any part of the 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: The desk study and site investigation indicate the potential presence of contamination from the previous uses of the site. The site is located on a Principal Aquifer, and within Source Protection Zone 1, indicating that groundwater will reach the public drinking water supply within 50 days. The Principal Aquifer is a designated groundwater body under the Water Framework Directive – Mid-Chilterns Chalk that is currently poor status. The groundwater needs to be protected from further contamination, particularly those contaminants already identified in the Thames River Basin Management Plan, so that the water quality does not deteriorate.

8. No development shall commence 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, has been 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: The desk study and site investigation indicate the potential presence of contamination from the previous uses of the site. The site is located on a Principal

Aquifer, and within Source Protection Zone 1, indicating that groundwater will reach the public drinking water supply within 50 days. The Principal Aquifer is a designated groundwater body under the Water Framework Directive – Mid-Chilterns Chalk that is currently poor status. The groundwater needs to be protected from further contamination, particularly those contaminants already identified in the Thames River Basin Management Plan, so that the water quality does not deteriorate.

9. 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: The desk study and site investigation indicate the potential presence of contamination from the previous uses of the site. The site is located on a Principal Aquifer, and within Source Protection Zone 1, indicating that groundwater will reach the public drinking water supply within 50 days. The Principal Aquifer is a designated groundwater body under the Water Framework Directive – Mid-Chilterns Chalk that is currently poor status. The groundwater needs to be protected from further contamination, particularly those contaminants already identified in the Thames River Basin Management Plan, so that the water quality does not deteriorate.

10. 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: The desk study and site investigation indicate the potential presence of contamination from the previous uses of the site. The site is located on a Principal Aquifer, and within Source Protection Zone 1, indicating that groundwater will reach the public drinking water supply within 50 days. The Principal Aquifer is a designated groundwater body under the Water Framework Directive – Mid-Chilterns Chalk that is currently poor status. The groundwater needs to be protected from further contamination, particularly those contaminants already identified in the Thames River Basin Management Plan, so that the water quality does not deteriorate.

11. No piling or any other foundation designs using penetrative methods shall take place unless details have been submitted to and approved in writing by 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: The desk study and site investigation indicate the potential presence of contamination from the previous uses of the site. The site is located on a Principal Aquifer, and within Source Protection Zone 1, indicating that groundwater will reach the public drinking water supply within 50 days. The Principal Aquifer is a designated groundwater body under the Water Framework Directive – Mid-Chilterns Chalk that is currently poor status. The groundwater needs to be protected from further contamination, particularly those contaminants already identified in the Thames River Basin Management Plan, so that the water quality does not deteriorate.

12. No demolition or development shall commence within the site until a detailed tree protection plan (showing all trees and hedges to be retained, the siting and type of protective fencing and the use and type of no-dig construction methods where appropriate) has been submitted to and approved in writing by the Local Planning Authority and all tree protection measures have been installed as approved. The development shall only be carried out in accordance with the approved details and all protective fencing shall be retained throughout the construction period.

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 UD1 and GI3 of the Watford Local Plan Core Strategy 2006-31 and Policy SE37 of the Watford District Plan 2000.

13. No development shall commence within the site until details of the routing of all below ground services and cabling (electricity, gas, telephone, foul water, surface water, etc), including any temporary connections for site huts, showing depth, width and routing of all trenches, have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure the retention of the existing trees on the site is not prejudiced by the development in accordance with Policy SE37 of the Watford District Plan 2000.

14. No trees, scrub or hedges on the site shall be lopped, topped, felled, grubbed up or otherwise removed from the site between 1st March and 31st August in any year unless a suitably qualified ecologist has previously surveyed the trees, scrub or hedges and certified in writing to the Local Planning Authority that such works of removal are unlikely to harm any protected species.

Reason: In order to avoid harm to any protected species, in accordance with Policies GI1 and GI3 of the Watford Local Plan Core Strategy 2006-31.

15. The development permitted by this planning permission shall be carried out in accordance with the approved drainage strategy carried out by by jnp group, dated 25<sup>th</sup> of November 2015, project number C85264 and the following mitigation measures detailed within the drainage strategy:
  - i) Limiting the surface water run-off generated by the 1 in 100 year + climate change critical storm so that it will not exceed the rate of 5 l/s.
  - ii) Discharge into the Thames Water sewer network.

- iii) Undertake the drainage to include permeable paving and attenuation tanks as indicated in Appendix E of the drainage strategy.
- iv) 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.

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 storage and disposal of surface water from the site.

16. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- i) Detailed drainage plan showing the location, size and engineering details of the proposed SuDS, pipe runs, manholes etc.
- ii) Detailed surface water run-off and volume calculations for 1:100 year (+30% CC) are required within the surface water drainage assessment, which ensures that the site has the capacity to accommodate all rainfall events up to 1:100 year (+30% CC).
- iii) Exploration of the feasibility of above ground SuDS measures in the western part of the site.

- iv) Maintenance and adoption of all SuDS measures

Reason: To prevent the increased risk of flooding, both on and off site.

- 17. 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. 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 sewerage flooding; to ensure sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

- 18. All windows directly facing Chalk Hill and the railway viaduct to the west 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.

- 19. No development shall commence until the specification of a mechanical air supply/extract system for each of the residential dwellings with windows directly facing Chalk Hill and the railway viaduct to the west 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 of the respective dwellings facing Chalk Hill and the railway viaduct being non-opening. The air delivered to the occupiers of the residential units through this system should have an annual mean nitrogen dioxide (NO<sub>2</sub>) concentration of 40ug/m<sup>3</sup> 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.

