



**WATFORD
BOROUGH
COUNCIL**

CABINET

6 November 2017

7.00 pm

Town Hall Watford

Contact

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Publication date: 27 October 2017

Cabinet Membership

Mayor	D Thornhill	(Chair)
Councillor	P Taylor	(Deputy Mayor)
Councillors	K Collett, S Johnson, I Sharpe and M Watkin	

Agenda

Part A – Open to the Public

1. **Apologies for Absence**
2. **Disclosure of Interest (if any)**
3. **Minutes of previous meeting**

The [minutes](#) of the meeting held on 11 September 2017 to be submitted and signed.

4. **Conduct of meeting**

The Cabinet may wish to consider whether there are any items on which there is general agreement which could be considered now, to enable discussion to focus on those items where the Cabinet sees a need for further debate.

5. **Supplementary Planning Document - Commuted Sums for the Provision of Affordable Housing** (Pages 4 - 40)

A report of the Planning Policy Section Head to approve the Supplementary Planning Document-Commuted Sums for the Provision of Affordable Housing.

6. **The Central Meriden Redevelopment by Watford Community Housing Trust (The Trust)** (Pages 41 - 153)

Report of Head of Democracy and Governance seeking approval of the Cabinet for the Council to acquire compulsorily, by means of a compulsory purchase order (CPO), properties, existing rights and interests where agreement cannot be reached in order to implement the Central Meriden redevelopment.

7. Watford Borough Council Commercial Strategy (Pages 154 - 168)

Report of Head of Service Transformation and Head of Community and Environmental Services. The Commercial Strategy sets out how the Council, being innovative, bold and entrepreneurial, will continually challenge itself to improve performance, reduce costs and generate income.

8. Watford 2020 Programme (Pages 169 - 176)

Report of the Head of Service Transformation to approve the proposed Watford 2020 Vision and Design Principles

9. Exclusion of press & Public

The Chair to move: that, under Section 100A (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during consideration of the item there would be disclosure to them of exempt information as defined in Section 100(1) of the Act for the reasons stated below in terms of Schedule 12A.

Note: if approved, the Chair will ask members of the press and public to leave the meeting at this point.

10. To agree to provide a Parent Guarantee to a loan for the Riverwell Development

Report of the Director of Finance

This report is considered Part B in accordance with Paragraph 3, Part 1, Schedule 12A as it contains information relating to the financial and business affairs of the Council.

Agenda Item 5

PART A

Report to: Cabinet
Date of meeting: 6 November 2017
Report of: Planning Policy Section Head
Title: Supplementary Planning Document – Commuted Sums for the Provision of Affordable Housing

1.0 Summary

- 1.1 A draft supplementary planning document (SPD) relating to commuted sums for affordable housing was published for consultation from 24 May to 3 July 2017.
- 1.2 The SPD supplements policies in the adopted development plan (the Local Plan Core Strategy and saved policies of the Watford District Plan 2000) by providing additional information on the circumstances in which commuted sums may be considered acceptable in lieu of on-site provision of affordable housing. The SPD also sets out how the amount of the commuted sum will be calculated.

2.0 Risks

2.1

Nature of Risk	Consequence	Suggested Control Measures	Response <i>(Treat, tolerate, terminate, transfer)</i>	Risk Rating (the combination of severity and likelihood)
1. A reduction in the levels of affordable housing delivered on site.	This would reduce the mixing of different tenures within a single site which can be a way of ensuring mixed and balanced communities	The policy still requires provision on site unless this is either not viable or not desirable for other reasons as set out in the SPD (such as where delivery on site could not provide the	Tolerate	4

		right type of homes to meet local need). The SPD should allow more suitable affordable housing to be delivered overall including by deploying commuted sums into affordable housing schemes brought forward by providers such as Housing Associations, private rented providers such as Hart Homes or other council led developments.		
2. Agreeing whether a commuted sum or delivery on site is appropriate may take time initially.	Delays to determining applications and consequent delay in housing being built	Although agreeing commuted sums may initially take some time, the benefit in terms of securing suitable affordable housing should outweigh this.	Tolerate – keep under review	4
3. Increase in the number of	Potential challenges and	Refer to No 1 suggested	Tolerate	4

<p>developers seeking to make a commuted sum payment rather than supply the affordable housing on site.</p>	<p>longer time to negotiate affordable housing provision/ delivery</p>	<p>control measures</p>		
<p>4. Once a commuted sum is received it may take time to identify and receive planning permission for a suitable site for delivery.</p>	<p>Delay in the delivery of affordable housing</p>	<p>Housing, Property and Policy to liaise on the identification of suitable sites. The commuted sum agreement should not be subject to a time limit in which it has to be spent. Government guidance is expanding the definition of affordable housing to increase the types of housing and the mechanisms to facilitate their delivery. In Watford for example, delivering Council led affordable housing schemes</p>	<p>Tolerate</p>	<p>6</p>

		through Hart Homes and other Council led developments		
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3.0 **Recommendations**

- 3.1 That Cabinet approves the Supplementary Planning Document-Commuted Sums for the Provision of Affordable Housing.
- 3.2 That Cabinet agree that minor changes ahead of publication can be agreed by the Deputy Managing Director in consultation with the Portfolio Holder for Planning.

Contact Officer:

For further information on this report please contact: Vicky Owen, Spatial Planning Manager
 telephone extension: 8281 email: Vicky.owen@watford.gov.uk

Report approved by: Nick Fenwick, Deputy Managing Director

4.0 **Detailed proposal**

- 4.1 A draft supplementary planning document on commuted sums for affordable housing was published for consultation from 24 May to 3 July 2017.
- 4.2 The SPD supplements policy HS3 Affordable Housing of the Local Plan Core Strategy (2013).
- 4.3 The SPD sets out the particular circumstances in which commuted sums may be considered in lieu of on-site provision of affordable housing, either in whole or in part.
- 4.4 The SPD is intended to assist the council to secure appropriate affordable housing as part of new development. Whilst, in the interests of ensuring mixed and balanced communities, provision on site is to be preferred; the council recognises that there are circumstances in which this is either not possible, or not desirable because the type of units which could be provided would not match the identified need for affordable housing in Watford. In such cases a financial contribution equivalent to providing appropriate units on site may be a more appropriate solution – which would enable the purchase or construction of suitable units on an alternative site. The SPD explains how such a financial contribution would be calculated, using data on house sale prices in the area during the previous financial year.
- 4.5 Historically spending commuted sum payments was difficult for the council as there

were only limited and often complex options to deliver housing using such funding. However with the recent establishment of Hart Homes we now have a mechanism to channel such funds and to build the type of affordable housing the borough needs in terms of larger units which private developers often find a challenge to deliver.

- 4.6 Six responses were received to the consultation (alongside a further six responses simply confirming consultees had no comments to make). These comments are detailed in the summary table of issues raised and how they have been addressed at appendix B. The key points were:

Developer:

Concern about the disclosure of commercially sensitive viability information.

A preference for the Alternative Use Value rather than Existing Use Value.

Concern about the review mechanism – particularly in relation to smaller schemes.

Agent on behalf of 3 developers:

Agree SHMA should inform the housing mix.

Suggest the housing mix should be negotiated on a site by site basis.

Concern about the review mechanism – particularly in relation to smaller schemes.

Local Residents' Group:

Support the objective of creating mixed and balanced communities, whilst recognising a concentration of affordable housing may be appropriate in some circumstances (such as to meet key worker needs around a hospital)

Local resident:

Supports the overall approach but notes that there will still be constraints to delivering enough homes due to scarcity of land.

- 4.7 The document has been restructured and further edited to improve clarity, including further detail about the requirement for a viability appraisal and a refinement that calculations should be based on the most recent year's data – the figures in the document being shown by way of example.

5.0 **Implications**

5.1 **Financial**

- 5.1.1 The Head of Finance comments that the receipt of commuted sums in lieu of actual builds on a development is a recognised practice. It should always be the exception as it moves the onus for provision from the developer to the Council, however it can allow the Council more control over the type of affordable housing. Wherever possible there should be as few restrictions on the use of the commuted sum in terms of provision and time to spend by as possible with the best agreements having no time

limit on use. This will reduce the exposure of the Council to legal challenge and obviate the need to refund developers. Any funds received should be held in an earmarked reserve until drawn down.

5.2 **Legal Issues** (Monitoring Officer)

- 5.2.1 The Head of Democracy and Governance comments that in order to be able to seek a commuted sum from a developer in lieu of on site provision it is necessary to have a SPD.

5.3 **Equalities/Human Rights**

- 5.3.1 The adopted Core Strategy Policy which this SPD supplements was subject to Equalities Impact Assessment as part of the preparation and adoption of the Core Strategy. No likely significant effects were identified.

As the SPD should help deliver affordable housing of the right type, and support the delivery of much needed family housing this should be of benefit to households on the housing waiting list, and contribute to a better quality of life.

Having had regard to the council's obligations under s149, it is considered that there are no significant effects requiring mitigation.

5.4 **Sustainability**

- 5.4.1 The Local Plan policies supplemented by this SPD were subject to sustainability appraisal as part of plan preparation.

Appendices

- A Commuted Sums for the Provision of Affordable Housing SPD
- B: Summary of issues raised during the consultation and changes made to the document

Background Papers

- The following background papers were used in the preparation of this report. If you wish to inspect or take copies of the background papers, please contact the officer named on the front page of the report."

[Watford Borough Council Local Plan Part 1: Core Strategy \(January 2013\)](#)

File Reference

- SP 2.3.4



COMMUTED SUMS FOR THE PROVISION OF AFFORDABLE HOUSING

Supplementary Planning Document
November 2017



watford.gov.uk



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Introduction

1. This document sets out the Council's approach to commuted sums for the provision of affordable housing.
2. A commuted sum is an amount of money, paid to the Council by a developer, where the size or scale of a development triggers a requirement for affordable housing, but it is not possible to achieve appropriate affordable housing on site. The commuted sum paid in lieu of on-site provision will be used by the Council to provide suitable affordable housing elsewhere in the Borough. The purpose of this document is to:
 - Secure good quality affordable housing of the right type, size and tenure through the planning process;
 - Detail the circumstances in which a financial contribution known as a commuted sum may be appropriate in lieu of on-site provision of affordable housing;
 - Explain how the commuted sum will be calculated;
 - Provide clear guidance on viability.
3. This document will help all parties involved in the delivery of affordable housing (e.g. the Council, developers, landowners, Registered Providers).
4. The Council will facilitate the delivery of affordable housing by working with Registered Providers of social housing, developers, Homes England (HE) and other stakeholders to ensure a choice of quality affordable housing is built at the right time and in the right locations to meet local housing need.

Status of this Supplementary Planning Document

5. As a Supplementary Planning Document (SPD), adopted on 6th November 2017, this document is a material planning consideration in the determination of planning applications.
6. This Supplementary Planning Document supports implementation of the following policies set out in the Watford Borough Council Local Plan Part 1 (Core Strategy). This document sets out the Council's planning vision and spatial strategy for the Borough to 2031.
 - HS1 Housing Supply and Residential Site Selection;
 - HS2 Housing Mix;
 - HS3 Affordable Housing.

Context

National Context

7. Government planning policy outlined in the National Planning Policy Framework (NPPF) (2012) requires Councils to quantify the need for affordable housing in their area, and bring forward policies that will help provide for this need.
8. Paragraph 50 of the National Planning Policy Framework states:

“To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

 - *plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);*
 - *identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and*
 - *where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.”*
9. In the NPPF, paragraphs 56 (good design), 159 (need for a Strategic Housing Market Assessment) and 173 to 177 (viability and deliverability) are also relevant and have been taken into account in preparing this document.

Watford Borough Context

10. Housing is one of our biggest challenges in Watford. The Borough is an area with high house prices and rents. There is a continuing need for affordable housing, particularly for families.
11. Watford Borough Council has published a number of documents which set out the background context, priorities, objectives and mechanism for the delivery of affordable housing and wider regeneration in Watford.
12. The Local Plan Part 1 (Core Strategy) Policy HS3 requires affordable housing provision of 35% on all residential developments of 10 or more dwellings or on sites of more than 0.5ha.

13. The Council's Housing Strategy 2015-2020 sets out the Council's housing priorities including its commitment to ensure the provision of good quality accommodation affordable to a wide range of people with different needs and incomes. Data from both the Council's Housing Register and its homelessness activities confirms that there is significant need for affordable family-sized accommodation in the Borough, especially for those on low incomes.
14. Without housing of its own, the Council relies on the support of partner Housing Associations to assist with provision of homes at rents lower than market levels. Accessing and prioritising applications for this source of housing is governed by the Council's Housing Nominations Policy. This includes statutory requirements for prioritising housing applicants together with local priorities for this type of housing.
15. Statutory priorities include homeless households and those that are overcrowded or have a medical or welfare need to move. Local priorities are about assisting redevelopment and some access to newly built Housing Association homes for existing Housing Association residents through local letting plans. Over recent years the number of Housing Association properties becoming available for letting has decreased significantly whilst demand for them continues to far exceed supply. The private rented sector therefore has a significant role to play in meeting this need as well as the needs of households with higher incomes. A major challenge for the Council in assisting low income households into the private rented sector is that local rent levels are frequently unaffordable for them even with the payment of Local Housing Allowance. Data collected during 2016 shows a gap of over 30% between the Local Housing Allowance rates and median private rent levels in the Borough.
16. The NPPF sets out guidance that requires Strategic Housing Market Assessments (SHMA) to identify housing needs for the whole of the community covering both market and affordable housing. The objectively assessed housing need (OAN) in Watford identified in the South West Hertfordshire Strategic Housing Market Assessment (2016) is 577 dwellings per annum. At time of writing, the Government is consulting on a new methodology for calculating housing numbers therefore this figure may change. The appropriate local housing target will be determined during the preparation of the new Local Plan.

Housing Need

Type and Size of Affordable Dwellings

17. In the Watford Borough Council Housing Strategy the affordable component of residential development proposals will be expected to provide a range of housing sizes and/or types to meet local needs. To ensure the affordable housing occurs the precise type of dwelling (e.g. house, flat) and size of the property (i.e. number of bedrooms) to be provided in individual schemes will be based upon advice from the Council's Housing Strategy team. This advice

will be informed by Housing Register applications together with need indicated through homelessness and other data. The overall balance, type and size of affordable housing to be sought across the Borough will also be informed by the latest Strategic Housing Market Assessment.

Affordable Housing Definition

18. Affordable housing is defined in the glossary to the National Planning Policy Framework (NPPF) as social rented, affordable rented and intermediate housing provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Table 1. Types of Affordable Housing Defined in the NPPF

Social rented housing	Properties owned by local authorities and private registered providers. Guideline target rents are determined through the national rent regime. The Watford Borough Council Tenancy Strategy 2015-2018 refers to social rents as those that are 50-60% of local market rents.
Affordable rented housing	Properties let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable rent is subject to rent controls that require a rent of no more than 65-80% of the local market rent (including service charges where applicable).
Intermediate housing	Homes available for sale and for rent at a cost above social rent but below market value subject to the criteria in the affordable housing definition above. These can include shared equity (shared ownership and equity loans) and other low cost homes for sale and intermediate rent but not affordable rented housing.

19. Homes that do not meet the above definitions, such as low cost market housing, may not be considered as affordable housing for planning purposes.
20. Watford property prices mean many intermediate forms of affordable housing are beyond the reach of local households in need. The Council will therefore prioritise delivery of other tenures such as social rent and affordable rent.

Potential New Types of Affordable Housing

21. In 2017 the Government consulted on the Planning and Affordable Housing for Build to Rent paper. This set out two forms of housing that could contribute towards meeting housing need; build to rent and affordable private rent. Characteristics of these housing types are set out in Table 1.

Table 2. Types of Affordable Housing in the Planning and Affordable Housing for Build to Rent Paper (2017)

Build to rent	Tenure	Build to rent buildings will typically be 100 percent rented out, albeit they may form part of a wider multi-tenure development
	Typology	Schemes can be either flats or houses but will have to be on the same site and/or contiguous
	Tenancy length	Schemes will as a norm offer longer tenancy agreements of three years or more (to those tenants who want a longer tenancy).
	Management and ownership	Schemes will typically be professionally managed, be of single ownership and under management control.
Affordable private rent		This will be the normal vehicle for providing the affordable homes element in schemes (as opposed to other forms negotiated through s106)

22. Starter Homes are seen by the Government as a way to get young people into home ownership. However, they are not considered as a realistic form of affordable housing in Watford based on currently available grants and house prices.

Qualifying Sites for Affordable Housing

23. As set out in the Local Plan Part 1 (Core Strategy) Policy HS3 the Council will seek on site provision of affordable housing at a rate of 35% on sites of over 0.5ha or including 10 or more residential units.
24. The viability of this level of affordable housing was established by evidence prepared for and subject to examination for adoption of the Local Plan Part 1 Core Strategy. These findings were reconfirmed in 2016 in a Plan Viability Assessment.
25. The adopted Core Strategy Policy HS3 sets out the requirement to provide affordable housing. This Supplementary Planning Document applies to development comprising Residential Use Class C3.

Policy HS 3

Affordable Housing

A rate of 35% affordable housing will be sought on major applications of 10 residential units and above or sites of more than 0.5 ha.

Only in exceptional circumstances will the council consider a lower level of affordable housing provision, where the developer can demonstrate exceptional planning, or other constraints on the development of the site through the submission of a development viability assessment.

In line with the SHMA and DES study the affordable housing provision will be;

- Social rent 20%
- Affordable rent 65%
- Intermediate affordable housing (shared ownership) 15%

The council will produce further guidance on the provision of affordable housing in the borough. It will be regularly updated, taking into account the findings from further research and monitoring information.

26. If an applicant considers there to be exceptional circumstances that will make a policy compliant scheme non-deliverable, the applicant is required to clearly set these out with supporting evidence. The following sections provide more information about what is expected from applicants.

Pre-Application Advice

27. In accordance with the Planning Practice Guidance the Council will encourage potential applicants to seek pre-application advice prior to the submission of a full planning application. Pre-application discussions provide an opportunity confidentially discuss potential issues and concerns and provide a forum to consider how these can be resolved leading to the submission of a scheme that will comply with the Council's planning policies. This can increase the speed that a planning application can be processed and reduce the potential for unexpected issues to arise which delay the application.
28. Pre-application discussions provide an opportunity to consider the housing mix and if this should be varied from the findings set out in the Strategic Housing Market Assessment and if it is appropriate, or preferable, to deliver all, or a proportion of, the affordable housing on site.

Viability

29. Viability is playing an increasing role in the planning process. The Council has taken account of viability in preparing the development plan and in setting the Community Infrastructure Levy. Where a proposed scheme faces genuinely challenging finances the Council may negotiate on some planning policy requirements. This will provide flexibility and will allow development to proceed provided the proposed scheme is of a high quality and makes a positive overall contribution to the Borough and its residents.
30. Flexible application of planning policy is a risk to the sustainable development of the Borough and will **only be acceptable in appropriate circumstances**. Therefore, clear guidance for applicants regarding the viability appraisal process, the standard of proof and the quality of evidence required to consider viability as a justification for any departure from our Development Plan is needed.
31. The cumulative impact of the Council's planning policy requirements on development viability has been fully assessed as part of the Examination of the Watford Core Strategy (2013) and Community Infrastructure Levy Charging Schedule (2015).
32. The National Planning Policy Framework (paragraph 173) states:

"Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable."

When is a Viability Appraisal Required?

33. The Council usually expects applications of 10 dwellings or more, or on sites above 0.5ha to provide 35% affordable housing in line with Policy HS3. Applications which meet this requirement will not need to submit a viability appraisal in relation to the provision of affordable housing.
34. If a developer considers they cannot meet the affordable housing requirement for reasons of viability a viability appraisal will be required. Any viability appraisal submitted to the Local Planning Authority is to be undertaken by a suitably qualified person(s).

35. Viability appraisals are sensitive to minor changes to the figures used to calculate viability and variations in methodology. Where viability is cited as a barrier to development the Council must be able to effectively analyse viability appraisals to ensure the maximum viable level of affordable housing is secured whilst also enabling development to proceed.
36. When a viability appraisal is submitted an editable electronic version of the viability model should be made available to the Local Planning Authority, or anybody acting on their behalf, to enable a robust review of the submission. A PDF version of the document must be submitted with the planning application which will be made available on the Council's Public Access system for public scrutiny
37. Applicants will be expected to meet the cost, as specified by the Council, associated with reviewing financial viability appraisals in advance. This includes legal costs if appropriate. In the absence of a solicitors undertaking, fees should be paid on validation of an application. All viability appraisals will be independently assessed by an appointed party of the Council's choosing with the findings and recommendations being provided to members of the Development Management Committee for their consideration. The submitted financial viability appraisal should accord with Planning Practice Guidance and apply the local interpretation of inputs identified in the following section.
38. The following aspects, amongst others, will be analysed as part of the independent viability appraisal:
 - Scenario testing: (1) An appraisal of a policy compliant scheme and (2) an appraisal of a scheme with a lower amount of affordable housing if a policy compliant scheme is considered unviable;
 - Existing Use Value plus premium (benchmark land value);
 - Residual land value data;
 - Demolition and construction costs;
 - Market values achieved;
 - Market intelligence that identifies evidenced changes that will affect the overall balance of market and affordable housing delivered including; growth forecasts, house prices, market rent levels, affordable rent levels;
 - Section 106 / Community Infrastructure Levy costs;
 - Comparable evidence of rates of return per plot of comparable schemes; and
 - Remediation costs.

Submitted Viability Appraisals and Transparency

The Council represents the people of Watford, making decisions in the public interest. For this reason our decision-making must be transparent. Any background document that has influenced a decision to grant or refuse planning permission should normally be made publicly available and published in full on the Council's website. Viability appraisal will be published, and there will be a presumption that usually they will be unredacted. Only in cases where good reasons are presented as to why parts of the document should be confidential will redacted versions be accepted. In that case two versions should be submitted: a) one confidential for planning officers and Members, and 2) the other redacted for publication. These should be accompanied by a letter explaining why each of the redacted entries should be treated as confidential. The Council may refuse to consider a viability report if an applicant insists upon its remaining confidential without good reason.

Review Mechanisms

Deferred Payments

39. There are circumstances where the Council may at the time of determining the application accept phased on-site provision or a reduced financial contribution to enable development to come forward. This may occur when, for example, the land value benchmark is too high or residual value too low, or a combination of both. If the applicant has adequately demonstrated that a scheme cannot be delivered in current market circumstances the Council may, in exceptional circumstances, agree to defer the policy requirements until better market conditions apply.

Increased Land Value Post Planning Permission

40. Where it has been agreed that less than 35% affordable housing will be provided on site due to viability a claw back agreement may be required. The terms of this will be set out as a clause in a s106 agreement between the applicant and the Council.
41. On particularly large phased schemes there may be site-wide infrastructure which benefits the whole development where the costs of which need to be met up-front. In this situation the viability of the scheme will be reviewed at the end of each phase of development. This will establish whether a greater percentage of affordable housing could viably be provided within the development phases that follow. In such instances, the Council will seek reappraisal of the whole scheme on completion of each phase. The actual revenues and costs from the completed phase(s) will be included as part of the reappraisal.

42. If it is found that a higher percentage of on-site affordable housing can viably be provided this higher amount will only be applied to subsequent phases of the development. This will not be applied retrospectively to those already completed. In some circumstances the Council may accept a change in tenure for the latter phase of a development where this would meet local needs more appropriately. This would follow consultation with the Council’s Housing officer, notwithstanding that this may affect the overall number of affordable units delivered.

Housing Tenure Mix

Schemes with 35% Affordable Housing or More

43. The Strategic Housing Market Assessment (2016) identified the need for different types of market and affordable housing (number of bedrooms) in the Watford area (Table 3). This housing need is only one of a number of considerations that informs the housing mix preferred by the Local Authority. The Strategic Housing Market Assessment indicates the highest need (38%) is for one bedroom units, however, in practice the greatest demand for affordable units is for small family sized dwellings (two and three bedroom units) once local criteria have been taken into account. Therefore, the Council’s preference is to deliver small family sized units where possible.
44. The affordable housing mix to be provided on site is to be agreed with the Council’s Housing Officer. Whatever the agreed housing mix, the total number of affordable units will still be required to deliver 35% affordable housing on the site.

Table 3. Housing mix required to meet local need (Strategic Housing Market Assessment, 2016)

Type of Housing	One bedroom units (%)	Two bedroom units (%)	Three bedroom units (%)	Four bedroom units and larger (%)
Market	12	29	42	17
Affordable	38	27	31	4

45. The cost of housing can differ between housing types. In some circumstances this can affect viability. Where an applicant cites the affordable housing mix as an issue that contributes towards making a proposal unviable that would otherwise comply with the Local Plan and proposes a proportion of affordable housing less than 35% the applicant will be required to clearly demonstrate the assumptions that had led to this conclusion. The assumptions, including the costs associated with each of the respective dwelling types, will need to be set out so they can be easily understood.

Schemes with Less Than 35% Affordable Housing

46. In some circumstances the Council may prefer to vary the mix of affordable housing types to place greater emphasis on family sized dwellings to meet local need.
47. If it is demonstrated by an applicant that having a higher proportion of affordable dwellings provided as family sized units then the housing mix set out in Table 3 will make a proposal undeliverable the percentage affordable housing requirement may be reduced. To provide clarity and ensure the amount of affordable housing (floorspace) proposed between two schemes is comparable the applicant will be expected to set out the following:
- For a scheme that meets the housing mix set out in Table 3 set out the amount of floorspace (internal living area) that would be provided, by unit type (number of bedrooms), as a percentage of the overall scheme; and
 - For a scheme proposed with a larger number of family sized units with fewer one bedroom units the amount of floorspace (internal living area) that would be provided, by unit type (number of bedrooms), as a percentage of the overall scheme.
48. In circumstances where the proportion of affordable units proposed is less than the policy requirement of 35% and the housing mix proposed differs from that set out in Table 3 this will need to be agreed by both the Council's Planning and Housing Officers.

Commuted Sums

49. The Council will usually seek affordable housing on site at 35%. However, there may be circumstances in which this is not possible, nor the best solution in terms of meeting local housing need. The kind of circumstances in which commuted sums may be considered as an alternative to all or part of the on-site are set out in Table 4.

Table 4. Considerations for commuted sums

Practicality	Registered Providers may highlight sites that will not work from a management point of view.
Type of housing	It may not be possible to provide on-site affordable housing of the right type or tenure to accommodate those on the housing waiting list.
Viability	Some developments, particularly small developments, may not be able to viably provide affordable housing on site. An off-site commuted sum should be roughly equivalent to the cost of re-providing the land for affordable housing on another local site. A viability appraisal would be required as set out earlier in this document.

Calculating How Much Affordable Housing is Required

50. The methodology below sets out how the contribution will be calculated. The calculation is to use average sales price data based on postcode areas. The Council considers these sums are reasonable and broadly equivalent to delivering on-site provision.
51. The proportion of affordable housing to be provided and the commuted sum can be calculated based on two situations:
- Where a development is to provide affordable housing on site and the total number of dwellings will include 35% affordable units;
 - Where affordable housing is to be provided off-site the commuted sum will be based upon the market dwellings making up 65% of the gross development value (unless agreed otherwise).
52. There are two steps to calculate the commuted sum required:
- a. establish how many affordable housing units are required to be delivered off site; and
 - b. identify the financial contribution (commuted sum) this is equivalent to.
53. The number of affordable units required to be delivered off-site is calculated as follows:

$$A_H = (D_S \div M_P) - D_S$$

The equivalent commuted sum can then be calculated as follows:

$$C_S = ((A_H + D_S) \times A_{HP} \times S_F) \times 0.44$$

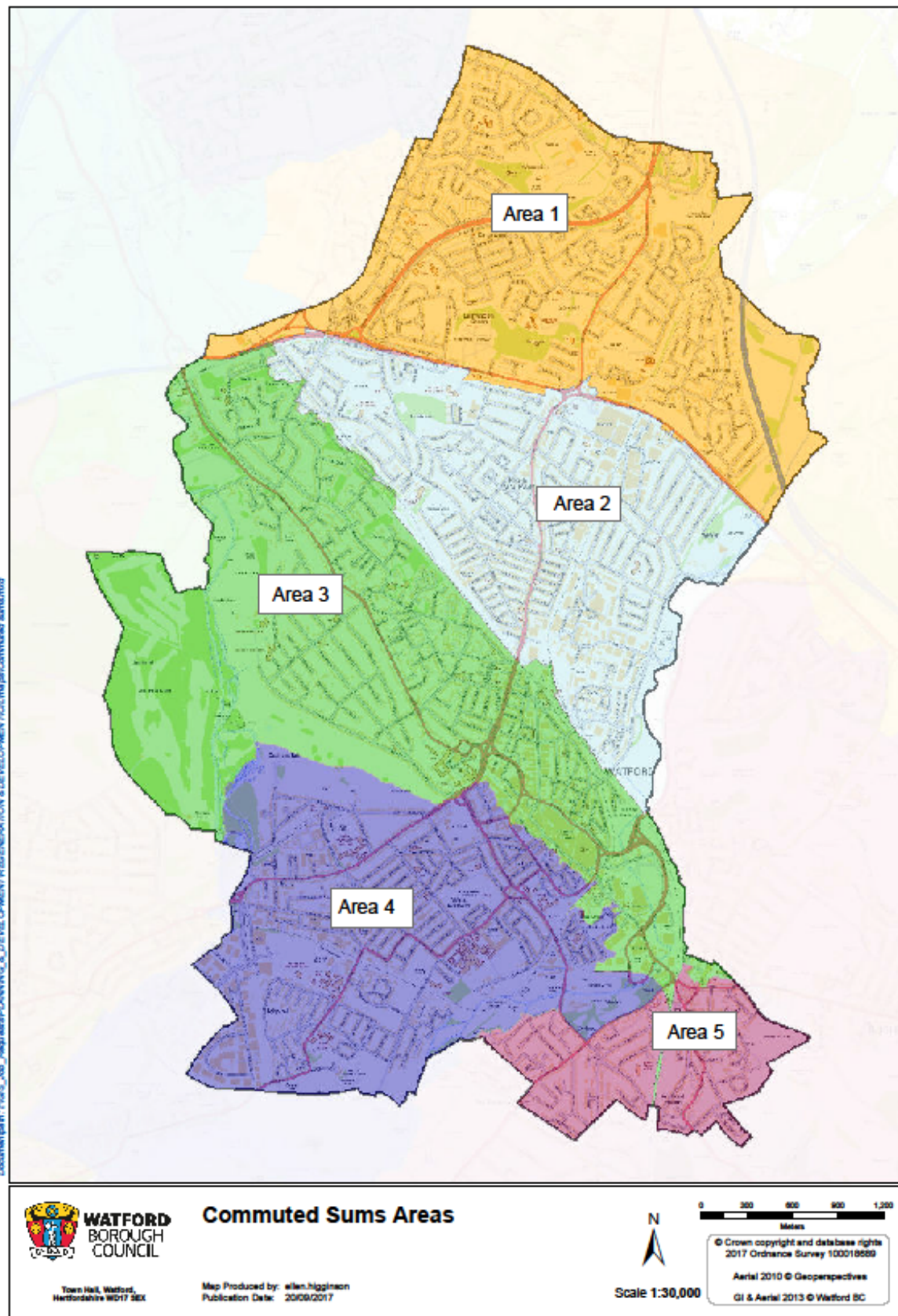
Key: Affordable housing and commuted sums calculations

A _H	Number of affordable units required
D _S	Number of market value units on the proposed on the application site
C _S	Commuted sum (£)
A _{HP}	Affordable housing to be provided (%)
S _F	Average sales price for the relevant postcode area for the previous calendar year (£)
M _P	Percentage of the total number of dwellings (market value + affordable units) proposed in the scheme that are of market value
0.44	This adjustment factor is used to represent the cost of land purchase and servicing incurred by the Local Planning Authority or Housing Provider. Land costs typically represent 40% of the open value market value of housing. Servicing and professional fees are estimated to be about 10% of the land value (4% of the total cost). Therefore, the financial contribution sought will be 44% of the open market value of the residential units to be delivered through the respective planning permission.

54. Commuted sums can apply to several different situations such a) where the entire affordable housing requirement is to be provided off site, b) where some of the affordable housing requirement is provide both on site and off site, or c) where the affordable housing calculation includes a 'partial dwelling' (e.g. 5.4 affordable dwellings) with the 'partial value' (e.g. 0.4) to be paid as a commuted sum.
55. The standard financial contribution example set out in Appendix 1, Table 1, is based on Land Registry house price sales data for 2016. It is disaggregated by area of the Borough (by postcode district) and type of housing to be more representative of the differences in land value across Watford. This is consistent with the approach in the Community Structure Levy Stage 2 viability work which used postcode areas.
56. The contribution should be calculated using Land Registry house sales data for the most recently available calendar year. Regard may also be given to sales for the particular postcode sector where the postcode district appears to not give a representative value, although caution should be used when the data is based on a very small number of sales. In such cases it may be appropriate to consider sales over a longer time period.
57. If a site covers more than a single postcode district the commuted sums payment will be based on the relevant proportion of development proposed within each postcode.
58. For simplicity, some small areas of postcode districts which marginally cross into the Watford administrative have been included as part of an adjacent postcode district covering the Watford administrative area. The five postcode districts covering Watford are set out in Figure 1.

59. Commuted sums usually cover the full contribution a development that is required to deliver the affordable housing expected on site. In some circumstances it is possible that a commuted sum could consist of both affordable units delivered on site and a financial contribution. This may be the case where delivering the full requirement of affordable housing on the site would present practical difficulties or where a deferred payment or claw back arrangement is agreed.
60. Where there is either a deferred payment/claw back arrangement or where the trigger for payment is dependent on a future date the amount set out in the s106 agreement will be linked to future sales price changes. If there is a reduction in property price below the amounts set out the Council will revert to the amount set out in the s106 agreement as the required payment.

Figure 1. Commuted Sum Areas in Watford Borough



APPENDIX 1: Examples of commuted sums calculations

A1. **Table A1.** Standard Financial Contribution based on Land Registry Average Sales Price data for the year 2016 (includes data for new build and older properties)

Commuted Sum Area	Detached	Semi-Detached	Terraced	Flat/Maisonette
1	£667,084	£452,282	£395,299	£251,359
2	£524,167	£454,970	£360,872	£250,421
3	£862,927	£676,529	£426,547	£259,580
4	£697,889	£509,840	£396,019	£348,014
5	£777,224	£475,201	£380,771	£260,137

[Source: <http://landregistry.data.gov.uk/app/standard-reports>]

A2. Table A1 and the examples below are to demonstrate the method of calculation. The relevant sales price data to use in the calculations should be sourced from <http://landregistry.data.gov.uk/app/standard-reports>. The report should include new build and older properties and be run at postcode district level for the most recently available full calendar year.

Worked Examples

- A3. Examples below assume the required level of Affordable Housing cannot be provided on site for reasons of viability. Three scenarios are set out below:
- Scheme 1 consists of a single dwelling type and assumes the policy requirement of 35% affordable housing can be achieved and will be provided as a commuted sum.
 - Scheme 2 has a mix of dwelling types and assumes the policy requirement of 35% affordable housing can be achieved and will be provided as a commuted sum.
 - Scheme 3 sets out a scenario where the affordable housing requirement will be met through a mix of affordable units on site and a financial commuted sum.
 - Scheme 4 has a mix of dwellings, however, it has been demonstrated not to be viable with 35% affordable housing therefore 25% has been agreed.

A4. **Scheme 1:** Full contribution for four dwellings in Commuted Sum Area 3

A contribution is sought because the site area exceeds the threshold of 0.5ha but it is not possible to include provision on site. Commuted sum is based on four market value dwellings and no affordable dwellings provided on site.

Type of dwelling unit	Number of proposed market value dwellings	Affordable housing requirement	Number of affordable housing units required	Market dwelling value of dwelling in commuted sum area	Market dwelling value of affordable housing requirement	Commuted Sum Required to provide the affordable housing off-site
Detached	4	35%	2.15	£862,927	£1,855,293	£817,278
Total	4	-	0	-	-	£817,278

A5. **Scheme 2:** Full contribution for 11 dwellings in Commuted Sum Area 1 - mix of unit types

A contribution is sought as the number of units exceeds the threshold and the applicant has demonstrated that it would not be feasible to provide the units on site or via any other means. Commuted sum is based on 11 market value dwellings and no affordable dwellings being delivered on site.

Type of dwelling unit	Number of proposed market value dwellings	Affordable housing requirement	Number of affordable housing units required	Market dwelling value of dwelling in commuted sum area	Market dwelling value of affordable housing requirement	Commuted Sum Required to provide the affordable housing off-site
Terraced	5	35%	2.69	£395,299	£1,063,354	£468,137
Flats	6	35%	3.23	£251,359	£811,890	£357,287
Total	11	-	0	-	-	£825,424

A6. **Scheme 3:** Part financial contribution for a development of 22 dwellings in Commuted Sum Area 5

A contribution is sought because the number of units exceeds the threshold and the applicant has demonstrated it would not be viable to provide all of the units on site or by any other means. It is agreed with the Council and Registered Provider who will manage the affordable housing units that a commuted sum for the detached (4) and semi-detached (6)

affordable dwellings will be provided and a terraced property (2) and flats (6) will be delivered on site.

Type of dwelling unit	Number of proposed market value dwellings	Affordable housing requirement	Number of affordable housing units required	Market dwelling value of dwelling in commuted sum area	Market dwelling value of affordable housing requirement	Commuted Sum Required to provide the affordable housing off-site
Detached	3	35%	1.62	£777,244	£1,256,804	£552,994
Semi - Detached	2	35%	1.07	£475,201	£510,603	£224,666
Terraced	5	35%	2.69	£380,771	£262,732	115,602
Flats	12	35%	6.46	£260,137)	£119,663	52,652
Total			8			£945,914

- A7. **Scheme 4:** A financial contribution for 14 dwellings with a `reduced requirement for affordable housing in Commuted Sum Area 4

The contribution being sought is for 25% affordable housing after it was clearly demonstrated and agreed not to be viable with 35% affordable housing provision as required by policy HS3. No affordable dwellings are to be provided on site.