20. No development shall commence until a noise mitigation scheme for the proposed residential dwellings facing Chalk Hill and the railway viaduct to the west, to achieve the recommended interior noise levels in BS 8233:2014, 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.

21. The development shall be constructed at a datum level of 60.00 as shown on the approved drawings, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed buildings maintain a satisfactory relationship between the development, the public highway on Chalk Hill, the listed Bushey Arches viaduct and adjoining properties to the east.

22. The height of the buildings shall not exceed the heights shown on the indicative drawings.

Reason: In the interests of the character and appearance of the area and the setting of the listed Bushey Arches viaduct, pursuant to Policies UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31.

23. No part of the development shall be occupied until details of an external lighting scheme for the site has been submitted to and approved in writing by the Local Planning Authority and the approved has been installed.

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

24. The approved soft landscaping scheme shall be carried out as approved not later than the first available planting and seeding season after completion of each phase of the development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

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

25. Car parking provision for the development shall not exceed the maximum standards for development within Parking Zone 3 as set out in Appendix 2 of the Watford District Plan 2000, unless otherwise agreed in writing by the Local Planning Authority. No dwelling shall be occupied until the respective car parking spaces for the occupants and their visitors have been constructed, unless otherwise agreed in writing by the Local Planning Authority. These facilities shall be retained at all times and shall not be used for any other purpose.

Reason: To ensure that adequate parking facilities exist for residents of the proposed development, in accordance with Policies T22 and T24 of the Watford District Plan 2000.

26. Cycle parking provision for the development shall be provided at a ratio of 1 space per dwelling. The cycle parking provision shall be secure and weatherproof.

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

27. No part of the development shall be occupied until:
- i) The new vehicular access from Chalk Hill has been laid out and constructed in accordance with the details shown in principle on drawing no. 2703/P15/GL1/E.
  - ii) The existing footpath in front of the site has been widened to a minimum width of 2m, as shown in principle on drawing no. 2703/P15/GL1/E.
  - iii) The existing access from Bushey Arches sited along the western boundary of the site has been closed to vehicular traffic. Details of the measures to prevent use by vehicular traffic shall be submitted to and approved in writing by the Local Planning Authority and shall be installed as approved. These measures shall be retained at all times.

The existing access from Bushey Arches sited along the western boundary of the site shall only be used for pedestrian and cycle access and emergency vehicle access.

Reason: To minimise danger, obstruction and inconvenience to users of the highway and pedestrians, in accordance with Policy T21 of the Watford District Plan 2000.

28. No part of the development shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented at all times.

Reason: To promote sustainable modes of travel in accordance with Policy T3 of the Watford Local Plan Core Strategy 2006-31.

### 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 necessary fire hydrants to serve the development and the provision of 35% of the dwellings as affordable housing units.
2. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended. The Council also gave pre-application advice on the proposal prior to the submission of the application and undertook discussions with the applicant's agent during the application process.

### Drawing numbers

2703/RP15/CP/A, GL1/E, 1L, SL, TL, 4L, RL, SH1, SECT 1, SECT 2

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**(B)** That, in the event that a planning obligation under s.106 of the Town and Country Planning Act 1990 is not completed by 29<sup>th</sup> April 2016, the Head of Development Management be authorised to refuse planning permission for this application for the following reasons:

1. The proposed development fails to make provision for affordable housing 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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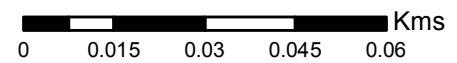
**Case Officer:** Paul Baxter  
**Email:** paul.baxter@watford.gov.uk  
**Tel:** 01923 278284





8-12 CHALK HILL

Date: 01/03/2016



Scale 1:1,250







# Agenda Item 7

<b>PART A</b>	
<b>Report of: HEAD OF DEVELOPMENT MANAGEMENT</b>	
<b>Date of Committee:</b>	<b>10<sup>th</sup> March 2016</b>
<b>Site address:</b>	<b>Charter Place Shopping Centre</b>
<b>Reference Number:</b>	<b>16/00076/VAR</b>
<b>Description of Development:</b>	<b>Part demolition/reconfiguration/change of use of existing Charter Place Shopping Centre, demolition of 37-57 and 67-69 High Street, and part retention of 63-65, High Street. Erection of new buildings within Classes A1(shops), A3 (restaurants) and D2 (including cinema), including provision of new covered market, together with associated plant and machinery, and ancillary facilities. Provision of new public realm. Alterations to existing pedestrian and cycle access and egress arrangements, highway alterations/ improvements and other ancillary works and operations. Variation of Condition 2 of planning permission ref. 14/00779/VAR to incorporate amendments to the ground and first floor retail units, second floor leisure unit, design of the high level glazed canopy, reorientation of the escalators and stairs within the central space and other minor amendments.</b>
<b>Applicant:</b>	<b>WRP Management Ltd</b>
<b>Date received:</b>	<b>20<sup>th</sup> January 2016</b>
<b>13 week date(major):</b>	<b>20<sup>th</sup> April 2016</b>
<b>Ward:</b>	<b>CENTRAL</b>

## **SUMMARY**

On 5<sup>th</sup> February 2014 planning permission was granted for the redevelopment of the Charter Place Shopping Centre (ref. 13/00972/FULM). The approved scheme secured many of the key objectives of the adopted Charter Place Planning Brief (2006) including new and refurbished retail units (providing an additional 10,000m<sup>2</sup> of floorspace), 10 new restaurant units, a 9 screen cinema (including an IMAX screen), a leisure unit and a new indoor market, together with a high quality public realm. Following the grant of planning permission, further design work was undertaken on the scheme and a series of amendments were proposed to the approved cinema unit, to accommodate the requirements of the selected tenant, Cineworld (14/00779/VAR). These amendments were approved in August 2014.