Type of dwelling unit	Number of proposed market value dwellings	Affordable housing requirement	Number of affordable housing units required	Market dwelling value of dwelling in commuted sum area	Market dwelling value of affordable housing requirement	Commuted Sum Required to provide the affordable housing off-site
Terraced	6	25%	1.5	396,019	£594,029	£261,373
Semi-detached	6	25%	1.5	£509,840	£764,760	£336,494
Detached	2	25%	0.5	£697,889	£348,945	£153,536
Total	14	-	0	-	-	£751,403

GLOSSARY

Affordable Housing	Housing that is provided with subsidy for people who are unable to resolve their housing requirements in the general housing market because of the relationship between local housing costs and incomes. Affordable housing covers social rent and intermediate housing through shared ownership, shared equity and submarket rent.
Benchmark land value	Indicative value of a plot of land based on land with the same or similar type of use that has shared characteristics (e.g. locality, physical attributes).
Community Infrastructure Levy (CIL)	A charge on new buildings (based on floor space) to provide infrastructure in the area to support the development.
Equity share	The proportion of the open market value of the property that is owned by the purchaser and/or the third party investor (i.e. the developer or Government).
Gross development value (GDV)	The total revenue from the scheme. This may include housing as well as commercial revenue (in a mixed use scheme). It should include revenue from the sale of open market housing as well as the value of affordable units reflected in any payment by a housing association(s) to the developer.
Household	A household that comprises either one person living alone or a group of people (not necessarily related) living at the same address with common housekeeping (sharing at least one meal a day or sharing a living room or sitting room).
Homeless household	A household that does not have access to accommodation in a fixed location that is reasonable to occupy or has accommodation but is threatened with homelessness and it is likely they will become homeless within 28 days.
Homes England	The national housing and regeneration agency for England that provides investment and expertise to deliver new affordable homes contribute towards regeneration. Performs a regulatory function in respect of Registered Providers.
Housing demand	The quantity of housing households that are willing and able to buy or rent.

Housing need	The quantity of housing required for households who are unable to access suitable housing without financial assistance. Housing need may arise due to households lacking their own housing or live in unsuitable housing and who cannot afford to resolve their housing needs in the market.
Land value	The actual amount paid for land taking into account the competition for sites.
Postcode district	The area covered by the first 3 letters/numbers of a postcode (e.g. WD17).
Postcode sector	The area covered by the first 4 letters/numbers of a postcode (e.g. WD17 3).
Registered Provider (RP)	Independent housing organisation, charitable organisation or company providing affordable housing registered with the Homes & Communities Agency, such as housing associations.
Residual land value	The difference between Gross Development Value (GDV) and total scheme costs. Residual land value provides an indication to the developer and/or land owner of what should be paid for a site.
Section 106 Agreement (s106)	Legal agreements between Local Authorities and developers to make planning applications acceptable. They are drafted when it is considered that a development will have significant impact on the local area that cannot be mitigated using planning conditions. These are often referred to as Planning Obligations.
Viability	Financial variable that determines whether a scheme progresses or not. For a scheme to be viable there must be a reasonable developer and land owner return. The scale of land owner return depends on the planning process itself.
Viability Appraisal	Development calculation taking into account scheme revenue and scheme cost and accounting for key variables such as house prices, development costs and developer profit.

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Appendix B: Summary of consultation responses and changes made to the document

A total of six responses were received. These consisted of 8 comments. In addition there were 6 “no comment” responses from Transport for London, Hertfordshire County Council, Network Rail, Historic England, Highways England and the Canal and River Trust which are not included in the following table.

A second table sets out officer changes made to the consultation document. These are in addition to changes made in response to submitted representations.

Reference	Respondent	Organisation	Summary of comments	Relevant paragraph in the amended document	Change
1	Lucy Bird	St Williams	Have an interest in brownfield site in SPA4, the former Gas Works site located on Lower High Street, to the south of Watford town centre & the opportunity to conserve and enhance listed Grade II building Frogmore house located there.	29-38	Text amended to clarify the need for viability appraisals and the information required.
			<p>Viability</p> <p>Recognise the need for transparency in the viability process but given the complex and sensitive nature of viability appraisals, it is important that viability is addressed at the right time, in a sensitive manner and flexibly to reflect the uniqueness of each development site.</p>		
2			Disclosure of viability - information and	Text box, p.9	Viability assessments would only be published when they form part of a planning application, not

		<p>assessment</p> <p>Notes that discussions will evolve over time during the pre-application stage of proposals given the nature, mix and scale of development therefore this will make proposals subject to change which may limit the extent to which viability can be discussed at pre-app stages.</p> <p>Also requests confidentially in having to disclose commercially sensitive information publicly as not to compromise an applicant's commercial position.</p>		<p>during pre-application discussions. The Government's general approach is to increase transparency in the planning process. This clarification informs potential applicants the submitted information will be published. Much of the information is available publicly through other avenues such as build costs, land purchase costs etc. Where clearly justified, the viability appraisal can have parts that deemed commercially sensitive redacted.</p>
3		<p>Benchmark Land Value:</p> <p>Recognises the council's preference for EUV 'plus' premium approach when determining land value and asks that market evidence should be use to advise on the premium as recommended in NPPG.</p> <p>Suggests AUV approach should also be considered to take into account specific site considerations, constraints or any specific development/investment cost associated within the sites. Also to be compliant with NPPF and accompanying NPPG: NPPG (para 024) recognises that the alternative use value approach offers more incentive for land owner to sell and for land owner to seek the highest sale price.</p> <p>Take into account site specific considerations and constraints – gives example of the Gas Works sites which is unique in both use and</p>	56-62	<p>The SPD does indicate the EUV as an aspect to be considered "amongst others". In line with the NPPF site specific considerations such as the cost of remediation would be taken into account where relevant.</p>

			character.		
4			<p>Review Mechanism:</p> <p>Advanced stage review (60% of sales) should be exceptional rather than applied across the board.</p> <p>Single phased smaller schemes should be treated differently to larger multi-phased scheme.</p> <p>Is there evidence to justify the choice of a 60% figure</p> <p>Where growth assumptions are included in assessment it is not reasonable to include a review mechanism as this would effectively be double counting.</p>	N/A	The SPD refers to the review mechanism applying to particularly large schemes involving site wide infrastructure. It would not apply to smaller schemes. Paragraph requiring a viability reappraisal after 60% of a single phased development has been completed has been deleted.
5	Alex Macgregor Mason	Nascot Residents Association	<p>Support the objective of creating mixed and balanced communities” so that no area becomes a quarter or enclave of any one type of housing; defined by tenure or wealth.</p> <p>Notes that the mixture of the housing stock (particularly in the southern area of Nascot) is a key factor not only in maintaining the unique physical character of the area but helps to add considerably to the social character as well.</p> <p>Also recognise that there may well be circumstances when a consolidation of affordable houses has other and competing priorities, so there may be a case for exceptions in order to take account of key worker requirements (around hospitals, for instance).</p>	N/A	Comments noted – no change to document required.
6	Mary Forsyth		Supports the SPD overall and understands the pressures of council to provide more	N/A	Comments noted – no change to document required.

			affordable homes for people. Comments that irrespective of calculations in terms of revenue generated there will still be considerable constraints to deliver enough homes due to the scarcity of the land. Also notes issues with the limited scope the council has to make more effective use of existing housing stock.		
7	Stephanie Mizen (Jones Lang Lasalle) on behalf of:	Orion (Cassiobridge) Limited, Berkshire Limited, Addison Investment Properties Limited	Agree that the SHMA should be used to inform the overall housing mix.	43-49	The SPD says that the type of affordable housing will be considered on a site by site basis – in discussion with the Council’s Housing Strategy team. Additional paragraphs provided for clarity.
8			<p>The SPD says the housing mix should remain in accordance with Core Strategy Policy HS3 - instead it should be negotiated on a site by site basis based on viability of the site and the level of identified need for such provision in the local market area.</p> <p>Viability Review mechanisms should only apply in special circumstances for major large scale phased developments. Agree that if it is found that a higher percentage of on-site affordable housing can viably be provided, this higher amount will only be applied to subsequent phases of the development and will not be applied retrospectively to those already completed.</p> <p>Agree the Council should accept a change in tenure for later phases to better meet local needs.</p>		

Officer Changes			
Reference	Change	Reason for change	Relevant paragraph within amended document
OC1	Amend text on cover page.	Clarity.	Front cover.
OC2	Table of contents added.	Clarity.	Page 2
OC3	General formatting of text and tables.	Clarity and presentation.	General
OC4	General text amendments.	Clarity	General
OC5	Consultation and feedback section deleted.	N/A	Included as part of the consultation statement when adopted.
OC6	Amend text to set out how the document fits in with national planning guidance.	16	Clarity and context.
OC7	Provide text about eligibility for affordable housing.	18	Clarity and context.
OC8	Delete section titled 'Changes to definitions'.	N/A	Paragraph does not support the implementation of Policy HS3.
OC9	Add paragraph to require an applicant to state what they consider to be 'exceptional circumstances'.	26	Provide clarity to enable the planning officer to consider the reasons for altering the affordable housing requirement and if these are justified. Increases transparency.
OC10	Added text about pre-application advice.	27-28	Encourage early engagement with applicants to reduce the potential for future delays.
OC11	Amend text to provide more flexibility about the affordable housing requirement.	33	Circumstances are different for different sites and schemes and flexibility is needed to enable delivery.
OC12	Formula amended to use acronyms rather than being text based.	40-41	To simplify the equation.
OC13	Add text about how a commuted sum applies to a partial dwelling.	56	Reduce the potential for disagreements about how a partial dwelling (as calculated using the formula) would be provided for.

OC14	Amend the postcode areas used to calculate commuted sums. For simplicity, small areas along the periphery of the Borough have been included within the larger postcode area located adjacent.	Figure 1	Clarify commuted sum charging areas.
OC15	Tables and examples amended.	Appendix 1	Provide clarity about how the affordable housing requirement and commuted sums are calculated.
OC16	Amend and add definitions as appropriate.	Glossary	Text amended to clarify terminology.

Part A

Report to: Cabinet

Date of Meeting: 6 November 2017

Report of: Head of Democracy and Governance

Title: The Central Meriden Redevelopment by
Watford Community Housing Trust (The Trust)

1 Summary

- 1.1 The Council has been requested by the Trust to assist it in the redevelopment of Central Meriden by using its powers under the Town and Country Planning Acts to promote Compulsory Purchase Order(s) in relation to parcels of land that it has been unable to acquire by negotiation and agreement. The Trust has agreed to enter into an indemnity agreement with the Council to cover the costs to the Council of promoting the CPO and the payment of compensation.
- 1.2 This report therefore seeks approval of the Cabinet for the Council to acquire compulsorily, by means of a compulsory purchase order (CPO), properties, existing rights and interests where agreement cannot be reached in order to implement the Central Meriden redevelopment.
- 1.3 The report also seeks approval for the Head of Property and Regeneration in consultation with the Trust to agree compensation and acquisition payments where this will avoid the need to compulsorily purchase interests.

2
2.1 Risks

Nature of Risk	Consequence	Suggested Control Measures	Response (treat, tolerate, terminate, transfer)	Risk Rating (the combination of severity and likelihood)
Unable to provide clear evidence of viability and deliverability of the scheme.	That the CPO is not confirmed	Narrative below set out clear position statements on The Trust Internal development funding and also the current level of central government funding allocated to the project	Treat	4
The CPO process is not correctly followed.	That the CPO is not confirmed	It is proposed that the Council and the Trust will jointly appoint a specialist team of solicitors and Commercial valuers experienced in CPO matters	Treat	4
The CPO process is delayed.	There would be a risk to the Trust in retaining central government funding, plus	The Trust will continue the process of 1 to 1 negotiations; offer the support of	Treat	8

	increase in capital costs	3rd party advisors. Formulate treaty packages for each party whilst the CPO process is ongoing		
The cost of acquiring interests increasing	This will increase the capital costs and scheme long term loan requirements for the Trust	The Trust and the council will jointly Seek advice on suggested compensation packages and include in overall project budget. The indemnity agreement indemnifies the council in respect of any compensation payable as a result of the CPO	Transfer	8
Lack of skill and capacity to deliver the CPO and handle the negotiations.	That the CPO is not confirmed. Risk to retaining central government funding, plus increase in capital costs	It is proposed that the Council and the Trust will jointly appoint a specialist team of solicitors and Commercial valuers experience in CPO to support efforts to		4

		agree private treaty agreements. These will supplement the Trusts in house development team who have led on treaty negotiation so far		
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3 Recommendations

That having given consideration to all the provisions of this report, Cabinet resolves to:

3.1 To make all necessary Compulsory Purchase Order(s) to acquire compulsorily all of the properties shown outlined red on the plans attached at Appendix A entitled Watford Borough Council (properties at Central Meriden, Watford) Compulsory Purchase Order Plans 1 to 4, all rights and interests affecting the properties in order to enable the implementation of the Central Meriden redevelopment.

3.2 To delegate to the Head of Property and Regeneration:

3.2.1 to agree the wording of the Compulsory Purchase Order(s) and CPO Map, including the Statement of Reasons and to take all steps necessary to make and confirm the Order(s); and

3.2.2 to take all steps to seek to acquire the necessary interests in land by agreement or by utilising compulsory acquisition powers.

3.3 If the Secretary of State authorises the Council to do so, confirm any Compulsory Purchase Order(s) made.

CPO	Address	Property Details
1	158 The Gossamers	Long leaseholder -3 bed maisonette over shops
2	124 The Gossamers 148 The Gossamers	Meriden Café and tied 3 bed maisonette accommodation over shops

3	128 The Gossamers 146 The Gossamers	Meriden Post Office and tied 3 bed maisonette accommodation over the shops
4	136 The Gossamers	Meriden Fish and Chip Shop

3.4 To utilise, where appropriate, either the general vesting declaration procedure under the Compulsory Purchase (Vesting Declarations) Act 1981 or the notice to treat procedure under Section 5 of the Compulsory Purchase Act 1965 in respect of confirmed compulsory purchase order(s).

3.5 That in doing so the Cabinet has considered the provisions of the Human Rights Act 1998 contained in section 16.4 and 17 of this report so far as they might be applicable in deciding whether or not to make the Compulsory Purchase Order(s) and all other statutory powers that the Council seeks to exercise and resolves the following:

(a) With regard to Article 8 it is considered that in balancing the rights of the individuals who are affected by the Order(s) against the benefit to the community of proceeding with the Order(s), the making of the Order resulting in the interference with the individuals rights is justified in the interests of improving the economic, environmental and social well-being of central Meriden.

(b) With regard to Article 1 Protocol 1, it is considered that the interference with the individual's property is justified by the advantages accruing to the public by proceeding with the Scheme particularly taking into account the fact that there is a legal right to compensation for the property taken and any rights extinguished under the Order(s).

3.6 Approve the entering into of a CPO Indemnity Agreement with the Trust to reimburse the council for all costs and liabilities arising as a result of the Compulsory Purchase Order.

3.7 Agrees to transfer to the Trust the interests it acquires in order to enable the Trust to implement the development

Contact Officer: For further information on this report please contact:
Carol Chen Head of Democracy and Governance ext 8350

Report approved by: Managing Director

4 The proposal

4.1 The Council has been requested by the Trust to use its powers under Section 226 Town and Country Planning Act 1990 (the Act) to acquire compulsorily properties rights and interests in land at Central Meriden that it has been unable to acquire by negotiation and agreement in order to progress the redevelopment of the area.

4.2 The proposed development will involve the demolition of the central Meriden estate shopping parade, 11 existing dwellings located above the shops, 10 dwellings located on York Way and The Touchstones, 2 garage blocks on York Way and a further group of garages located to the rear of the shopping parade. This will enable the site to be redeveloped to provide a total of 133 new homes, a new shopping parade specifically designed to accommodate the existing retail operators, upgraded infrastructure and public open spaces. The breakdown across the site is as follows:

4.3 Bungalows and open space at the Turnstones

Demolition of the existing 10 bungalows and the construction of the following :

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

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

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

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

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

4.4 Shopping parade and Alterstart garage

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

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

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

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

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

The construction of the following:

Block E2 – A part 1, 3 and 4 storey block fronting York Way providing 7 commercial units at ground floor and 8 one and two bedroom flats on the upper floors.

Block E3 – A part 3, part 4 storey block sited at the corner of York Way and Meriden Way and attached to the eastern end of Block E2. It provides 1 commercial unit at ground floor and 17 one and two bedroom flats above.

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

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

Demolition of existing lock-up garages sited at the end of Foxtree House and Maple Court and the construction of the following:

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

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

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

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

5 Need for the scheme

5.1 The scheme, which has been approved at the Council's Development Management Committee on 29 October 2015, provides an opportunity to create a high quality mixed used development. It contains new retail space specifically designated for the current retail operators which is also flexible to cater for the need of future operators.

5.2 The project also offers the opportunity to significantly address the chronic affordable housing need within the Borough. Currently there are 530 families registered on the Council housing register that are deemed to be in urgent housing need. This single project will provide an additional 112 new affordable homes within the Meriden estate, as well as replacing the 21 residential dwellings that will have to be demolished as part of the regeneration process.

5.3 The new development will include a 50 unit extra-care scheme, that will provide specialist self contained apartments for older clients. The scheme is designed to cater for a range of support needs, for example physical disabilities and dementia. It has been designed so individual apartments can be adapted to meet the long term changing needs of the residents, allowing them to remain in their homes for as long as possible.

5.4 The office for national statistics has produce the following table which predicts

the anticipated population growth and age profiling between 1975 and 2045. This table highlights a significant growth, over the next 30 years, in the overall U.K. population and the proportion of residents over the age of 65.

Year	U.K. Population	Age 16-to 64 (% of total)	Age 65 years and over
1975	56,226,00	61.0%	14.1%
1995	58,025,000	63.4%	15.8%
2015	65,110,000	63.3%	17.8%
2025	69,444,000	60.9%	20.2%
2045	76,055,000	57.8%	24.6%

- 5.5. It is estimated that there are currently 850,000 people with dementia with the UK. This is expected to rise to over 1 million by 2025 and is expected to increase to over 2 million by 2051. It is anticipated that the UK will spend over £26.3 Billion over the next 30 years on health social care and informal care relating to dementia.
- 5.6 The Trust currently has 4732 primary tenancy holders, of which 44.6% are aged 55 and over.
- 5.7 The Trust is the only provider of extra care accommodation within Watford. They currently have 45 apartments split between two schemes. 26 are self contained 1 bedroom apartments and the remaining are studio apartments. The Trust's greatest demand is from older clients currently in family accommodation, who wish to down size into 1 bed apartments with the added benefit of on site support services.
- 5.8 The delivery of the extra care scheme will provide the added benefit, by allowing affordable family homes to be freed up to be offered to families on the Councils waiting list.
- 5.9 Hertfordshire County Council have indicated that they wish to fund an additional 160 flexi care spaces within Watford to cater for current and future needs.
- 5.10 The extra care scheme has been specifically designed to meet the projected growth in this housing need, and will be constructed within the 2nd phase of the regeneration process. It can only be delivered if vacant possession is gained over the properties listed in item 3.3.

6 Timescale for delivery

6.1 The Trust is in detailed negotiations to finalise the construction programme and phasing of the works. The exact details will be available shortly. However the scheme has been designed so it can be delivered in two phases. The first phase will contain newly constructed retail space to enable the retail operators to transfer from their current premises on the Gossamers. Once they have relocated the Gossamers Shopping parade and the maisonettes above will then be demolished and redeveloped as phase two of the project. It is therefore essential that vacant possession is gained on the properties highlighted in section 3.3 to enable the 2nd phase of the project to proceed in a timely and cost-effective manner.

6.2 The projected timescale for delivery of the project are shown below follows:

Action	Time	Activity
A	1 st Quarter 2018	Commence enabling works and service infrastructure
B	Spring 2018	Commence construction of Ph1 retail and residential new build properties
C	1 st Quarter 2020	New retail space handed over for fit out
D	Spring 2020	New retail space fit out completed and retailers operational
E	Summer 2020	Commence demolition and redevelopment of Ph 2, the Gossamers retail parade and extra care homes
F	Spring 2020	Completion of Ph 1 residential units
G	Spring 2022	Completion of Ph 2 residential units

6.3 The Trust has already commenced some enabling works to allow the scheme to proceed. The Alterstart garage building, which is on the site of the extra care scheme, has been demolished. The Trust has also placed orders with the gas, electricity and telecoms utility providers for the new infrastructure networks needed for the regeneration scheme. The utility infrastructure package values are in excess of £500,000.

6.4 This timescale will be dependent on the successful negotiation for the surrender of the leases or confirmation of a Compulsory Purchase Order made by the Council to acquire third party leasehold interests of the properties contained within the Order. It is therefore recommended that Cabinet agree that a Compulsory Purchase Order(s) be made in respect of all interests in the properties within the boundary which is shown edged red on plans 1 to 4 and

entitled Appendix A Watford Borough Council (properties at Central Meriden, Watford) Compulsory Purchase Order Plans 1 to 4, and any other interests within the land that are deemed necessary to be acquired for the scheme by Officers.

7 Appointment of preferred developer

7.1 In January 2016 the Trust undertook an OJEU compliant tender exercise to identify the preferred construction contractor. A small number have been shortlisted for detailed negotiations. The Trust is expecting to appoint a preferred contractor by the end of December 2017.

7.2 The award of the building contract is conditional upon the satisfactory resolution of a number of conditions, one of which is the acquisition of all interests in the site with satisfactory title to the extent required for the implementation of the scheme.

8 Development funding

8.1 The Trust has confirmed that the capital cost of the Central Meriden Regeneration scheme is contained within its existing business plan.

8.2 The Trust has secured £1,665,000 of Social Housing Grant, from the Homes and Communities Agency (HCA) as part of its 2015-2018 Affordable Housing Programme. Half of this has already been claimed to enable site pre-construction works.

8.3 A further grant allocation of £2,500,000 for the 50 unit Extra Care element of the scheme has been approved by the HCA under the new Shared Ownership Affordable Housing Programme (SOAHP) 2016-21. This grant is specific to creating specialist housing, for affordable rent, to meet a particular need.

8.4 The overall project therefore attracts a total grant funding of £4,165,000. The aggregate represents a significant investment in the Borough to support affordable housing provision.

8.5 Both of these packages of funding are provided on condition that key milestones are achieved and these include physical start on site for the project and practical completion of the new homes. It is essential that vacant possession is gained over the properties highlighted in item 3.3 the project to proceed.

9 Indemnity agreement

9.1 The Council and Government guidance acknowledges that financial viability may not always be finalised until there is certainty about the necessary land assembly. As a result of the indemnity agreement with the Trust relating to the redevelopment of the site there is sufficient funding in place to deal with any valid blight notices which may be served on the Council arising from the making of a CPO.

10 Land assembly and obtaining clean title to the land

10.1 The properties within the proposed CPO to be compulsorily acquired are shown in edged red in plans 1 to 4.

CPO	Address	Property Details
1	158 The Gossamers	Long leaseholder -3 bed maisonette over shops
2	124 The Gossamers 148 The Gossamers	Meriden Café and tied 3-bed maisonette accommodation over shops
3	128 The Gossamers 146 The Gossamers	Meriden Post Office and tied 3-bed maisonette accommodation over the shops
4	136 The Gossamers	Meriden Fish and Chip Shop

10.2 The Trust has been able to negotiate lease terms to exclude security of tenure under the provisions of the Landlord and Tenant Act 1954 with seven of the existing 10 retailer operators on The Gossamers, who have been more recently granted leases. This means that where possible the Council will not need to use CPO powers against those occupiers as their interests will be terminable by the Trust as landlord.

10.3 In order to ensure that the regeneration of the area and development can take place it will be necessary for the Council to compulsorily acquire the properties needed. The properties are shown edged red the CPO Plans at Appendix A. Cabinet is therefore asked to authorise compulsory purchase of the properties and new rights identified on the CPO Map.

10.4 The purpose of this CPO would be the delivery of the Scheme to facilitate the carrying out of redevelopment of Central Meriden and ensuring that clean title to land can be transferred to Watford Community Housing Trust

in a timely manner, free of encumbrances which could otherwise prevent development. The CPO is also necessary to ensure site assembly in a timely manner.

11 Compulsory Purchase Order (CPO)

11.1 The statutory authority for compulsory acquisition is contained within Part IX of the Town and Country Planning Act 1990 (Act). Section 226 (1)(a) of the Act empowers local authorities, on being authorised by the Secretary of State, to acquire land compulsorily if they think that the acquisition will facilitate the carrying out of development, redevelopment or improvement of the land. The Scheme would contribute to the promotion of the environmental, social and economic well being of the Council's area, in accordance with section 226(1A) of the Act because:

11.2 The Scheme will contribute to and enhance the central Meriden estate, by promoting a mixed use retail and residential accommodation on a currently under used site. It will create new retail space to cater for the existing retail operators, a total of 133 affordable new homes and will create temporary construction jobs, which will be available to the local labour market;

11.3 The Scheme will provide a high quality retail and residential development to serve the needs of the local community and visitors to the Meriden. The development is designed to create a high quality architectural scheme.

11.4 The Project represents a scheme where the Council and Watford Community Housing Trust are working together with a view to re-develop the Order Lands by improving the quality of life of those living, working or otherwise involved in community life of the central Meriden estate. The Scheme will bring regeneration to the centre of the estate and promote the urban shopping area.

12 Details of attempts to acquire interests by agreement

12.1 The Trust has been in negotiations with those leaseholder and tenants whose interests will be acquired compulsorily if the CPO is made and confirmed. Since May 2015 the Trust has held 1 to 1 meetings seek to enter agreements to acquire through private treaty wherever possible and have made positive progress in successfully acquiring a number of other interests by agreement.

12.2 The Alterstart garage lease was acquired on 22 June 2016 by private treaty.

12.3 The Trust has permanently rehoused 7 families into suitable alternative accommodation, that were previously renting maisonettes above the shops.

- 12.4 On 19 September 2016, the tied accommodation, linked to the Meriden Fish and Chip shop lease was surrendered by the retailer in return for alternative suitable family accommodation with the Meriden estate. This was agreed through private treaty.
- 12.5 The Trust is in direct dialogue with The Meriden café operator and the Meriden Post office operator on options for suitable residential accommodation within the local areas.
- 12.6 Since September 2016 The Trust has offered five 3 bedroom properties to the leaseholder at No 158 The Gossamers and will continue to look to identify suitable alternatives to be offered through private treaty.
- 12.7 The Trust has had 1 to 1 meetings with the 3 retail operators identified in section 3.3 on the design and location of alternative retail units that will be constructed as part of the first phase of the redevelopment. 3 shop units have been earmarked for them, shop footprints have been agreed and sample leases have been issued for discussion. The plans for the alternative retail premise are shown in Appendix D – Proposed Retail Relocation Plan.
- 12.8 The Trust is the freehold owner of all of the properties covered by the CPO order. It will continue to negotiate with third parties to acquire by private treaty; however a comprehensive agreement is required to enable the scheme to proceed swiftly.
- 12.9 It is envisaged that the construction Phase 2 of the scheme, which will include the 50 unit extra care scheme, will require the demolition of the Gossamers shopping parade and the maisonettes above, will commence in the autumn of 2020.
- 12.10 The 3 retail operators identified in section 3.3 have the right to seek an extension of their lease at the end of the current term. The residential leaseholder terms runs until 2113. Due to the termination dates contained in the existing leases (See the following table) there is no guarantee that the acquisition of all interests through private treaty could be achieved within the timescales envisaged. In this case the delivery of the extra care, which aims to meet the growing need for suitable older person's accommodation, can only proceed with the use of compulsorily purchase powers.

CPO	Address	Property Details	Lease Termination date
1	158 The Gossamers	Long leaseholder -3 bed maisonette over shops	9th May 2113
4	124 The Gossamers 148 The Gossamers	Meriden Café and tied 3 bed maisonette accommodation over shops	14 th March 2020
5	128 The Gossamers 146 The Gossamers	Meriden Post Office and tied 3 bed maisonette accommodation over the shops	24 th December 2020
8	136 The Gossamers	Meriden Fish and Chip Shop	25 th May 2020

12.11 The Trust is continuing discussions with affected parties with a view to securing the acquisition of interests at market value and reducing the number of interests which need to be acquired compulsorily. In addition to writing to all affected parties. The Trust has held 1 to 1 meetings with the individuals and businesses affected by the CPO order and will be holding Compulsory Purchase Order surgeries prior to the making of any Order, to assist those who may be affected and ensure contact is made with all parties. Where possible and appropriate the Trust will assist those looking for alternative premises beyond those that are already identified within the regeneration proposals, and provide guidance on the options available.

12.12 The Trust is also in negotiations with the single residential leaseholder on possible options to acquire the lease at market value

12.13 In promoting a compulsory purchase order, acquiring authorities should have regard to government guidance. The relevant government guidance is DCLG Guidance on Compulsory Purchase Order Process and the Crichel Down Rules for the disposal of surplus land acquired by, or under threat of compulsion 2015 (the Guidance). Matters which must be addressed are:

- Authorities should seek to acquire interests by negotiation where practicable. A compulsory purchase order is intended as a last resort in the event that attempts to acquire by agreement fail. A summary of the negotiations with third parties is contained in paragraph 10 above.
- There must be a compelling case in the public interest – as to

which see Paragraph 5.

- There must be a clear idea of how the Council intends to use the land and that the necessary resources are likely to be available to achieve that end within a reasonable timescale. as to which see paragraphs 6 to 9 above
- Full details for the funding of the scheme are required including timing as to which see paragraph 6 and 8 above
- There must be a reasonable prospect of the scheme proceeding and be unlikely to be blocked by impediments to implementation. As to which see paragraph 6.

12.14 A Compulsory Purchase Order can only be made if there is a compelling case in the public interest and that the purposes for the making of the order should sufficiently justify interfering with the human rights of those with an interest in the Order Lands.

12.15 On the basis of the assessment carried out by the Council it must consider that a compelling case exists before a decision is made. Officers have carried out this assessment and are of the view that there is a compelling case in the public interest for the making of the CPO and interfering with the human rights of those affected by the Scheme

12.16 In accordance with the advice contained within the Guidance the Council has had careful regard to:-

- the adopted planning framework
- the extent to which the Scheme would comply with the Council's statutory requirements to satisfy the well-being test
- the financial viability of the Scheme
- whether the acquisition could be achieved by any other means

12.17 Single unencumbered ownership of the Order Lands is required to enable the development to proceed. Compulsory Purchase will enable redevelopment to take place at an early date by providing certainty for site assembly and programming and thus enable the Council's policy

objectives for the area to be achieved.

12.18 The Trust attempted, and will continue to attempt, to purchase outstanding interests by agreement. Discussions have taken place and are continuing with those affected by the proposals. However, whilst the Members should note that a Compulsory Purchase Order can only be made if there is a compelling case in the public interest and that the purposes for the making of the order should sufficiently justify interfering with the human rights of those with an interest in the Order (see sections 5). On the basis of the assessment carried out by the Council it must consider that a compelling case exists before a decision is made and consider the contribution to the economic environmental and social well-being of those who live work and visit Watford which will be made by the Scheme.

12.19 Officers have carried out this assessment and are of the view that as a result of the economic environmental and social well-being benefits arising from this Scheme for redevelopment there is a compelling case in the public interest for the making of the CPO and interfering with the human rights of those affected by the Scheme.

13 Planning Position of the Order Lands

13.1 The principle of development for the Scheme proposed is established by planning policy, and there is certainty that the Scheme will proceed and that the properties comprising the Order are required in order to secure the carrying out of the proposed development, in accordance with section 226(1)(a) of the 1990 Act.

13.2 It is not anticipated that there will be any planning problems preventing the scheme from proceeding. On 29 October 2015 the Council's Development Management Committee resolved to grant planning permission subject to entering into a s106 agreement. An Unilateral Undertaking was completed on 1 February 2016 and a decision notice was issued on the same date.

13.3 The planning application was accompanied by several in-depth statements explaining how the Scheme complies with planning policy including the Planning Statement, Transport Assessment, Townscape and Visual Impact Assessment and Sustainability Strategy (all dated September 2013)

13.4 The report to the Council's Development Management Committee is attached as Appendix E.

14. Land in Unknown Ownership

- 14.1 The purpose of this part of the report is to inform the Cabinet of the procedure which the Council must follow to deal with unknown ownership on making the Compulsory Purchase Order for the Scheme and to obtain the necessary Council authority to do so.
- 14.2 The Trust has provided the Council land registry title documentation and copies of existing leaseholder lease documentation needed to establish all those ownerships within the boundary of the proposed Compulsory Purchase Order. This is necessary because when serving notices in relation to the Compulsory Purchase Order, the Council is required to send these to all persons owning an interest in the Site.
- 14.3 Section 6(4) of the Acquisition of Land Act 1981 provides that if the Council is satisfied that diligent inquiry has been made and it is not practicable to ascertain the name or address of an owner, lessee or occupier on whom any document has to be served, the document may be served by addressing it to the "owner/lessee/tenant/occupier" and adding a description of the premises and delivering it to some person on the premises.
- 14.4 If there is no person on the premises to whom it may be delivered, then the notice can be served by affixing a copy of it to some conspicuous part of the premises. In adopting this approach the Council must be satisfied that reasonable enquiries have been made to establish ownership.
- 14.5 The Trust's legal representatives have now completed their title investigations. They have confirmed that on behalf of the Council they have made all reasonable enquiries to establish ownership, and have provided copies of the leases and land registry titles for each of the properties identified in item 2.1.
- 14.6 To proceed with the making of the Compulsory Purchase Order it is necessary for the Council to give authority to dispense with individual service of notice in respect of any properties or areas of land where it has not been possible to ascertain the name or address of an owner, lessee or occupier despite diligent inquiry and to authorize the service of notices in accordance with the provisions of Section 6(4).
- 14.7 The purpose of this paragraph is to deal with land subject to third party rights. As a result of changes to the compulsory purchase procedure following the introduction of the Planning and Compulsory Purchase Act 2004 all parties who have the benefit of rights, easements and covenants in land which is the subject of a compulsory purchase order must be served with notices. Diligent

inquiry has been carried out but if there are any parties who have not been notified of the order who are within this category they may still be notified of the order by the posting of notices on site.

15 Stopping up orders

15.1 It is anticipated that a stopping up order will be required to public footpaths serving the existing car parking spaces on the Touchstones and also pedestrian rights of way across the existing car par and pavements serving the shopping parade. An application for stopping up order will be promoted by Watford Community Housing, once a building contractor has been appointed. The extent of the stopping up orders and amended public rights of way within the shopping parade area have been discussed within Hertfordshire County Council Highways as part of the statutory consultation process required for the planning application to be stopped up as follows:

	Max Length (metres)	Max Width (metres)	Terminal Points	
			From	To
1	60 metres	5 metres	From 145 York Way, past the Trust Community Hub	The Gossamers
2	70 metres	15 metres	The Gossamers - Existing public car parking and pedestrian pavement in front of the Gossamers retail units	The Gossamers

16 Implications

16.1 Financial

16.1.1 The Council has entered into an Indemnity Agreement with the Trust where the Trust will meet all reasonably and properly incurred costs by the Council in connection with the making, confirmation and implementation of the CPO or as a result of acquiring interests required for the Scheme by agreement.

16.1.2 The following cost implications arising from acquisition of the interests should be noted:

- the acquisition of land and properties
- overriding other third party rights; and
- extinguishing rights over land.

16.1.3 As a matter of general principle all costs associated with pursuing a CPO will be met by the acquiring authority. These would include:

- time spent by Council staff and consultants in progressing the CPO and land referencing;
- legal costs of the Council (including any time spent by external Counsel and Legal advisers);
- other relevant CPO related costs, including all costs, fees and expenses relating to any public inquiry in respect of the CPO:
- payment to include costs and disturbance payments to all affected landowners, lessees or tenants which arise from the CPO and are a natural and reasonable consequence of the interests being acquired; and
- Compensation payments for any statutory nuisance, severance, injurious affection, interference with, disposal or acquisition of rights or interests, which flow as a consequence of the Scheme.

16.1.4 Once the CPO is made and implemented the Council will be liable to meet statutory compensation claims. Pursuant to the provisions of the Indemnity Agreement referred to at paragraph 9, the Council has the necessary funding in place to cover these costs due to its ability to recover these costs from the Trust.

16.1.5 There will be no financial implications for the Council. The Trust will set up a bank account in accordance with the terms of the Indemnity Agreement and the Council will make the compensation payments from the funds in this bank account.

16.2 Legal Issues

16.2.1 The Human Rights Act 1998 (HRA) came into force on 2 October 2000.

16.2.2 Provisions of the HRA which are relevant in relation to the CPO are:

16.2.3 The European Convention on Human Rights (the Convention) is an international treaty signed under the auspices of the Council of Europe. Whilst the United Kingdom was instrumental in drafting the Convention it was never incorporated into United Kingdom law.

16.2.4 The HRA still does not incorporate the Convention into United Kingdom law but what it does is to enable individuals to invoke Convention rights for certain purposes and for certain effects.

16.2.5 The main articles of the Convention which are of importance in circumstances where the Council is considering making a compulsory purchase order are Article 8 – the right to respect for private and family life and his/her home and Article 1 of Protocol 1 – the protection of property.

16.2.6 In making a CPO an acquiring authority must show that the acquisition is justified in the public interest.

16.2.7 Article 8 is clarified below.

16.2.8 Article 8(1) provides that everyone has the right to respect for his/her home but Article 8(2) allows the State to restrict the rights to respect for the home to the extent necessary in a democratic society and for certain listed public interest purposes for example; public safety, economic well being, protection of health and protection of the rights of others.

16.2.9 When considering Article 8 in the context of a CPO the Council needs to ask the following questions:

16.2.10 Firstly, does a right protected by Article 8 apply – to which the answer is "yes".

16.2.11 Secondly, has an interference with that right taken place or will take place as a result of the compulsory purchase being made - to which the answer is again "yes".