The current application proposes further changes to accommodate the requirements of Debenhams, who will occupy the new anchor store within the development. These primarily involve changes to the retail anchor unit, changes to the size and configuration of 2 of the ground and first floor retail units, an increase in the size of the leisure unit, a new design for the high level glazed roof and the re-orientation of the escalators and stairs within the central space.

These changes have been assessed against the approved scheme and it is concluded that the changes will not alter the fundamental scale and nature of the proposal and will not have any significant additional impacts on adjacent properties or the wider town centre. All other aspects of the approved scheme remain unchanged.

The Head of Development Management therefore recommends that the application be approved, subject to the imposition of appropriate conditions, as set out in the report.

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## **BACKGROUND**

### **Site and surroundings**

Charter Place is located in the town centre and covers an area of approximately 2.1

hectares. It comprises the Charter Place Shopping Centre (including the indoor market), Palace Charter car park (755 spaces) and the YMCA tower. It is bordered by Beechen Grove to the north, *intu Watford* to the east, High Street to the south and properties fronting High Street and Clarendon Road to the west. Pedestrian access is from High Street (Meeting Alley and Charter Way (adjacent to HSBC Bank)), *intu Watford* and Beechen Grove (Grove Walk). Vehicular access is from Beechen Grove to a basement servicing area and to Palace Charter car park. Limited servicing access is also available from High Street.

### **Proposed development**

This application is made under s.73 of the Town and Country Planning Act 1990 (as amended) to vary Condition 2 of planning permission ref. 14/00779/VAR dated 11<sup>th</sup> August 2014 to incorporate various amendments to the approved scheme for the redevelopment of Charter Place Shopping Centre. The amendments can be summarised as follows:-

- Extension of the anchor unit to incorporate Unit A at ground floor level and Unit F at first floor level.
- Extension of the frontage of the anchor unit at ground and first floor levels over Grove Walk.
- Realignment of Grove Walk.
- Reduction in the size of Unit 1 at ground floor level and Unit 6 at first floor level to accommodate realigned Grove Walk.
- Extension of the leisure unit at second floor level and formation of roof over Grove Walk in front of anchor unit.
- New curved lattice design for high level glazed roof.
- Reorientation of the escalators and stairs within the central space.
- Amendments to the roof level louvres on the High Street buildings.

The proposed changes to the retail and leisure units result in the following changes to the floor areas within the development:

Proposed Use	Approved under 14/00779/VAR (sqm GEA)	Proposed s.73 Amendments (sqm GEA)
Class A1 (Retail)	28,554	28,184 (-370)
Class A3 (Restaurants)	4,981	4,981
Class D2 (Leisure)	10,636	11,022 (+386)
Other (storage, circulation)	12,232	12,209 (-23)
Total	56,403	56,396 (-7)

### **Planning history**

Charter Place Shopping Centre, including the indoor market, opened in 1976. A limited scheme of improvements was undertaken by the Council in the early 1990s but the centre remains essentially as originally constructed.

13/00972/FULM – Planning permission granted on 5<sup>th</sup> February 2014 for the part demolition/reconfiguration/change of use of existing Charter Place Shopping Centre, demolition of 37-57 and 67-69 High Street, and part retention of 63-65, High Street. Erection of new buildings within Classes A1 (shops), A3 (restaurants) and D2 (including cinema), including provision of new covered market, together with associated plant and machinery, and ancillary facilities. Provision of new public realm. Alterations to existing pedestrian and cycle access and egress arrangements, highway alterations/improvements and other ancillary works and operations.

This permission was subject to a planning obligation to secure a payment of £100,000 towards the cost of environmental improvements in the public realm on the High Street.

14/00779/VAR – Planning permission granted on 11<sup>th</sup> August 2016 for the part demolition/reconfiguration/change of use of existing Charter Place Shopping Centre, demolition of 37-57 and 67-69 High Street, and part retention of 63-65, High Street. Erection of new buildings within Classes A1 (shops), A3 (restaurants) and D2 (including

cinema), including provision of new covered market, together with associated plant and machinery, and ancillary facilities. Provision of new public realm. Alterations to existing pedestrian and cycle access and egress arrangements, highway alterations/improvements and other ancillary works and operations. Variation of Condition 2 of planning permission ref. 13/00972/FULM to incorporate amendments to the cinema building, including an increase in height, changes to the roof profile and changes to fire escapes.

This permission was subject to a planning obligation to secure a payment of £100,000 towards the cost of environmental improvements in the public realm on the High Street.

The demolition of Charter Place has now commenced.