- 16.2.12 The answers to these two questions being in the affirmative confirm that Article 8 applies and it is therefore necessary to consider the possible justifications for the interference under Article 8(2). There are 3 questions for the Council to consider:
- 16.2.13 Firstly, is the interference in accordance with the law? The answer is “yes”, there being a legal basis for making the CPO under section 226(1)(a) of the Town and County Planning Act 1990.
- 16.2.14 Secondly, does the interference pursue a legitimate aim? The justification for the CPO is that the scheme seeks to improve the economic, environmental and social well-being of the Central Meriden estate in the public interest.
- 16.2.15 Thirdly, is the interference necessary in a democratic society? Here the Council must make a balancing judgment between the public interest and the rights of the individual – the CPO must be both necessary and proportionate.
- 16.2.16 Article 1 of Protocol 1 provides that:
- 16.2.17 Every natural or legal person is entitled to the peaceful enjoyment of his possessions.
- 16.2.18 No one shall be deprived of those possessions except in the public interest and subject to the conditions provided for by law.
- 16.2.19 However, the above rules shall not prevent a State enforcing such laws as it deems necessary to control the use of property in accordance with the general interest.
- 16.2.20 The Council must decide in relation to Article 1 whether a fair balance has been struck between the demands of the general interest of the community and the requirements of the protection of the individual's fundamental rights. The right to compensation is an important factor in considering the balance between the two.
- 16.2.21 Recommendations Relating to the Human Rights Act
- 16.2.22 With regard to Article 8 it is considered that in balancing the rights of the individuals who are affected by the CPO against the benefit to the wider public, economic and social well-being of local residents, visitors and

stakeholders of proceeding with the CPO, the making of the CPO and the interference with the individuals rights is justified in the interests of the community in order to effect the improvements.

16.2.23 With regard to Article 1 of Protocol 1, it is considered that the interference with the individual's property is justified by the advantages accruing to the public by proceeding with the works particularly taking into account the fact that there is a legal right to compensation for the property taken and rights extinguished under the CPO.

16.2.23.1 With regard to Article 8 it is considered that in balancing the rights of the individuals who are affected by the Order(s) against the benefit to the community of proceeding with the Order(s), the making of the Order resulting in the interference with the individuals rights is justified in the interests of improving the economic, environmental and social well-being of central Meriden.

17 Equalities

17.1 In addition to the HRA, the Council is required to comply with the Equalities Act 2010. Section 149 of the Equalities Act 2010 requires the Council to have due regard to the need to:

17.2 Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

17.3 The Trust has carried out an equality impact analysis. This identifies both the negative and positive impacts of the proposals and considers that, overall, the positive impacts outweigh the negative impacts of the Scheme. In addition, it identifies how any negative impacts might be mitigated and any positive impacts ensured through the delivery of the project. In summary the following are the key elements:

- The Trust will provide individual parties statutory compensation for loss of business and home. This will be applied to each party subject to the Compulsory Purchase order.

- The Trust has a Decant Policy that will be applied to all negotiations aimed at agreeing a treaty resolution. This includes a requirement to tailor the resolution around the specific needs of the individual concerned. This will include dealing with the logistics of relocation, the nature and suitability of alternative properties, and the minimisation of disruption to the parties involved
- The Trust has appointed independent translation services for both written and 1 to 1 meeting where English is not the leaseholders 1st language.
- To ensure alternative commercial units are available to allow a seamless transfer of business.
- To ensure alternative residential accommodation reflect the mobility needs and age / gender demographics of the leaseholder.
- To ensure where individual retail staff member are currently sharing tied accommodation, that they are dealt with on their individual needs basis.

18 Conclusion

18.1 In the light of the above Council is recommended to resolve to make a Compulsory Purchase Order in respect of the land at Central Meriden, Watford in accordance with the recommendations at the beginning of this report.

Appendices

Appendix A – Watford Borough Council (properties at Central Meriden, Watford)
Compulsory Purchase Order Plans 1 to 4

Appendix B – Existing Estate Plan

Appendix C – Proposed Regeneration Estate Plan

Appendix D – Proposed Retailer Relocation Plan

Appendix E – Report of Development Management Committee 29 October 2015

Appendix A – Watford Borough Council (Properties at Central Meriden, Watford)

Compulsory Purchase Order Plans 1 to 4



***CPO PLAN 1 - 158 THE GOSSAMERS**

NOTES

V.M. Pates
V. Bond.
R. Bond.

BOROUGH
of
WATFORD

TITLE
158 THE GOSSAMERS

REVISIONS
No. DESCRIPTION DATE

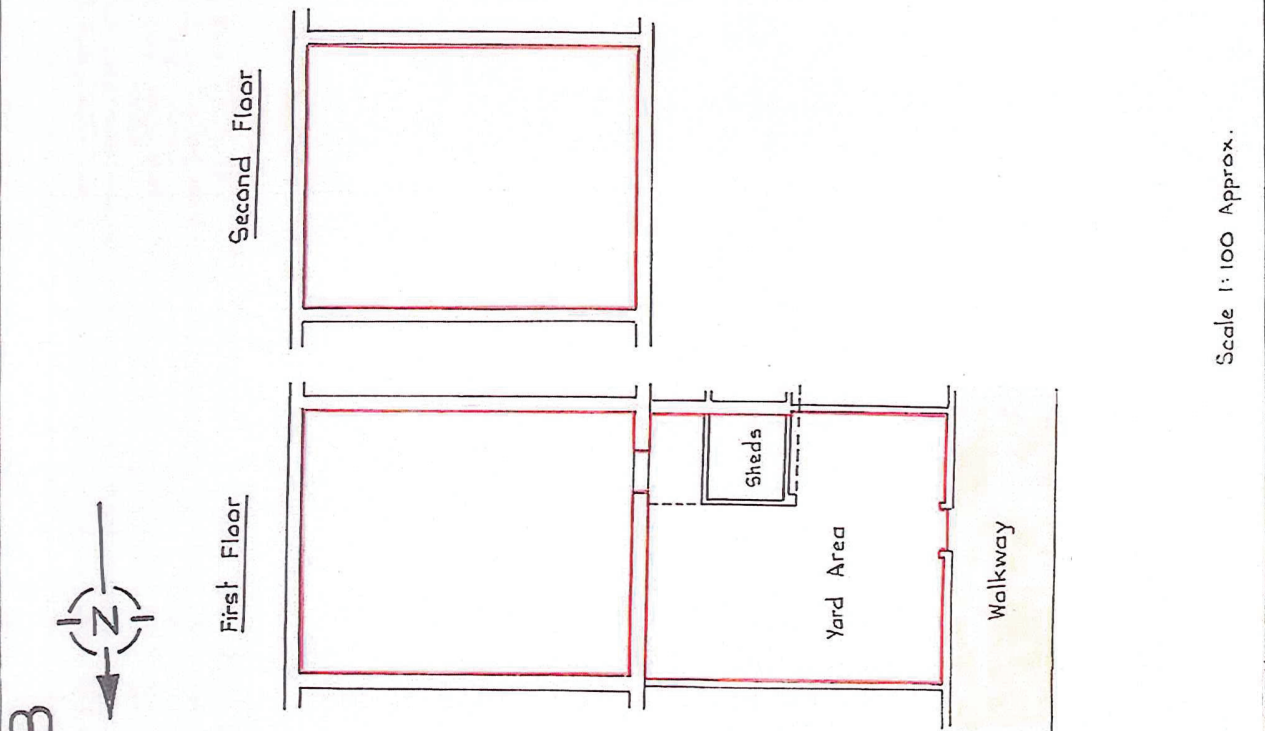
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DATE DRAWN / DRAWN BY / CHECKED BY

Michael Symmons B.Sc. C.Eng
DIRECTOR OF TECHNICAL SERVICES
TOWN HALL
WATFORD WD1 3EX

Tracing No. P4721

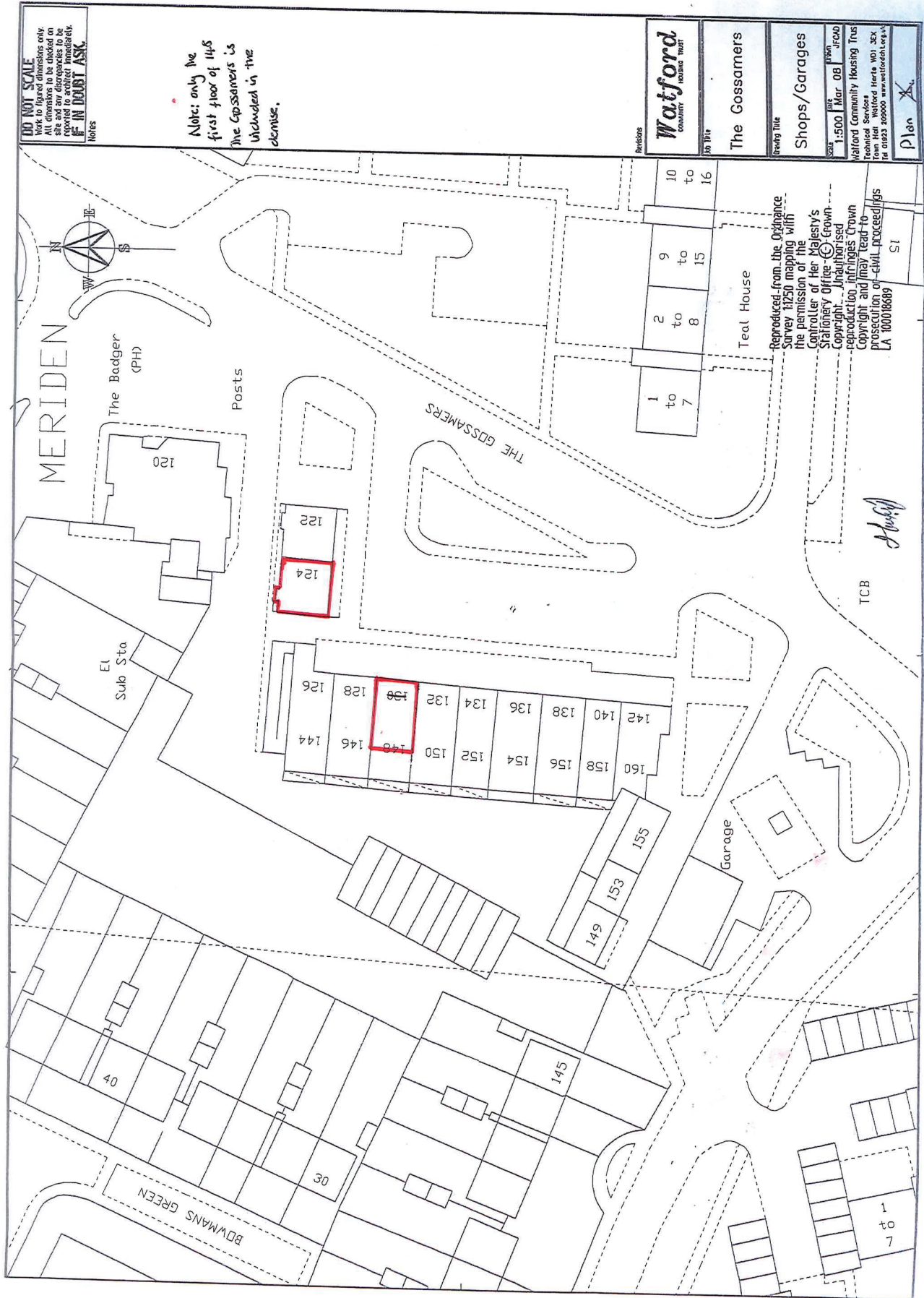
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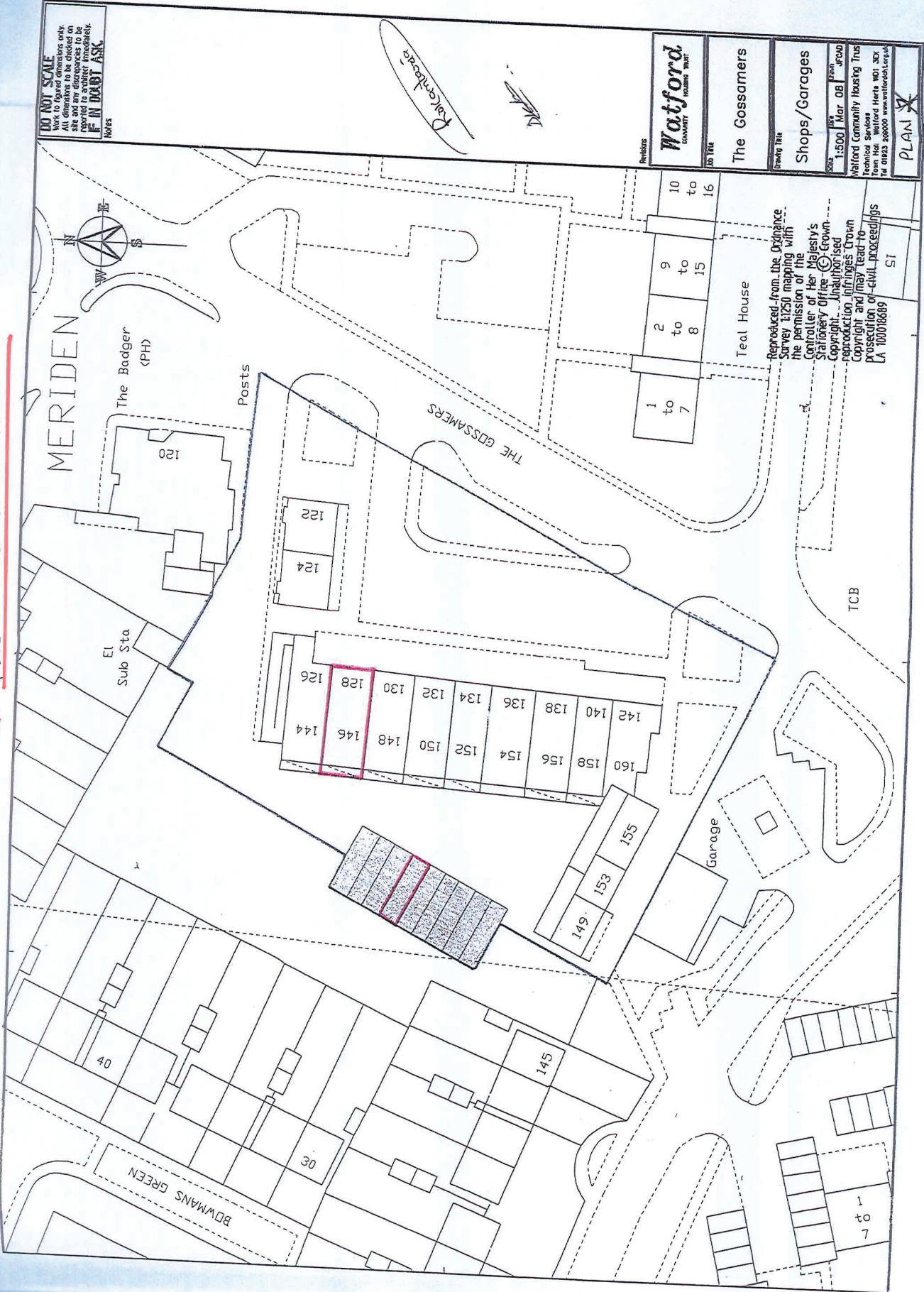
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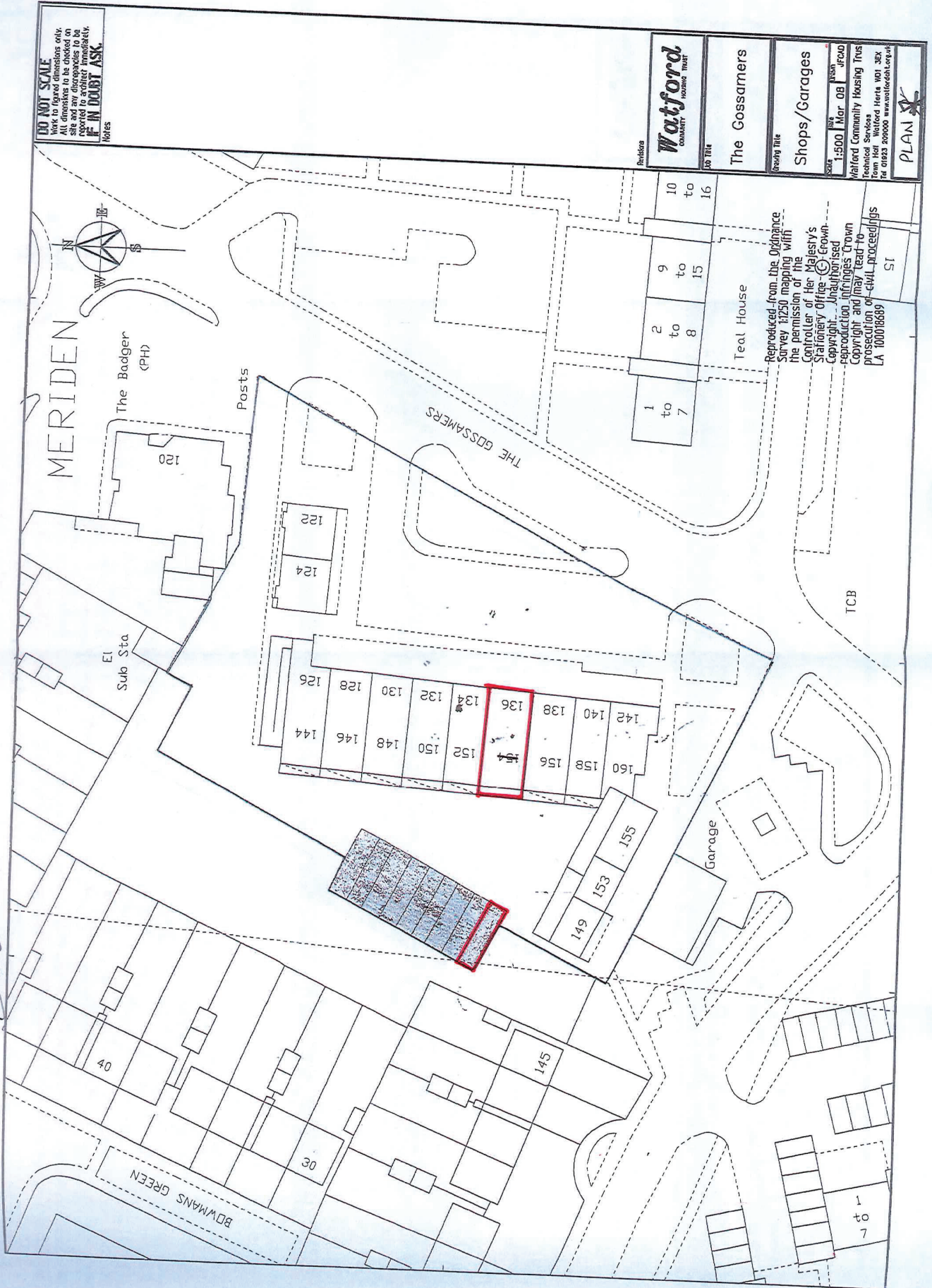
CPO PLAN 2 - MERIDAN CAFE
124 + 148 THE GOSSAMERS



* CPO PLAN - 3 MERIDAN POST OFFICE
 128 + 148 GOSSAMERS



DMC
 * CPO PLAN 4 - MERIDIAN FISH AND CHIP SHOP
 136 THE GOSSAMERS



DO NOT SCALE
 Work to figured dimensions only.
 All dimensions to be checked on
 site and any discrepancies to be
 reported to architect immediately.
IF IN DOUBT ASK
 Notes

Watford
 COMMUNITY HOUSING TRUST

The Gossamers

Shops/Garages

Scale: 1:500
 Date: 1 Mar 08
 Project: WAT/08/0001
 Watford Community Housing Trust
 Technical Services
 10000 Watford Lane Wat 302
 Tel: 01823 202000 www.watfordhtr.org.uk

PLAN 4

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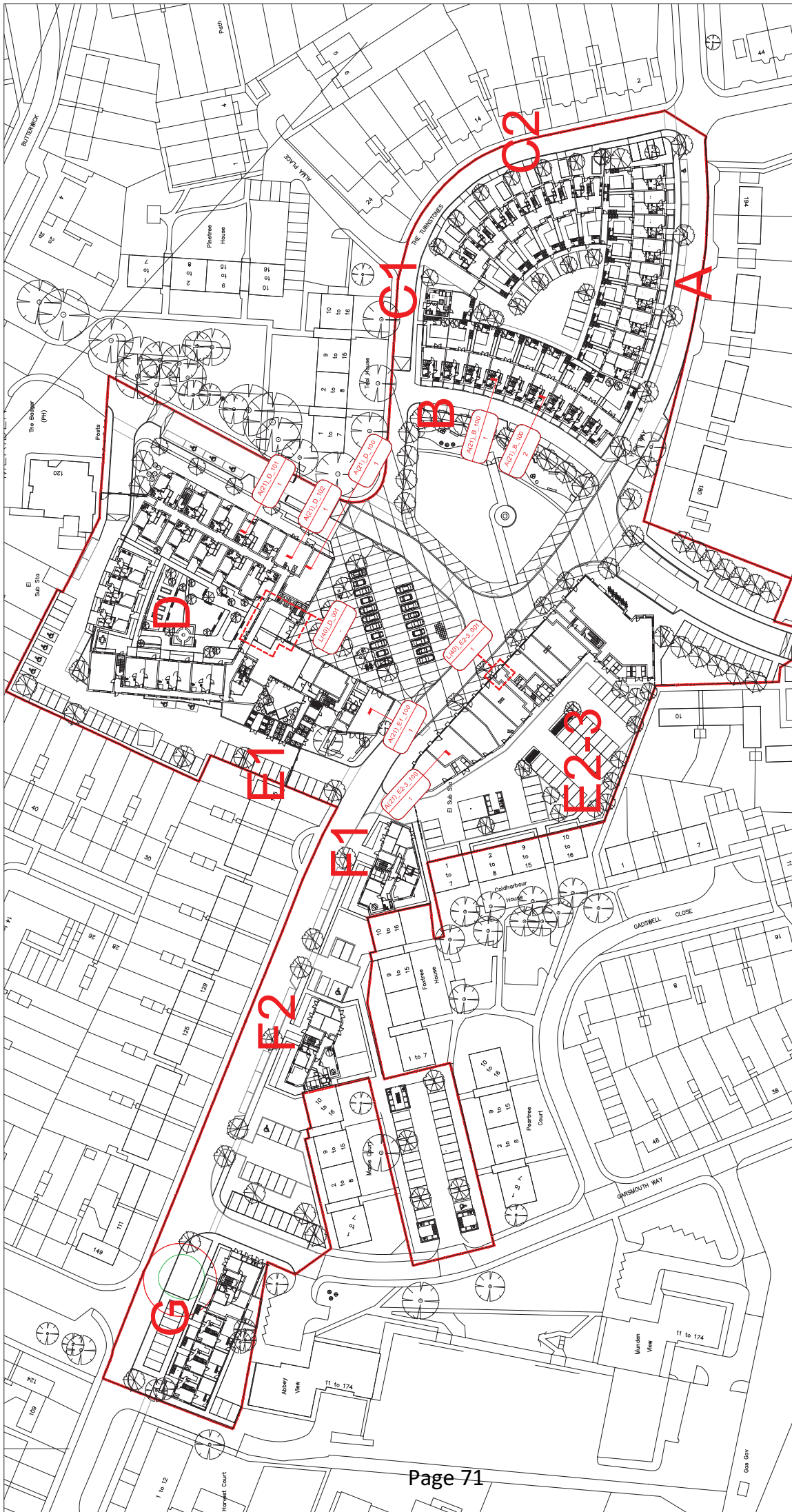
SKETCH



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Project: Wotton Central Masterplan
 Plot: 14-101 TP AB 1:1500(A) 23/03/15
 Drawing: General Arrangement
 Drawing Number: 101_SK_007
 Scale: A

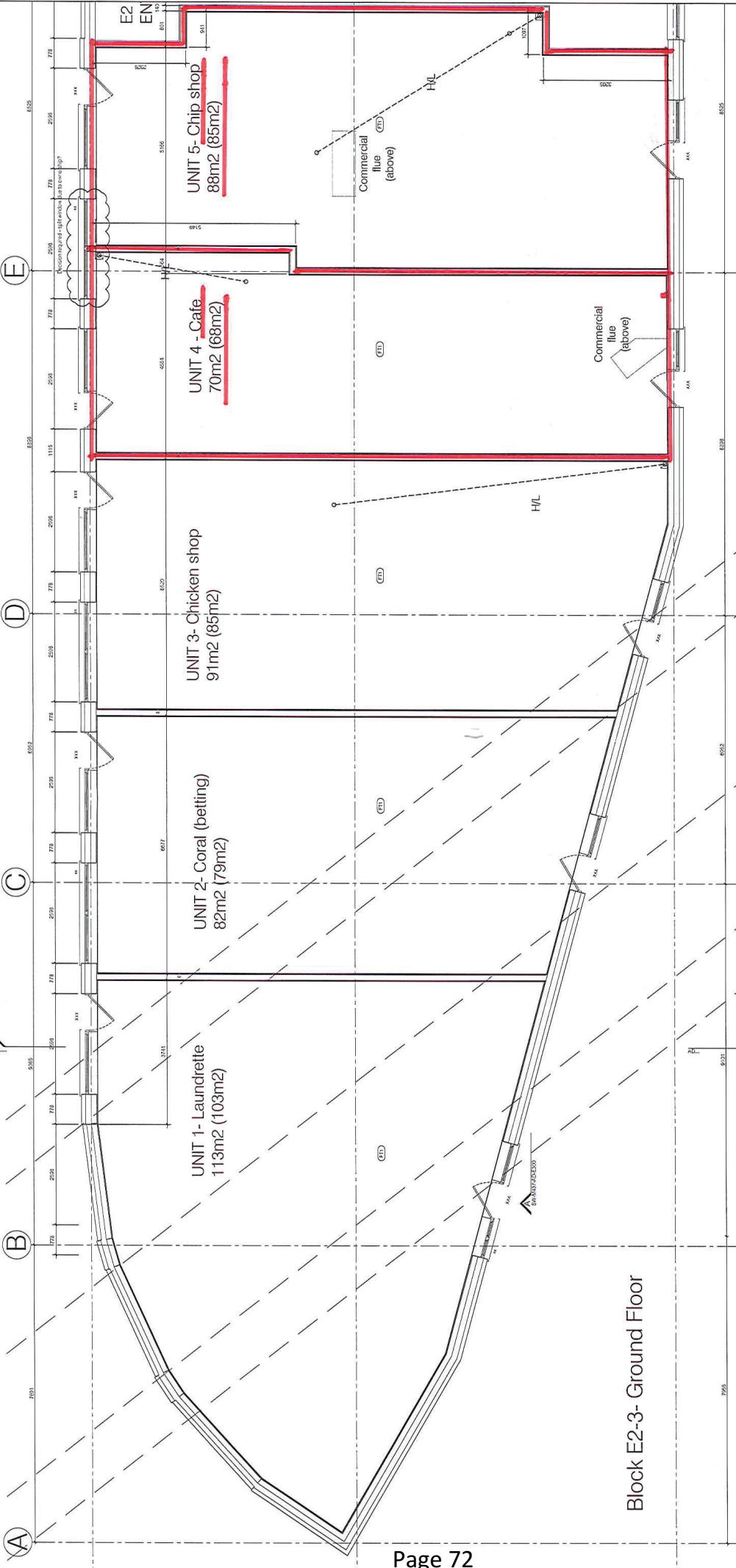
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 All works shall be done in accordance with the current Building Regulations and all other relevant laws and regulations.
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 PVE Architects



STAGE D+
 Pollard Thomas Edwards
 101 L(00)_100
 14-101 PV AB2 1.500@A1 22.10.15
 General Arrangement
 7

Architectural Notes:

- 1. This drawing is the design of the building and is not to be used for any other purpose.
- 2. The client is responsible for obtaining all necessary planning and building regulations approval.
- 3. The client is responsible for obtaining all necessary planning and building regulations approval.
- 4. The client is responsible for obtaining all necessary planning and building regulations approval.
- 5. The client is responsible for obtaining all necessary planning and building regulations approval.
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- 9. The client is responsible for obtaining all necessary planning and building regulations approval.
- 10. The client is responsible for obtaining all necessary planning and building regulations approval.



Work in progress issue for purpose of client approval of commercial layout.

TENDER
MULLALEY
 SPECIAL WORKS
 SPECIAL WORKS
 SPECIAL WORKS

DATE	NO	BY	CHKD



DATE	NO	BY	CHKD

Date: 10.02.17 Client: Watford Community Housing Trust
 Drawn: FT Project: Central Meriden Estate, Watford WD25 9UJ
 Check: FT Title: Block E2_3 - Shell & Core - Ground Floor 1
 Scale: 1:50 Dwg No. SW-M437-AD-SK026 Revision: -

UWA Calculation Ground Floor
 873 - 112.63m²
 874 - 112.63m²
 875 - 112.63m²

architecture
 Mulalley Ltd
 Teresa Gavin House, Woodford Avenue, Essex, IG8 8FA
 Tel: 020 8551 9999

Architectural Notes

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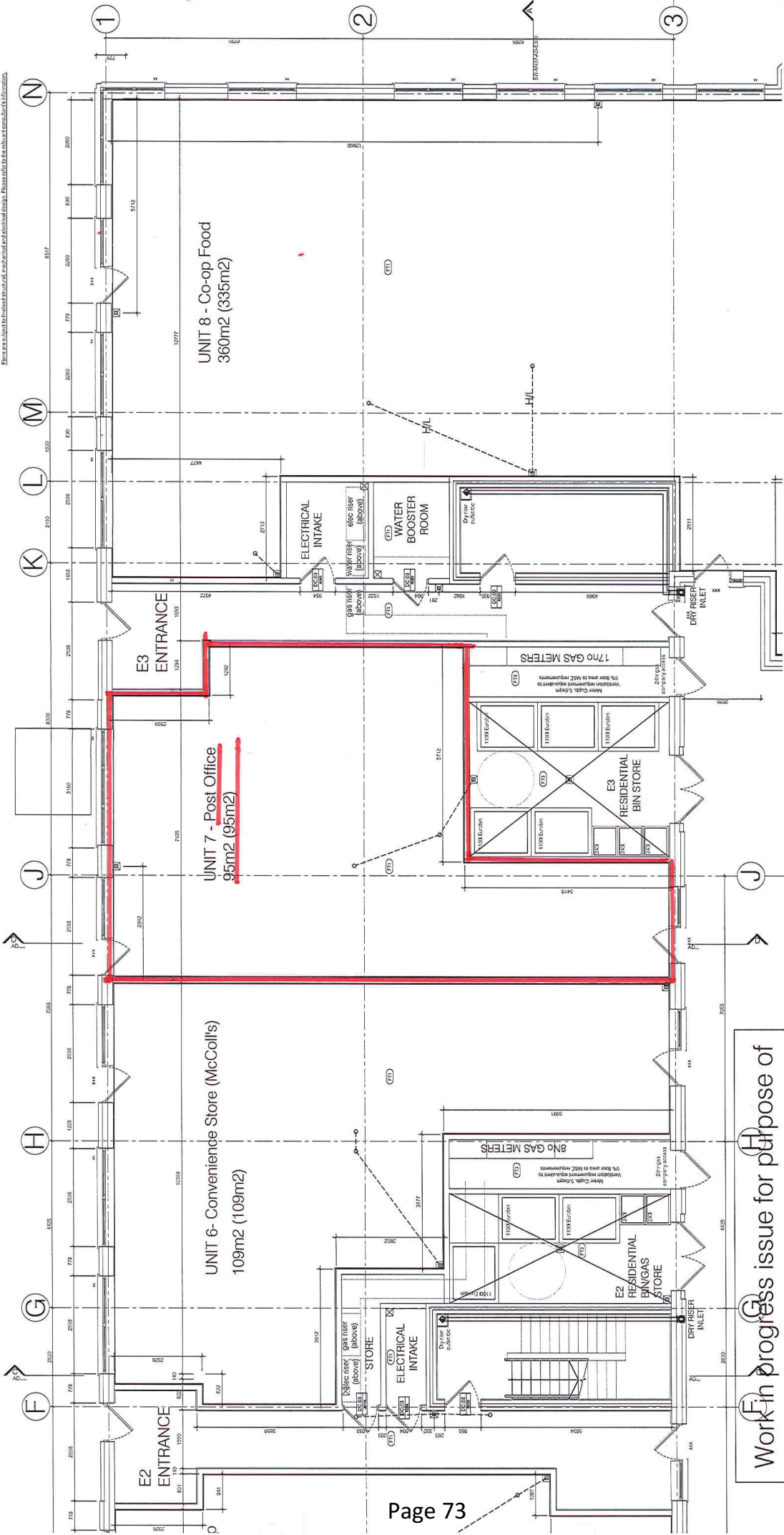
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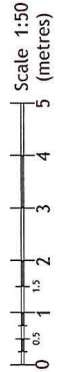
TENDER

MULALLEY

SPECIAL WORKS

REQUIREMENTS INFORMATION SHEET

NAME	DATE
A - PROJECT MANAGER	DATE
B - PROJECT COORDINATOR	DATE
C - PROJECT SUPERVISOR	DATE



Block E2-3- Ground Floor

Work in progress issue for purpose of client approval of commercial layout.

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

1.0 SITE AND SURROUNDINGS

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

1.2 Bungalows and open space at The Turnstones

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

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

1.4 Shopping parade and Alterstart garage

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

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

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

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

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

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

2.0 PROPOSED DEVELOPMENT

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

2.2 Bungalows and open space at The Turnstones

Demolition of the existing 10 bungalows.

Erection of the following:

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

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

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

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

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

2.3 Shopping parade and Alterstart garage

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

Erection of the following:

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

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

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

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

Erection of the following:

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

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

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

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

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

Erection of the following:

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

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

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

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

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

Demolition

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

Proposed

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

Net changes

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

3.0 RELEVANT PLANNING HISTORY

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

4.0 PLANNING POLICIES

Development plan

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

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

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

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

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

4.4 **Watford District Plan 2000**

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

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

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

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

4.6 Hertfordshire Minerals Local Plan Review 2002-2016

No relevant policies.

4.7 Supplementary Planning Documents

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

4.8 *Residential Design Guide*

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

4.9 *Watford Character of Area Study*

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

4.10 *SPG10 Open Space Provision*

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

4.11 **National Planning Policy Framework**

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

Achieving sustainable development

The presumption in favour of sustainable development

Core planning principles

Section 1 Building a strong, competitive economy

Section 4 Promoting sustainable transport

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design
Section 8 Promoting healthy communities
Section 10 Meeting the challenge of climate change, flooding and coastal change
Decision taking

5.0 CONSULTATIONS

5.1 Neighbour consultations

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

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

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

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

Number of representations: 90

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

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

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

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

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

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

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

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

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

5.3 Statutory publicity

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

5.4 Technical consultations

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

Environment Agency

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

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

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

1) A preliminary risk assessment which has identified:

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

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

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

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

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

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

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

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

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

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

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

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

Reasons for conditions 1-6:

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

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

Thames Water

Waste Comments:

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

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

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

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

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

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

Supplementary Comments:

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

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

Hertfordshire County Council (Highway Authority)

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

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

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

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

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

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

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

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

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

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

Impact on the local highway network and transport infrastructure and services

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

Trip generation and distribution

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Hertfordshire County Council (Waste and Minerals)

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

Hertfordshire County Council (Development Services)

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

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

Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance. The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the need for hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

Hertfordshire County Council (Lead Local Flood Authority)

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

I can confirm that following a letter from Conisbee Engineers received on the 10 September and drawing C103 carried out by Conisbee Engineers, we are now in a position to remove our objection on flood risk grounds. We would like to

acknowledge that the proposed drainage scheme will provide a betterment in relation to flood risk and water quality by reducing the discharge rates from the site and the implementation of various SuDS features. We therefore recommend the following condition to the LPA should planning permission be granted:

Condition:

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment carried out by Conisbee Engineers dated 24 August 2015, Revision 1.2 reference 150340/TG, drawing C103 and response letter to the LLFA received on the 10 September and the following mitigation measures detailed within the FRA:

- i) Limiting the surface water run-off generated by the 1 in 100 year + 30% for climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
- ii) Restricting the surface water run-off rates to each discharge point into the existing sewer network in accordance with Table 6.1 within the FRA.
- iii) Implement a range of SuDS measures in accordance with the FRA including permeable paving, swales, rain gardens and tanks.

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

Hertfordshire County Council (Ecology)

Thank you for consulting Herts Ecology on the above, for which we have the following comments:

1. We have no ecological information on the proposals site, although there would be some local interest at the site level associated with in the trees and open

grassland present within the site. Apart from the smaller verges, the two larger Public Open Spaces provide a significant element to the middle of the site.

2. These spaces are considered poorly defined; in as much as there is no fencing or signage, this is true, but the contrast between the built environment and open grassland and trees would appear rather emphatic to me.

3 They are described (dismissed) as '*essentially left over spaces between the roads and houses, without lighting, benches or planting*'. Whilst this may be true, their environmental functionality serves to provide what we would now consider to be Green Infrastructure – and without formal structures, contributes a semblance of environmental character and potential to the local area, even though they appear as typical amenity spaces at present. Sometimes, such resources don't need to be planned.

4. The spaces '*could be rationalised and designed to be better utilised as public open spaces by local people*'. This may be true; but public and environmental enhancements are eminently possible *now* without reducing the extent of the resource, and may involve simply a change in mowing regime and perhaps some reseeded to improve habitat and amenity value and interest. Such an approach rather contrasts with the proposals which will reduce this resource.

5. Whilst the proposed Village Green approach is welcomed, the development will significantly reduce the existing open space in this location. Furthermore, although the secure garden will be new, the open area at York Way / Meriden Way will be lost. Whilst I acknowledge its location and function will create a clear central focus, the claims suggested for biodiversity and edible gardening lack credibility at this stage, at least without any further details. The area will be further impacted by the proposed play area (LEAP) and associated infrastructure along its eastern edge, leaving the *actual* open Village Green perhaps only a third of the size of the existing open grassland area. The associated planting will be formal which may also reduce the beneficial impact of the proposed habitats, which could otherwise have an

informal character. This can only serve to compromise the wider environmental benefits of the redesigned area.