### **Relevant policies**

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

- Section 1 Building a strong, competitive economy
- Section 2 Ensuring the vitality of town centres
- Section 4 Promoting sustainable transport
- Section 7 Requiring good design
- Section 8 Promoting healthy communities
- Section 10 Meeting the challenge of climate change, flooding and coastal change
- Section 12 Conserving and enhancing the historic environment

#### **Hertfordshire Waste Core Strategy and Development Management Policies**

##### **Document 2011-2026**

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

#### **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
SD2	Water and Wastewater
SD3	Climate Change
SD4	Waste
TLC1	Retail and Commercial Leisure Development
EMP1	Economic Development
T2	Location of New Development
T3	Improving Accessibility
T4	Transport Assessments
T5	Providing New Infrastructure
INF1	Infrastructure Delivery and Planning Obligations
UD1	Delivering High Quality Design
UD2	Built Heritage Conservation

### **Watford District Plan 2000**

SE7	Waste Storage and Recycling in New Development
SE20	Air Quality
SE22	Noise
SE27	Flood Prevention
T10	Cycle Parking Standards
T21	Access and Servicing
T22	Car Parking Standards
S5	Non-Retail Uses in Prime Retail Frontage
S11	Use Class A3 Food and Drink
U15	Buildings of Local Interest

- U17 Setting of Conservation Areas
- U24 Shopfronts

### **Supplementary Planning Documents**

- Charter Place Planning Brief (2006)
  - Watford Character of Area Study (2011)
  - Shopfront Design Guide (2013)
  - Streetscape Design Guide (2013)
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## **CONSULTATIONS**

### **Neighbour consultations**

Letters were sent to 172 properties in High Street, Market Street, Clarendon Road, Beechen Grove and Loates Lane, the Central Town Residents Association and to those objectors to the original application. No replies have been received.

### **Advertisements in local paper/ site notices**

A public notice was published in the Watford Observer on 29<sup>th</sup> January 2016. Four site notices were placed within Charter Place and on the High Street also on 29<sup>th</sup> January 2016. The statutory expiry date for the public notice and site notices is 19<sup>th</sup> February 2016.

### **Consultations**

Having regard to the nature of the proposed amendments, only the Urban Design and Conservation team within the Planning Policy Section was consulted.

### **Urban Design and Conservation Manager**

No comments received.

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## **APPRAISAL**

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

- (a) the *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*.

### **Procedure for s.73 applications**

Guidance on section 73 applications is given in the recently published National Planning Practice Guidance (NPPG).

An application can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the uses of a section 73 application can be to seek a minor material amendment, where there is a relevant condition that can be varied. There is no statutory definition of a ‘minor material amendment’ but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended. A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity, decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged.



As a section 73 application cannot be used to vary the time limit for implementation, this condition must remain unchanged from the original permission. If the original permission was subject to a planning obligation then this may need to be the subject of a deed of variation.

### **Environmental Impact Assessment Screening Opinion**

Three screening opinions have previously been issued by the Council, dated 6<sup>th</sup> December 2012, 4<sup>th</sup> September 2013 and 24<sup>th</sup> June 2014. The latter opinion relates to the previous s.73 application for amendments to the original approved scheme, under ref. 14/00779/VAR. A further screening opinion has been issued for the current proposed scheme and it was concluded that an Environmental Impact Assessment was not required in this case.

### **Land allocation**

On the Proposals Map of the Watford District Plan the site is located within the prime retail frontage of the town centre. In the Core Strategy it is located within the primary shopping area of the Town Centre Special Policy Area (SPA1). The Charter Place Planning Brief was adopted in 2006 and sets out key planning and development principles for the site.

### **Principle of development**

The proposed development, incorporating the proposed amendments, remains fully in accordance with the National Planning Policy Framework (NPPF), the policies of the Core Strategy and the Charter Place Planning Brief. The proposed amendments do not result in a development that is substantially or fundamentally different from the approved scheme.

### **Impact on vitality and viability of the town centre**

The NPPF and the Core Strategy recognise the need for town centres to accommodate a greater diversity of main town centre uses in order to remain vibrant places for people to visit. The proposed development will increase significantly the range and choice of retail, leisure and restaurant facilities in the town and will enhance the vitality and viability of Watford as a regional destination. This remains unchanged from the approved scheme.

However, if the proposed amendments to the anchor retail unit are not approved, this element may be lost from the scheme entirely or significant delays (and potentially further amendments) could be incurred in finding a new retail anchor occupier.

### **Watford Market**

This element of the scheme remains unchanged.

### **Other economic considerations**

In addition to enhancing the vitality and viability of the town centre, the proposed development will generate a number of other direct and indirect economic benefits:-

- Investment of approximately £100 million over two years.
- Up to 500 temporary construction jobs over two years.
- Once completed, the proposed development will provide up to 1,125 additional new jobs in the retail, hospitality and leisure sectors.
- Including existing jobs on the site, the development will provide up to 2,150 jobs in total.
- It is estimated a further 830 “spin-off” jobs will be indirectly supported elsewhere in the region through wage and supplier spending.

These remain unchanged from the approved scheme.

### **Layout and design**

In terms of layout, the only changes to the footprint of the approved buildings will be around the Grove Walk entrance at the western end of the central square. The proposals involve extending the front of the anchor retail unit by 6.6m over the approved alignment of Grove Walk and moving the alignment of Grove Walk south by 6.6m. To accommodate this realignment, the cumulative width of the adjoining retail units (Units 1 and 2 at ground floor level and Units 6 and 7 at first floor level) will also be reduced by 6.6m. These changes will allow a more prominent entrance to the anchor retail unit, to be occupied by Debenhams, with only a marginal decrease in overall retail floorspace of 370m<sup>2</sup> (1.3%).

At second floor level, the leisure unit is to be extended north by 2.3m to increase the floorarea (by 386m<sup>2</sup>) in order to make it more attractive to potential occupiers. This extension will form a roof over the southern part of Grove Walk which will ensure the whole of Grove Walk from Beechen Grove to the central square is covered. This will incorporate a large display/advertising box overlooking the central square which will add visual interest at this point.

In order to reflect these changes and the flow of people into and through the central square, the stairs/escalators linking ground and first floor levels within the square have been re-orientated.