6. The walled garden provides a good opportunity for engagement with food growing; however I trust the fruit trees will not be the varieties modelled in the D&A Statement... Opportunities for a similar approach to providing edible plants could also be considered elsewhere if appropriate.

7. In relation to landscape ecology, the relative isolation of this area, lack of obvious green corridors and reduction in open space is likely to reduce opportunities for wildlife such as birds, bats and bugs by removing habitat. The value of the new open space areas will therefore be dependent upon significant habitat enhancements that will be needed in order to achieve genuine benefit.

8. Whilst providing artificial nesting opportunities for wildlife, without suitable habitats the ability of wildlife to thrive in any given area will be limited. In this respect I acknowledge the potential new contribution of green roofs as suggested, and the need for suitable planting regimes to benefit pollinators.

9. The nearest main ecological resources are associated with the M1 road corridor to the east the open spaces of Meriden Park to the south and the adjacent railway corridor to the west. Consequently any opportunity to enhance links with these areas should be sought. Retention of existing mature trees is important to provide locally significant habitat, stepping stones and ecological continuity.

10. Water retention through SUDS and associated planting regimes will be beneficial. Additional hedging should be with locally native species to increase pollination, feeding resources and local corridors.

11. Management of grassed areas can be critical to enhancing ecology, although areas of longer grass are often considered to be unsightly by residents. In this respect the character and purpose of the local landscaping needs to be properly considered and promoted from the outset.

12. I am not aware of any other ecological issues associated with these proposals for which I have any significant concerns. However, if existing Green Infrastructure is to be considerably reduced, any ecological compensation *and* enhancement consistent with NPPF will need to be carefully detailed within an application to demonstrate how this is going to be achieved both in respect of capital works and subsequent management.

Crime Prevention Design Advisor

Comments:

1. Rear Parking area behind Care Home: I am pleased to see that this is shown as being gated with access control, and the DAS on page 62 confirms this.

2. Rear parking area behind new shops south side of Market Square:

I am not sure if this area was to be gated or not, with access control to protect residential parking? A line is shown on plans, but no detail.

3. Rear parking area behind bungalows, terraced housing and link detached homes off Turnstones:

a) Can I confirm this is secured and gated with electrically operated access controlled gates? The DAS says it is on page 42 & 62 and about this area being secured, but the plans do not appear to show this? If planning permission is granted is as per the plans?

b) Because of the rear parking, residents who have allocated parking in this area will be using a rear garden gate to access their vehicle in the rear parking court area. A padbolt fitted to the inside of the gate is not suitable to lock the gate from either side. I would suggest something similar to a Cays Lock, so the rear gate can be locked and unlocked from either side. Reason is that most domestic burglaries occur from the rear.

4. Shops:

I am pleased there will be no colonnade for youths to gather under outside the shops? Looking at the elevation plans, it is unclear if the design will create informal seating by creating a ledge on the outside lower part of the shop windows. If such a ledge is created, this could be sloped to deter youths informally sitting on this.

5. Public Art in Market Square:

Page 58 of the DAS shows a fountain in the Market Square. Public Art, when a water feature can be problematic, and have these problems been allowed for? Such problems are: youths putting washing up liquid in the water to make it bubble, or in high wind, water spray wetting walk areas and roadways and making them slippery.

6. Secured by Design part 2 physical security:

To alleviate any concerns regarding security for the proposed dwelling and care home development, I would look for the development to be built to the physical security of Secured by Design part 2, which is the police approved minimum security standard. This would involve:

- a) All exterior doors to have been tested to BS PAS 24:2012 or STS 202 BR2
- b) All individual flat front entrance doors to BS Pas 24:2012 (internal specification).
- c) Ground level (easily accessible) exterior windows to BS Pas 24:2012. All glazing in the exterior doors, and ground floor (easily accessible) windows next to doors to include laminated glass as one of the panes of glass.
- d) Access control for flats should be to the SBD standard (ie: 4 to 10, audible – more than 10 flats there should also be audible and visual access control) at the pedestrian entrances to the block. Such access control must NOT have a Tradesman's Button fitted as this assists offenders to gain entry during the day to break into the flats.

These standards are entry level security and meet the Secured by Design part 2 physical security standard. Building to the physical security of Secured by Design, which is the police approved minimum security standard, will reduce the potential

for burglary by 50% to 75%. I would encourage the applicants to seek Secured by Design certification to this standard when it is built.

Planning Policy

Have no objections to the proposed development.

Environmental Health

No comments received.

Housing

No comments received.

Arboricultural Officer

Whilst a significant number of trees are shown to be removed there is significant replacement planting proposed. However regarding the latter I do have some concerns regarding the locations and space available in some areas based on the indicative masterplan (Outerspace drawing L-100). One difference between the Arboricultural reports and the submitted plan is that an Oak T14 is now retained which will have a positive effect upon the street scene. This apart providing all the tree protection measures as shown on the draft tree protection plan (C11962-04-01) are adhered to the losses should be restricted to those indicated. Standard landscaping and tree protection detail conditions should be attached to any consent granted.

6.0 APPRAISAL

6.1 Main issues

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

- (a) The principle of redevelopment
- (b) Housing provision
- (c) Impact on the character and appearance of the area
- (d) Quality of accommodation for future residents

- (e) Impact on the amenities of existing residents
- (f) Traffic impacts and servicing
- (g) Car and cycle parking provision
- (h) Retail and employment implications
- (i) Sustainability and flood risk
- (j) Open space and landscaping

6.2 (a) The principle of redevelopment

The Meriden estate exhibits a number of features typical of housing estates of its era, including high rise tower blocks (Abbey View and Munden View) and low rise, low density housing set within areas of open space. Although this gives the estate a relatively spacious and 'green' feel, the open spaces are generally underused grassed areas and wide verges that serve little other purpose. The main area of open space serving the estate lies along the southern boundary of the estate where the community centre, inclusive children's play area and Sports Legacy Zone are located. Consequently, the open spaces within the estate have no other facilities and are generally of relatively poor quality, comprising mown grass and scattered trees.

The application site is physically, socially and economically at the heart of the estate. It provides a well used local shopping parade, a local pub, a community room and bus stops providing good services to the town centre. However, in terms of urban design it is very poor. The most prominent corner within the estate is occupied by the Alterstart garage and van hire business. The shopping parade is set back from the road with car parking in front of it and is looking tired and of its age. The community room is sited behind the garage. The key road junction is dominated by two areas of open space which are little used. Arrival at the centre of the estate is underwhelming and disappointing when it should be vibrant and exciting. The applicant has identified opportunities to make better use of the land available in this important location.

The applicant's vision for this area is to transform and improve it to create a new, vibrant, high quality centre for the estate with modern shops, new high quality

housing for all ages and high quality open spaces in the form of a 'village green' and market square. The new buildings will provide good street enclosure with active frontages and passive surveillance of the public realm. The roads and junctions will be re-paved to provide a better environment for pedestrians and cyclists. Overall, the proposal will create the scale, form and activity expected for the centre of the estate as well as providing significant new housing for all ages.

6.3 (b) Housing provision

The proposal will provide a total of 133 new, high quality dwellings with a net increase of 112 dwellings, as set out in paragraph 2.6 above. These will include one and two bedroom flats and two and three bedroom houses for general needs, one bedroom bungalows for the elderly and a significant new 'Extra care' facility for the elderly comprising 50 flats and bungalows. This will enhance the range and quality of accommodation on the estate and help meet a range of differing housing needs for all sectors of the community, in accordance with Policy HS2 of the Core Strategy.

Saved Policy H16 of the Watford District Local Plan 2000 seeks to ensure development does not result in the loss of affordable housing. In this case, 21 existing dwellings will be lost. Policy HS3 of the Core Strategy seeks a provision of 35% affordable dwellings in all new development of 10 or more dwellings. Based on the provision of 133 dwellings, this equates to 47 units. However, it is the applicant's intention, as a registered housing provider, to provide at least 89 dwellings (67%) as affordable housing with an aspiration, based upon the final viability of the scheme, to provide all of the dwellings as affordable housing. The proposal will therefore provide a net increase of 68-112 affordable dwellings, which complies with Policy H16 and significantly exceeds the requirements of Policy HS3.

Policy HS3 also sets out the desired tenure split for new affordable housing as 20% social rented, 65% affordable rented and 15% intermediate/shared ownership. The minimum requirement would therefore be 9 social rented, 31 affordable rented and 7 intermediate/shared ownership. The applicants proposed tenure split is to provide 9 social rented dwellings and 80 affordable rented dwellings. The remaining 44

dwellings will be provided as either affordable rent, shared ownership or market rent. The applicant's aspiration is that all these 44 dwellings be provided as affordable rent.

All existing tenants have been consulted by the applicant who is working with them to ensure that those who wish to relocate to one of the new dwellings or elsewhere on the estate has the opportunity to do so. The construction programme is to be phased to ensure that, wherever possible, tenants will be able to move from their existing dwelling to a new dwelling in a single move without the need to go into temporary accommodation.

6.4 (c) Impact on the character and appearance of the area

The Meriden estate comprises a range of dwelling types including single storey bungalows, two storey houses, 4 storey blocks of flats and the two 17 storey tower blocks. With the exception of the tower blocks, the proposal incorporates these different building typologies. Within and surrounding the application site there is a juxtaposition of bungalows, 2 storey houses and 4 storey blocks of flats that characterise the central part of the estate. The siting of the 4 storey blocks helps to acknowledge the importance of this central area within the estate where higher density development, close to the shopping parade and bus stops would be expected. The proposal builds on this existing character to create a higher density heart to the estate. It is also appropriate that the new 'Extra care' accommodation is located adjacent to the new shopping parade and bus stops.

The different heights of the buildings have been used following good urban design principles, to define the new areas of public space, act as 'gateways' to the central area and act as end points to longer views. In this way, the central area becomes much more clearly defined and has a sense of 'arrival' rather than 'passing through' as with the existing layout. The new public realm is clearly defined by Block E2/E3 on York Way to the south, Blocks D/E1 on The Gossamers framing the market square to the west and Block B framing the open space to the east. Views along all the approach roads are terminated by the new buildings which also act as gateway buildings on York Way from the west (Block E1) and east (Block E2), Meriden Way

from the south (Blocks E2/E3) and The Gossamers from the north (Block D).

The design and appearance of the new buildings does not seek to copy or reflect the existing buildings which are varied in appearance and not of any particular architectural or aesthetic merit. The design approach is contemporary and simple and is described by the architects as 'a family of masonry gabled typologies' with the key 4 storey buildings incorporating green, flat roofs to highlight their importance within the urban form. The variation in scale, window openings, balconies and roof forms avoids a bland and monolithic appearance and creates interest and variation in a simple and uncluttered way.

The principal materials to be used are two types of buff coloured facing brick, fibre cement roof tiles, aluminium windows, timber composite doors, timber cladding and limited use of metal cladding. This limited palette of materials will help to integrate the buildings as a coherent development, complimenting each other rather than competing against each other.

Although the design and appearance of the new buildings will differ from the existing buildings on the estate, those defining the new central area will be seen and read as a coherent group forming a new coherent centre to the estate and adding a vibrancy and focus to the area. The proposal will deliver the scale and form of development one would expect to see in the centre of the estate whilst using a complimentary suite of building typologies and high quality materials that will compliment the existing development. Along the western part of York Way, Blocks F1, F2 and G will form a new building line and active frontage where currently blank end walls to the existing flats and small groups of garages provide a very poor streetscape.

Overall, the proposal is considered to significantly enhance the character and appearance of this area and fully accords with Policy UD1 of the Core Strategy, which seeks high quality design that respects and enhances the character and appearance of the surrounding area.

6.6 (d) Quality of accommodation for future residents

The Residential Design Guide sets out the minimum standards the Council will expect for new residential development and guidelines for the assessment of privacy, outlook and natural light to ensure future residents experience a high level of amenity. All of the proposed flats, bungalows and houses within the scheme will meet or exceed the minimum floorarea standards in the RDG and have good internal layouts. This is acceptable. With regard to privacy, outlook, natural light and amenity space, each block will be considered separately.

1) Block A

Each of the bungalows will be dual aspect, facing York Way to the front and a private garden area to the rear. The front elevations will be set back 2m from the edge of the highway behind small front gardens, which will ensure acceptable privacy for a front elevation. The rear elevations and gardens will generally have acceptable levels of privacy. The only direct overlooking will occur to the garden area of the western most bungalow which will be overlooked by the rear bedroom window of the adjacent house in Block B. This can be mitigated sufficiently by increasing the side boundary fence to the garden area from 2m to 2.5m. All of the bungalows will have good outlook and levels of natural light to the front and rear. Each bungalow will have a private garden area of 40m², which is below the minimum requirement of 50m² for a one bedroom dwelling in the RDG.

2) Block B

Each house will be dual aspect, facing the 'village green' open space to the front and a private garden area to the rear. All of the houses will have good levels of privacy, outlook and natural light. Each house will have a private garden area of 52m², which is below the minimum requirement of 65m² for a 3 bedroom dwelling in the RDG.

3) Block C1

This house has a dual aspect, facing The Turnstones to the front and a private garden area to the rear. The front elevation will be set back 1.5m from the highway with a kitchen window overlooking the public realm. This will ensure an acceptable

level of privacy. The rear garden area will experience direct overlooking from the first floor bedroom window of the adjacent house in Block B. This can be mitigated sufficiently by increasing the side boundary fence to the garden area from 2m to 2.5m. The house will have good outlook and levels of natural light to the front and rear. The house will have a garden area of 40m², which is below the minimum requirement of 50m² for a 2 bedroom dwelling.

4) Block C2

Each of the houses is dual aspect, facing The Turnstones to the front and a private garden area to the rear. The front elevations are set back 5m from the edge of the highway behind a front garden area and parking space. This will ensure good levels of privacy to the front. The rear elevations and garden areas are not overlooked. All of the houses will have good outlook and levels of natural light to the front and rear. Each house will have a private garden area of 50m², which is below the minimum requirement of 65m² for a 3 bedroom dwelling in the RDG.

All the case of all of the dwellings in Blocks A, B, C1 and C2, the garden areas are below the minimum requirement set out in the RDG. However, given that all of the dwellings exceed the minimum internal floorarea requirements, all have good levels of amenity, and adequate car parking is being provided (see paragraph 6.9), it is considered that the shortfalls in garden sizes are not sufficient to merit a refusal of the scheme.

5) Block D

This block comprises the 50 'Extra care' units. The main building contains 47 flats the majority of which are single aspect, facing either The Gossamers (15 flats) or the internal courtyard garden (24 flats). Seven of the flats on the upper floors will overlook the new market square and one the dining garden area. Also included are 3 bungalows which are dual aspect but with the main living rooms and bedrooms facing the courtyard garden. The ground floor flats facing The Gossamers will be set back 5m from the edge of the highway behind a landscaped linear garden, ensuring good levels of privacy. All of the proposed flats and bungalows will have good levels of privacy, outlook and natural light.

The residents will have access to two private garden areas, the internal courtyard garden and a smaller dining garden adjoining the communal lounge and dining area. Both of these garden areas will be landscaped to a high quality and will be laid out with paths, seating, raised beds and other features suitable for the intended residents.

6) Block E1

All of the flats on the upper floors will be either single or dual aspect and all will have their principle outlook over the market square. All will have good levels of privacy, outlook and natural light. These flats will have no private communal amenity area, although this is not unusual for flats above commercial premises, but each will have a small private balcony.

7) Blocks E2 and E3

All of the flats on the upper floors will be either single or dual aspect and all will have their principle outlook either over York Way towards the market square or over the rear parking court.. All will have good levels of privacy, outlook and natural light. These flats will have no private communal amenity area, although this is not unusual for flats above commercial premises, but each will have a small private balcony. In some cases, privacy screens will be required to the projecting balconies in order to maintain the privacy of these. These have been included by the applicant and are acceptable.

8) Block F1

These flats will have dual aspect with 5 of the flats having their principle aspect overlooking York Way. All of these flats will have good outlook, privacy and natural light. The remaining 3 flats will have their principle aspect facing between the existing 4 storey blocks of Coldharbour House and Foxtree House towards the existing play areas. Their outlook and natural light will consequently be more compromised, particularly to the single, second bedroom. These flats will have acceptable levels of privacy. These flats will have no communal amenity space. Overall, it is considered these flats will still provide acceptable levels of amenity and

would not merit a refusal of the scheme.

9) Block F2

These flats will have dual aspect with 5 of the flats having their principle aspect overlooking York Way. All of these flats will have good outlook, privacy and natural light. The remaining 3 flats will have their principle aspect facing through the space between the existing 4 storey blocks of Foxtree House and Maple Court, towards the existing courtyard car park. These flats have been redesigned to improve their privacy, outlook and natural light in relation to the existing Foxtree House and are acceptable. These flats will have no communal amenity space.

10) Block G

The flats in the 3 storey block will be dual or triple aspect, overlooking York Way, Garsmouth Way and the visitors parking area at the front of Abbey View. The front elevation to York Way is set back 3.5m from the public footway behind a front garden area. They will all have good levels of outlook, privacy and natural light. The 2 storey houses are also dual aspect at ground floor but single aspect at first floor, with their front elevation facing York Way. As with the flats, they are set back 3.5m from the public footpath. Although the rear elevation and garden areas are overlooked by the flats in Abbey View, any loss of privacy is mitigated through the nature of the windows in Abbey View (to kitchens only), the siting of only landing and bathroom windows at first floor level in the houses, and boundary fencing to the garden areas. Each will have a private garden area of 30m², which is less than the minimum requirement of 50m² in the RDG. Overall, these houses will have acceptable levels of outlook, privacy and natural light.

6.7 (e) Impact on the amenities of existing residents

The Residential Design Guide also sets out guidelines for the assessment of the potential impact of new development on the amenities currently enjoyed by existing residential occupiers.

1) Blocks A, B, C1 and C2

This part of the site comprises the existing bungalows and open space at The

Turnstones. The northern part of The Turnstones is dominated by the 4 storey block of Teal House. The eastern side of The Turnstones and the southern side of York Way by 2 storey houses. The new bungalows in Block A will face the 2 storey houses across York Way at a distance of 19m and the 2 storey houses in Block C2 will face the houses across The Turnstones at a distance of 20m. These are perfectly normal and acceptable facing distances within an urban environment and will result in no adverse impacts on the amenities of the existing dwellings and their occupiers.

The house in Block C1 and the flank elevation of the northernmost house in Block B will face the existing Teal House across The Turnstones at a distance of 19m. Again, this relationship will have no adverse impact on the amenities of Teal House.

2) Blocks D and E1

These multi-storey blocks of 2-4 storeys will replace the existing 3 storey parade of shops and single storey Alterstart garage. The eastern wing of Block D faces the end elevation of Teal House and the front elevation of Pinetree House (also 4 storeys) across The Gossamers (at a minimum distance of 50m). There is a significant treed and landscaped area to the front of Pinetree House including a residents parking area. Block D will have no adverse impacts on the amenities of these blocks.