The scale of buildings as previously approved will remain unchanged with no increase in height proposed for any of the buildings. The only change in this respect is to the high level glazed roof. This was previously proposed to be in the form of a suspended, louvred design over the new central square hung from a lattice support structure. In the proposed, curved roof design, the two elements of the lattice support structure and the suspended glazed roof panels will be replaced by a single geodetic lattice structure with glazed panels. This will result in a more elegant and simple design to the roof (the same design principle as used at the British Museum and the Trinity Shopping Centre in Leeds, as two examples). The curved nature will result in the roof being 2.8m higher than the approved roof at its highest point. This will also increase the volume of enclosed space within the development further enhancing the dramatic appearance of the central square and the experience of visitors to the development.

All of the proposed materials and design features will remain as previously approved. Overall, the proposed development will remain a large scale intervention within the existing High Street but is not considered to be inappropriate in its scale or design for a regional town centre and having regard to the proposed quantity of floorspace and nature of uses accommodated.

### **Heritage assets**

The site includes a number of designated heritage assets including the listed building at 63-65, High Street (the front façade of the building, the roof and end wall chimneys are to be retained) and the locally listed buildings at 39, 41 and 41a, High Street (to be demolished). There are also other designated heritage assets adjacent to the site or in close proximity to the site. The proposed amendments do not have any additional direct impacts on these heritage assets.

### **Townscape and visual impacts**

The majority of the changes will not be readily visible from the wider public realm as they principally relate to the configuration of the retail units at ground and first floor level and the leisure unit at second floor level around the central square within the development. These changes will primarily be visible only from the central square. The only limited views of these changes from the surrounding public realm will be from the High Street in views along the new entrance into the development (the realigned Meeting Alley).

The most significant external change is to the roof with the previously proposed suspended louvred glass roof being replaced by a curved lattice canopy. This design will arch up to a higher level than the approved roof over the central square. However, when reviewing the sections through the development and the elevation along High Street, it is evident that this curved roof will not be visible from ground level, with the exception of the entrance to the development. At this point, the roof extends towards the High Street to give cover along the main approach from the High Street.

In more distant views of the town centre, the curved roof will be more visible than the approved roof. However, in these longer distance views (the main railway line to the east and Oxhey Park to the south) the roof will be seen within the wider context of the town centre, the YMCA tower and the development itself. The curved glazed roof will appear as an elegant and transparent feature and is considered to add to the quality of the scheme.

With regard to the surrounding heritage assets, notably the listed building at 63-65, High

Street (within the scheme) and St Mary's Conservation Area to the south-west, the proposed canopy will have no impacts.

### **Transport and highways**

The proposed amendments will have no additional impacts on transport and highways matters.

### **Sustainability, energy and waste**

The proposed amendments will have no additional impacts on sustainability matters.

### **Flood risk and drainage**

The proposed amendments will have no additional impacts on flood risk or drainage matters.

### **Noise impacts**

The proposed amendments will have no additional impacts on noise, either during construction or the operation of the completed scheme.

### **Planning obligation**

The existing planning permission is subject to a s.106 obligation to secure a contribution of £100,000 towards the improvement of the public realm in High Street. The contribution will enable improvement works to be undertaken in High Street between the site and the recently completed improvement works in The Parade to the north, linking these works together, and also to enable improvement works on the opposite side of High Street. This will ensure a continuity of works and a consistent level of quality within this part of the High Street. As the development has commenced and this payment has already been made to the Council, there is no requirement for any further planning obligation under s.106.

### **Community Infrastructure Levy**

The proposed amendments will slightly reduce the overall chargeable (Class A1-A5)

floorspace within the development by 370m and the overall floorspace of the development by a negligible 7m. As such, the amended scheme will not incur any CIL charge.

### **Conclusion**

The existing Charter Place Shopping Centre is now in the process of being demolished. The planning permissions granted in February and June 2014 allow for a comprehensive redevelopment of Charter Place to provide a modern centre with new retail floorspace and a mix of restaurant and leisure uses that will significantly enhance the vitality and viability of the town centre and the public realm. It secures many of the key objectives of the adopted Charter Place Planning Brief and accords with the policies of the Core Strategy and the National Planning Policy Framework. The proposed amendments have been assessed against the approved scheme and it is concluded that they will not change the fundamental scale and nature of the proposal and will not have any significant adverse impacts on adjacent properties or the wider town centre. All other aspects of the approved scheme remain unchanged. On balance, it is considered that any harm arising from the proposed amendments is outweighed by the overriding benefits that will accrue from the scheme.

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### **HUMAN RIGHTS IMPLICATIONS**

The grant of permission, subject to a planning obligation and conditions, will have an impact on the human rights of the applicant to develop the land. However, this is considered justified in order to protect the human rights of third parties and to accord with the policies of the development plan. With appropriate conditions, it is not considered that any impacts on third parties will be sufficient to override the human rights of the applicant in this instance.

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### **RECOMMENDATION**

That conditional planning permission be granted subject to the conditions listed below:

## Conditions

### Time Limit

1. The development to which this permission relates shall be begun before 5<sup>th</sup> February 2018.

Reason: To allow adequate time for the commencement of development having regard to the need to seek a Compulsory Purchase Order for some of the properties within the site in third party ownership, and to accord with the time limit of the original planning permission 13/00972/FULM.

### Approved Drawings

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

AP (02) 0999 P02, 1000 P02, 1001 P02, 1002 P01, 1003 P01, 1004 P01, 1150 P01, 1151 P01, 1010 P01, 1011 P01, 1012 P01, 1015 P01

AP (04) 1152 P07, 0249 P05, 0250 P08, 0251 P08, 0252 P10, 0253 P12, 0254 P12, 0255 P12, 0256 P11, 0257 P11, 0268 P03, 0269 P01

AP (05) 1600 P13, 1601 P07, 1602 P10, 1603 P05

AP (06) 1700 P08, 1701 P02, 1702 P06, 1703 P06, 1704 P02

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

### Hours of Construction

3. No demolition works or 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, unless otherwise agreed in writing by the Local Planning Authority. This shall exclude any internal fit-out works of the individual units by tenants.

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.

#### Considerate Constructors Scheme

4. The construction of the development shall be registered with the Considerate Constructors Scheme and shall be carried out in accordance with the requirements of this Scheme at all times.

Reason: To minimise the impacts of construction on the amenities of neighbouring properties, the general public and the wider locality during the time that the development is being constructed.

#### Construction Method Statement and Phasing Plan

5. i) The demolition works shall be carried out in accordance with the Demolition Methodology by Keltbray (ref. 1120-MS-001 Rev.01 dated 15/10/15) approved under ref. 15/01487/DISCON. All deliveries and collections shall only be undertaken within the permitted hours, unless otherwise agreed with the Local Planning Authority.

- ii) The construction works shall be carried out in accordance with the Construction Methodology and Phasing Plan Revision 01 (Laing O'Rourke, dated January 2016) and the Construction Sequencing Revision A (Laing O'Rourke, dated 11/01/16). All deliveries and collections shall only be undertaken within the permitted hours, unless otherwise agreed with the Local Planning Authority.

Reason: To minimise the impacts of construction on the amenities of neighbouring properties, the general public and the wider locality and on the local highway network during the time that the development is being constructed.

#### Site Waste Management Plan



6. i) The demolition works shall be carried out in accordance with the Site Waste Management Plan by Keltbray (ref. KBY-CP-SWMP-02 Rev.02 dated 17/12/15) approved under ref. 15/01487/DISCON.

ii) The construction works shall be carried out in accordance with the Site Waste Management Plan Version 1 by Laing O'Rourke (dated 19/01/16).

Reason: To ensure measures are in place to minimise waste generation and maximise the on-site and off-site reuse and recycling of waste materials, in accordance with Policy SD4 of the Watford Local Plan Core Strategy 2006-31.

#### External Materials

7. No above ground construction works shall commence until details of all the materials to be used for the external surfaces and finishes of each of the buildings within the development (new buildings and refurbished existing buildings), the existing Charter Palace car park elevations and the first floor walkways 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.

#### Waste and Recycling Storage

8. No construction works shall commence until a basement level plan detailing the siting and size of storage facilities for waste and recycling for all of the proposed units within the development has been submitted to and approved in writing by the Local Planning Authority. No unit shall be occupied until these facilities have been provided in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the servicing of the development and the storage and collection of waste and recycling is carried out from the basement wherever possible and in a manner that does not impact on the highway network.

#### Delivery and Servicing Management Plan

9. No unit within the development shall be occupied until a Delivery and Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be operated in accordance with the approved Plan at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure all deliveries to the units and the servicing of the development is carried out from the basement wherever possible and in a manner that does not impact on the highway network.

#### BREEAM Assessment and Green Guide for Tenants

10. The development shall be carried out in accordance with the BREEAM Interim Certificate – Design Stage achieving a rating of Very Good and BREEAM Fit Out Obligations Manual (Rev.C dated 11<sup>th</sup> August 2015) by Hoare Lea approved under ref. 15/01175/DISCON.

Reason: To ensure the development achieves high standards of sustainability in accordance with Policies SD1 and SD3 of the Watford Local Plan Core Strategy 2006-31.

#### Sustainable Drainage Scheme

11. The development shall be carried out in accordance with the 'Details of a Surface Water Drainage Scheme' by Cundall (ref. RPT-021) approved under ref. 15/00830/DISCON.

Reason: To ensure that the development mitigates surface water discharges in accordance with Policies SD1, SD2 and SD3 of the Watford Local Plan Core Strategy 2006-31.

#### Foundation Piling

12. The piling of the foundations of the development shall only be carried out in accordance with the following details:
  - i) Design Statement on Foundation Solution by Cundall (Report no. 1010242-RPT-00010 rev A, dated 21/05/2015).
  - ii) Outline Piling Methodology by Expanded (Ref. 1507/017, dated 15 January 2016).
  - iii) GA Plan Proposed Pile Layout (drg. no. CPW-CDS-XX-B1-PL-S-06-1300 Issue T01) (Cundall).
  - iv) Existing and Proposed Building Boundary (drg. no. CPW-CCL-XX-00-DR-C-52-0003) (Cundall).
  - v) Proposed Building and Section (drg. no. CPW-CCL-XX-00-DR-C-0004) (Cundall).

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure and to avoid the potential to impact on local underground sewerage utility infrastructure; and to avoid unacceptable risk to groundwater.

#### Shop front Design

13. No shop front shall be installed on any retail unit within the development (new buildings or refurbished existing buildings), the cinema or the leisure unit until a detailed shop front design guide has been submitted to and approved in writing by the Local Planning Authority. The shop front design guide shall include details of materials, signage zones, lighting, windows and doors. All shop fronts to the retail units, cinema and leisure unit shall be installed in accordance with the approved

design guide and shall be retained at all times, unless otherwise agreed in writing by the Local Planning Authority.

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

14. No shop front shall be installed on any restaurant unit within the development or any unit fronting on to High Street until the details of the design and materials of the shop front and the signage zone has been submitted to and approved in writing by the Local Planning Authority. The shop front shall only be installed in accordance with the approved details and shall be retained at all times, unless otherwise agreed in writing by the Local Planning Authority.

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

#### Hard Landscaping and Street Furniture

15. Within 12 months of the commencement of construction works, a hard landscaping and street furniture scheme for all areas within the public realm, based upon the Council's adopted Streetscape Design Guide, shall be submitted to the Local Planning Authority. This shall include samples of the materials to be used for all pedestrian routes, public squares and areas of public highway at ground and first floor level and details of all street furniture to be used. No hard landscaping works shall be carried out until a scheme has been approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved scheme.

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

#### Lighting Scheme (buildings and spaces)

16. Within 12 months of the commencement of construction works, a comprehensive lighting scheme for the development (to include the new and existing buildings, the existing car park elevations, the pedestrian routes at ground and first floor levels and the new public spaces), shall be submitted to the Local Planning Authority. No lighting works shall be carried out until a scheme has been approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved scheme.

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

#### Detailed drawings of buildings

17. No construction works shall commence until detailed drawings of each of the proposed new buildings have been submitted to and approved in writing by the Local Planning Authority. These drawings shall show relevant extracts of each building at a scale of 1:20 of the detailing of the buildings (i.e. window reveals, treatment of gables and parapets, brickwork patterns, etc.). The development shall only be constructed in accordance with the approved details.

Reason: In the interests of the character and appearance of the development and the wider street scene, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

#### Details of Grove Walk elevations

18. Within 12 months of the commencement of construction works, detailed drawings of the elevations to Grove Walk pedestrian walkway and the ground floor elevation to Beechen Grove (to include details of shop fronts and all other treatments to the elevations, and materials) and the underside of the roof of Grove Walk and the canopy on Beechen Grove (to include any cladding, materials and lighting), shall be submitted to the Local Planning Authority. No works shall be carried out until details

have been approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved details.

Reason: To ensure the Grove Walk pedestrian walkway and the Beechen Grove frontage are of a high quality and provide a visually attractive and safe environment for pedestrians, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

#### Details of glazed canopy

19. Within 12 months of the commencement of construction works, details of the design and materials of the high level glazed canopy and its supporting structures shall be submitted to the Local Planning Authority. No works relating to the glazed canopy shall be carried out until details have been approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved details.

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

#### Travel Plan

20. No part of the development shall be occupied until the existing Watford Travel Plan has been updated, submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented as approved at all times.

Reason: To promote travel to the site by sustainable transport modes, in accordance with Policy T3 of the Watford Local Plan Core Strategy 2006-31.

#### Cycle Parking

21. No construction works shall commence until ground level and basement level plans detailing the siting of the proposed cycle parking provision for employees and visitors within the site have been submitted to and approved in writing by the Local

Planning Authority. This provision shall comprise a minimum of 40 spaces at ground level for visitors and a minimum of 82 spaces for employees.

Reason: To encourage travel to the site by cycle for employees and visitors, in accordance with Policy T10 of the Watford District Plan 2000 and Policy T3 of the Watford Local Plan Core Strategy 2006-31.

22. No unit within the development shall be occupied until details of the design of the cycle parking facilities for employees and visitors have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be installed in accordance with the details approved pursuant to Condition 22.

Reason: To encourage travel to the site by cycle for employees and visitors, in accordance with Policy T10 of the Watford District Plan 2000 and Policy T3 of the Watford Local Plan Core Strategy 2006-31.

#### Off-site highways improvement works

23. No part of the development shall be occupied until the following highway improvement works, as shown in principle on drawing nos. 2013-1325-DWG-205B and 210A (ttp consulting), have been completed:-

- i) Realignment of pedestrian crossing across bus lane on Beechen Grove.
- ii) Improvements to pedestrian crossing on Beechen Grove.
- iii) Improvements to exits from basement and Charter Palace car park.

Reason: To improve pedestrian access and safety to the development and in the interests of highway safety and the free flow of traffic.

#### Archaeology

24. (a) Works of demolition or construction shall only take place in accordance with the programme of archaeological works set out in the Written Scheme of

Investigation for Archaeological Building Recording (Final Draft, 6<sup>th</sup> January 2016) (Waterman) and the Written Scheme of Investigation for an Archaeological Watching Brief (AOC Project No. 32772, January 2016) (AOC) approved under ref. 15/01761/DISCON.

(b) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under (a) above and the provision made for analysis and publication where appropriate.

Reason: To ensure that any archaeological remains and the buildings of local interest to be demolished are properly recorded, in accordance with Policy UD2 of the Watford Local Plan Core Strategy 2006-31.

#### External plant noise levels

25. No unit within the development shall be occupied until details of all externally mounted air handling plant serving that unit, including its acoustic performance, have been submitted to and approved in writing by the Local Planning Authority. All such plant, including any associated mitigation measures, shall achieve the noise levels set out in the Environmental Noise Survey Report, reference 19403/ENS1 Revision 2 dated September 2013, unless otherwise agreed in writing by the Local Planning Authority. Before any unit is opened to the public, the plant and any associated mitigation measures shall be installed, and thereafter shall be maintained, in accordance with the details approved by the Local Planning Authority. For the purposes of this condition, a unit shall be construed as including any part of any building to which the public are admitted and that is capable of being occupied independently of any other part and, for the avoidance of doubt, shall include any part used as a restaurant, shop or for leisure purposes.



Reason: To safeguard the amenities and quiet enjoyment of the residential occupiers in the vicinity the development, pursuant to Policy SE22 of the Watford District Plan 2000.

26. No common parts of the development shall be occupied until details of all externally mounted air handling plant serving those parts, including its acoustic performance, have been submitted to and approved in writing by the Local Planning Authority. All such plant, including any associated mitigation measures, shall achieve the noise levels set out in the Environmental Noise Survey Report, reference 19403/ENS1 Revision 2 dated September 2013, unless otherwise agreed in writing by the Local Planning Authority. Before any of the common parts of the development are opened to the public, the plant and any associated mitigation measures relating to that part shall be installed, and thereafter shall be maintained, in accordance with the details approved by the Local Planning Authority. For the purposes of this condition, the common parts of the development shall be construed as including any part of the development to which the public are admitted which do not fall within the definition of "unit" in Condition 26.

Reason: To safeguard the amenities and quiet enjoyment of the residential occupiers in the vicinity the development, pursuant to Policy SE22 of the Watford District Plan 2000.

#### Noise emission from leisure uses

27. No construction works shall commence until details of the acoustic performance of the building fabric of the cinema and leisure units, demonstrating compliance with the requirements set out in the Environmental Noise Survey Report, reference 19403/ENS1 Revision 2 dated September 2013, have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: To safeguard the amenities and quiet enjoyment of residential occupiers in the vicinity the development, pursuant to Policy SE22 of the Watford District Plan 2000.

#### Fume extraction from restaurant uses

28. Before any restaurant unit is occupied, details of the equipment to be provided for the extraction and filtration of fumes and/or odours produced by cooking and food preparation shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, no fume extraction equipment shall be externally mounted on the vertical facades of any part of the development. Before any restaurant unit is opened to the public, such equipment shall be installed as approved, and thereafter maintained in full working order at all times, in accordance with the details approved by the Local Planning Authority.

Reason: To ensure the equipment is not detrimental to the appearance of the development and to safeguard the amenities of residential occupiers in the vicinity the development, pursuant to Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and Policy S12 of the Watford District Plan 2000.

#### Palace Charter car park opening hours

29. Palace Charter car park shall open for use by the public at all times during which any retail unit, restaurant unit, the cinema or the leisure unit are open and it shall not be closed to the public until at least one hour after the closure of the last unit within the development.

Reason: To ensure adequate and convenient car parking is available for visitors to the development.

#### Land contamination

30. No development approved by this planning permission 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:

i) A site investigation scheme, based on the submitted Preliminary Environmental Risk Assessment (by Watermans, reference EED14097-100-R.1.2.2-NS, dated October 2013) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

ii) The results of the site investigation and detailed risk assessment referred to in (i) 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.

iii) 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 (ii) 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 ensure protection of groundwater as the site is within source protection zone 2, in accordance with policies SE24 and SE28 of the Watford District Plan 2000.

31. 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 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 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 ensure protection of groundwater as the site is within source protection zone 2, in accordance with policies SE24 and SE28 of the Watford District Plan 2000.

32. 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 ensure protection of groundwater as the site is within source protection zone 2, in accordance with policies SE24 and SE28 of the Watford District Plan 2000.

33. No infiltration of surface water drainage into the ground 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 ensure protection of groundwater as the site is within source protection zone 2, in accordance with Policy SE28 of the Watford District Plan 2000.

High St/Beechen Grove pedestrian link

34. Upon opening of the development to the public, the pedestrian route shown on the approved drawings between High Street and Beechen Grove, via the realigned

Meeting Alley and Grove Walk, shall be made available and kept open to members of the public to pass and repass on foot and shall not be gated or closed off by any means, either temporarily or permanently, to prevent the passage of pedestrians unless required in connection with temporary maintenance, improvement or emergency works.

Reason: To ensure the site remains fully accessible to pedestrians at all times from High Street and Beechen Grove.

Listed building at 63-65, High Street

35. No works of any nature shall be carried out to the listed building until a detailed scheme for the refurbishment and restoration of the front façade of the building, to include the removal of the existing exterior paint and the reinstatement of the original design of the ground floor windows, has been submitted to and approved in writing by the Local Planning Authority. The works to the building shall only be carried out in accordance with the approved details.

Reason: To conserve and enhance the architectural and historic interest of the building, in accordance with Policy UD2 of the Watford Local Plan Core Strategy 2006-31.

#### Informatives

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

2. The approved Sewer Impact Study by Thames Water Asset management (ref. X4503-719, SMG 1589, v2.0 Feb 2015) concludes that no improvements are required to the foul sewer network arising from the development.

Drawing numbers

AP (02) 0999 P02, 1000 P02, 1001 P02, 1002 P01, 1003 P01, 1004 P01, 1150 P01, 1151 P01, 1010 P01, 1011 P01, 1012 P01, 1015 P01

AP (04) 1152 P07, 0249 P05, 0250 P08, 0251 P08, 0252 P10, 0253 P12, 0254 P12, 0255 P12, 0256 P11, 0257 P11, 0268 P03, 0269 P01

AP (05) 1600 P13, 1601 P07, 1602 P10, 1603 P05

AP (06) 1700 P08, 1701 P02, 1702 P06, 1703 P06, 1704 P02

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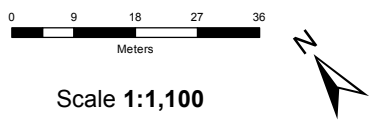
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### Charter Place Redevelopment

Map Produced by: ryanro  
 Publication Date: 13/11/2013



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