To the north of Block D is the Badger public house and 2 storey houses in Bowmans Green. The 3 storey flank elevation of the eastern wing of Block D will face the flank elevation of the Badger public house at a distance of 11-18m. This relationship will have no adverse impact on the public house. The houses in Bowmans Green have 20m deep gardens and their rear elevations will be sited approximately 36m from the single storey bungalows in Block D and the 2 storey flank elevation of the western wing. Block D will, therefore, have no adverse impact on these houses.

To the west of Block D are 2 storey houses in Bowmans Green. These houses

have 19m deep gardens and their rear elevations are sited 29-42m from the 2 storey western wing of Block D. As such, Block D will have no adverse impacts on the amenities of these houses.

Block E1 is part 3 storey, part 4 storey. The 3 storey element faces towards the rear garden area of the house at 154, York Way and is sited parallel to this property. The distance between Block E1 and the side garden boundary of no.154 is 25m. This distance is sufficient to ensure no adverse overlooking or loss of privacy to this property.

3) Blocks E2 and E3

These blocks, which read as a single building, are located on the open space between Coldharbour House and York Way. This block varies in height from single storey at its western end (under the high voltage electricity cables), stepping up to 3 storeys and finally to 4 storeys at its eastern corner facing the junction of Meriden Way and York Way. The southern wing then steps back down to 3 storeys. The single storey element is sited between 18-25m from the eastern elevation of Coldharbour House and will have no adverse impact on the amenities of these flats. The 3 storey element is located a minimum of 30m from Coldharbour House and exceeds the minimum guideline distance of 27.5m in the RDG. This is sufficient to ensure the block will have no adverse impact on the amenities of the flats in Coldharbour House.

The 3 storey element forming the southern wing (Block E3) is sited immediately to the north of and in front of the single storey bungalow at 10 Meriden Way. The western corner of this wing closest to the bungalow is cut back at first and second floor level to provide balconies to the flats. The bungalow is dual aspect with a wide frontage (10.5m) and a narrow depth (4.5m) with a large private garden to the rear. The scale and siting of Block E3 will result in some loss of outlook and natural light to the front of this bungalow, however, this room will have a dual aspect to the rear as well which will help to mitigate this impact. As Block E3 is sited to the north, it will have no impact on direct sunlight. The proposed balconies at the western corner of the building will give rise to overlooking and a loss of privacy to the front

windows of the bungalow. This can be adequately mitigated by the installation of privacy screens, which have been included in the scheme. This is acceptable.

4) Blocks F1, F2 and G

Block F1 is sited between the flank elevations of the existing 4 storey blocks of Coldharbour House and Foxtree House. The flats in these blocks are all dual aspect. Its projection beyond the rear elevation of Coldharbour House will result in some limited loss of outlook and natural light to the rear windows of the flats at the western end of the block, but this impact is not considered significant. Block F1 will also have a limited projection beyond the rear elevation of Foxtree House, but this will have no significant adverse impact.

Block F2 is sited adjoining the flank elevation of the 4 storey block Maple Court and partially in front of the rear elevation of Foxtree House. The flats in these blocks are also dual aspect. Block F2 will have no adverse impacts on the flats in Maple Court. In the case of Foxtree House, the Block F2 has the potential to give rise to a more significant loss of outlook, privacy and natural light to the rear facing windows. In order to mitigate this, Block F2 has been redesigned to increase the distance with Foxtree Court to a maximum of 17m and 13m at its closest point. The spacing between the existing blocks, albeit they are off-set against each other, is 19m. The main windows in the rear flats in Block F2 have also been redesigned to mitigate overlooking of Foxtree House.

The British Research Establishment's (BRE) guide 'Site Layout Planning for Daylight and Sunlight', gives rules of thumb for assessing the potential impact of new development on natural light to existing properties. The 25° rule for assessing the impact on daylight can be applied to the windows in Foxtree House. This rule also provides a useful guide to the impact on outlook although this is not its intended purpose. When considering the main element of Block F2 sited 17m from Foxtree House, the block does not breach a 25° line in the vertical plane taken from any of the ground floor windows in Foxtree House. This indicates that there will be no significant loss of natural light to these windows or those on the upper floors. Where the block is at its closest point of 13m the 25° line will be breached for the

ground floor windows only, indicating that some loss of daylight will occur. However, as this part of the block is only 4.5m wide, the loss of light will not be significant. The upper floor windows will comply. On this assessment, there will be no significant loss of light to the flats in Foxtree House. Furthermore, given this situation and the fact that all of the flats in Foxtree Court are dual aspect, it is considered that there will also be no significant loss of outlook to these flats.

In respect of privacy, the main living room window is sited on the corner of the block facing in between the existing buildings towards the courtyard parking area, thereby minimising any opportunity for overlooking. The main bedroom window faces York Way.

Block G is sited on the wide grass verge between the 17 storey tower block Abbey View and York Way, adjacent to the northern end elevation of the block. The 3 storey flats at the eastern end will overlook the front parking area of Abbey View and will have no adverse impact on the flats in the block. The 2 storey houses at the western end have their rear elevations facing Abbey View but have only ground floor windows. The nearest windows in Abbey View are to kitchens only. As such, Block G will have no adverse impacts on the flats in Abbey View.

6.8 (f) Traffic impacts and servicing

A full transport assessment has been submitted with the application. This has been informed by the following surveys:

- Traffic surveys carried out using automatic traffic counters placed on 5 roads (Meriden Way, York Way, The Gossamers, Phillipers and Westlea Avenue). These were in place from 20th April to 3rd May 2015.
- Queuing surveys undertaken with video cameras at the junction of Meriden Way and Westlea Avenue and at the Garston Lane railway bridge. These were undertaken on Tuesday 28th April 2015.
- A survey to identify 'rat-running' through the estate utilising automatic number plate recognition cameras. These cameras were placed at the junction of Westlea Avenue and the A41 at the southern entrance to the

estate and at the junction of Garston Lane with the A412 at the northern entrance to the estate on 28th April 2015.

1) Traffic generation

The traffic surveys show that the highest vehicle flows are on Meriden Way and The Gossamers, as would be expected, being the main north-south roads through the estate. These figures also show a ‘tidal flow’ of traffic related to the morning and evening peak periods.

The Gossamers	Average weekly traffic flow		
	North bound	South bound	Total
0000-2400	4272	3686	7958
0800-0900	243	516	760
1700-1800	515	242	758
Meriden Way			
0000-2400	4996	3577	8573
0800-0900	215	209	424
1700-1800	595	239	833

The predicted traffic flows for the proposed development have also been calculated based upon the net increase in residential dwellings and the loss of the Alterstart garage (predicted to generate 28 vehicle movements per day). This gives a predicted increase of 258 vehicle trips with 23 in the morning peak and 24 in the evening peak. These increases are all considered to be low having regard to the existing traffic flows on The Gossamers and Meriden Way and, consequently, are not considered to have any significant impact on the local highway network.

The Gossamers	Predicted Trip Generation		
	Existing Totals	Net change	% increase
0000-2400	7958	258	3.2
0800-0900	760	23	3.0
1700-1800	758	26	3.4
Meriden Way			
0000-2400	8573	258	3.0
0800-0900	424	23	5.4
1700-1800	833	26	3.1

2) Queuing surveys

The queue data show maximum queue lengths at the Meriden Way/Westlea Avenue junction of 11-13 vehicles between 0715-0800 and 10 vehicles at 0845-0900. Queues are much lower in the evening peak. At the Garston Lane railway bridge, the maximum queue eastbound is 12-13 vehicles between 0830-0900 and 22 vehicles westbound between 1600-1615. In the evening period (1600-1900), queue lengths generally are between 10-16 vehicles.

When the predicted peak period traffic increases are distributed between these two junctions, based upon the 'tidal flow' of vehicles through the estate, the increase in vehicles at these junctions varies between 3-9 vehicles per hour, or one vehicle every 7-20 minutes. This level of additional vehicles using these junctions is not considered to have a significant impact on the existing queue lengths.

3) Rat-running

The level of rat-running through the estate was established by defining a 'rat-running' trip through the estate as a vehicle passing through both the Westlea Avenue/A41 junction and the Garston Lane/St Albans Road junction within a period of 15 minutes. This survey established that rat-running occurs through the estate throughout the day with the highest number of vehicles being 38-40% northbound in the morning peak (0700-0900), 47-48% northbound in the evening peak (1700-

1900) and 55-69% southbound in the morning peak (0700-0900).

The proposed development itself will not increase rat-running through the estate as, by definition, rat-running occurs from vehicles with their origin and destination outside the estate. The proposed environmental improvements around the Meriden Way/York Way/The Gossamers junction will help discourage some rat-running although this cannot be quantified.

6.9 (g) Car and cycle parking provision

Parking provision for the original estate was based around the provision of lock-up garages in small courts, larger open parking courts and on-street parking. In more recent years, the lock-up garages have proved to be under utilised due to the greater size of modern vehicles, especially family cars. Works to improve parking within the estate have included the demolition of garages to provide open parking courts and the provision of small on-street parking bays.

1) Car parking demand

In order to assess the current demand for car parking within the central part of the estate and ensure adequate provision within the proposed development to meet this existing demand and the predicted demand from the new dwellings, a series of parking surveys were undertaken on the estate. Although the surveys were originally intended to focus on the roads within and immediately adjoining the application site, following public consultation, the survey area was widened. Consequently, the survey area included 17 roads and extended from Harvest End in the west to Butterwick in the east, and from Westlea Avenue in the south to the central part of The Gossamers in the north.

The methodology used is the widely regarded and industry standard developed by the London Borough of Lambeth. This is the same methodology used by the applicant for other developments within the Borough, including Boundary Way and Lincoln Court. Within the survey area, both on-street and off-street parking capacity was calculated. The on-street capacity was calculated by counting end-on parking bays and assessing the parallel, kerbside space that could be legally and safely

used.

The results of the survey identified 533 safe and legal on-street spaces and 300 off-street spaces. In order to assess the current demand for parking spaces, a series of parking beat surveys were undertaken, two on a typical weekday at 5pm, 7pm, 9pm and 12 midnight and two on a typical Saturday at 10am, 12pm, 2pm and 4pm. These surveys were then used to calculate average figures for a typical weekday and Saturday. These are summarised in the table below:

Weekday average

Time	Kerbside Parking		
	Cars parked	Free spaces	% Stress
17.00	237	282	46%
19.00	282	238	54%
21.00	323	197	62%
00.00	334	185	64%

It can be seen from this table that the maximum demand was recorded at midnight, which is normally regarded as the time of maximum demand when most residents are likely to be at home. However, the parking stress figure of an average 64% is moderate and certainly not high, with 185 kerbside spaces on average available within the study area. Only 4 roads had a high parking stress of over 85% (Alma Place, Bowmans Green, Harvest End and The Meadows).

Weekday average

Time	Off-Street Parking		
	Cars parked	Free spaces	% Stress
17.00	176	114	61%
19.00	169	121	58%
21.00	169	120	58%
00.00	169	120	58%

This table shows that the maximum demand for off-street spaces was at 17.00

hours with the demand at other times, including midnight, only moderate at 58%. This left 120 off-street spaces on average available for use. Only Munden View and Foxtree House had a parking stress of over 85% (Munden View was at 100%).

Saturday average

Time	Kerbside Parking		
	Cars parked	Free spaces	% Stress
10.00	269	250	52%
12.00	265	255	51%
14.00	277	243	53%
16.00	300	219	58%

This table shows that average parking stress was moderate and did not exceed 58%, with an average of 219 kerbside spaces available. With the exception of Alma Place (which only has 5 on-street spaces) no other road exceeded 85% parking stress.

Saturday average

Time	Off-Street Parking		
	Cars parked	Free spaces	% Stress
10.00	165	127	57%
12.00	162	127	56%
14.00	168	124	58%
16.00	173	119	59%

This table shows that the demand for off-street spaces on a Saturday was very similar to that for kerbside parking, at an average of 59%. This left an average of 119 spaces available. The only areas to exceed a parking stress of 85% were the parking areas to the front and rear of the shopping parade. In the front (public) parking area, a maximum of 25 cars were parked where only 23 spaces exist, indicating a maximum demand slightly in excess (2 cars) of the number of spaces available.

2) Car parking provision - residential

The site is located within Parking Zone 4, as set out in the Watford District Plan 2000. The maximum standards for residential dwellings is as follows:

Dwelling size (bedrooms)	Maximum parking standard (spaces)
1 bedroom	1.25
2 bedrooms	1.5
3 bedrooms	2.25
4+ bedrooms	3
Retirement dwellings	1.0
Sheltered dwellings (with warden)	0.5

For non-residential development, the maximum standard is 75-100% of the maximum. Based upon the number and size of proposed dwellings and non-residential floorspace, the maximum parking provision for each block/area can be calculated.

Block	Maximum	Proposed			
		On-site	Court/bay	On-street	Total
A	9			9	9
B	20.25		10	9	19
C1	1.5		1		1
C2	13.5	6	3		9
Total	44.25	6	14	18	38

Block	Maximum	Proposed			
		On-site	Court/bay	On-street	Total
D	25	25			25
E1	12.25	12			12
Total	37.25	37			37

Block	Maximum	Proposed			
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		On-site	Court/bay	On-street	Total
E2 + E3	36.5	20	13		33
Coldharbour House	18 (existing demand)	18			18
Total	54.5	38	13		52

Block	Maximum	Proposed			
		On-site	Court/bay	On-street	Total
F1	11.25		7	3	10
F2	12		11	1	12
G	12		12		12
Foxtree House	16 (existing demand)	16			16
Total	51.25	16	30	4	50

Based on this analysis, the maximum number of new spaces required to serve the 133 new dwellings (excluding the existing demand for Coldharbour House and Foxtree Court) is 153.25 spaces. Within the application site, 142 spaces are provided either on-site, within parking courts or bays, or on-street. If the 'Extra care' flats are excluded (these are considered specialist accommodation and, in any event, have full dedicated on-site provision), the total number of general needs dwellings and retirement dwellings is 83 with a maximum provision of 128.25 spaces and an actual provision within the application site of 117 spaces (91.2%) for these dwellings.

In order to assess the adequacy of this provision, the parking survey also reviewed the existing car ownership within the Meriden Ward (Super Output Area Middle Layer) as a whole based on the 2011 Census data. The breakdown of actual car ownership is:

Car ownership	Count	%
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No cars in household	773	23.9
1 car in household	1396	43.2
2 cars in household	790	24.5
3 cars in household	187	5.8
4 or more cars in household	83	2.6

If the ward level breakdown is applied to the 83 general needs and retirement dwellings, the predicted car ownership is 99 cars.

Car ownership	%	83 dwellings	Total cars
0	23.9	20	0
1	43.2	36	36
2	24.5	20	40
3	5.8	5	15
4	2.6	2	8
Total	100	83	99

On the basis of this analysis, the provision of 117 spaces for the 83 general needs and retirement dwellings is considered an adequate and acceptable level of provision, being 91.2% of the maximum standard and an excess of 18 spaces over the predicted level of car ownership.

3) Loss of garages

The proposal will result in the loss of 27 lock-up garages on York Way from the sites of Blocks F1 and F2. These garages (as with others on the estate) are largely defunct for garaging cars due to their small size. Of the 27, 14 are vacant and 13 rented out. Of these, 1 is used for storage (Meriden Residents Association), 4 rented to residents within the immediate area of the application site, 2 rented to residents within the wider estate, 3 to residents not within the estate and 3 to persons of unknown address. On this basis, only 4 of the garages could potentially be being used for the garaging of cars of residents within the immediate area of the application site. These 4 cars would therefore be displaced onto the surrounding

roads. Given the low to moderate levels of parking stress observed on the roads within the application area (York Way has a stress of only 36%), these 4 additional cars will not have a significant effect on parking stress in the area.

4) Car parking provision – non-residential

The existing parade of shops has 18 marked bays in front of it for customer use. The maximum recorded number of cars in this car park from the parking surveys was 25. The proposed provision for the new shops comprises 20 spaces within the new 'market square', 5 spaces within a parking bay adjoining Block E1 (a net increase of 2 spaces), and 6 new spaces on Meriden Way adjacent to Block E3. This is a new provision of 28 spaces, which exceeds the existing provision (18 spaces) and the maximum recorded number of cars (25). This level of provision is considered acceptable.

5) Cycle parking provision

The Council's requirement for cycle parking is 1 secure cycle space per dwelling. Each of the bungalows and houses in Blocks A, B, C1, C2 and G will be provided with garden sheds in their garden areas sufficient for 1 or 2 cycles. The flats in Blocks E1, F1, F2 and G will have access to secure communal cycles stores within the blocks sufficient for 1 cycle per flat. The flats in Blocks E2 and E3 will have secure external cycle stores within the rear parking area. The 'Extra care' units in Block D have no cycle provision but do have secure storage facilities for mobility scooters, which is considered to be an appropriate provision for this specialist residential use.

Short term cycle parking hoops are also provided for the shop units.

6.10 (h) Retail and employment implications

The existing parade of shops comprises 10 units and a floorspace of 922m². These include a range of local convenience services, as set out in paragraph 1.4. The application proposal will replace these 10 units with 11 new units, 9 within Block E2/E3, 1 within block D and 1 within Block E1, with a total floorspace of 1060m². It is intended that all existing lessees will be offered one of the new units of an

equivalent size. The new units within Block E2/E3 are to be constructed before the existing parade of shops is demolished to enable continuity of use. As such, there will be no loss of existing services.

Employment is provided within the 10 retail units, the Alterstart garage and within the applicant's estates department (maintenance and cleaning). As a result of the re-provision of the 10 retail units, there should be no loss of employment. The garage currently employs circa. 6 people. This facility will be lost as part of the scheme and the applicant has been unable to find a suitable alternative site within the Meriden estate. It is therefore anticipated that this facility will relocate elsewhere in Watford. The applicant is providing assistance in this process.

6.11 (i) Sustainability and flood risk

It is the applicant's aspiration to achieve Level 4 of the Code for Sustainable Homes, however, this Code has now been abolished by the Government, so a formal code level assessment is longer possible. The applicant is therefore investigating the possibility of the development being a pilot scheme for the British Research Establishment's (BRE) new Home Quality Mark. Notwithstanding this, the development has been designed to meet the criteria of Level 4. The buildings have been designed with a 'fabric first' approach with enhanced insulation and air-tightness to reduce energy use. Solar photovoltaic panels have also been incorporated into the roofs of Blocks A, B, C2, D, E2 and E3 and extensive green roofs have been incorporated into Blocks D, E1, E2 and E3.

With regard to minimising flood risk from surface water run-off, the applicant's surface water drainage scheme has been approved by Herts. County Council as the Lead Local Flood Authority (LLFA). This incorporates various attenuation measures including rain gardens, swales, permeable paving, green and blue roofs and attenuation tanks that will result in a betterment in run-off rates and water quality.

6.12 (j) Open space and landscaping

The landscape strategy for the development forms an integral part of the proposals.

The use of high quality hard and soft landscaping is designed to enhance the public realm, help to create a sense of arrival at the centre of the estate and encourage the use of new open space. The proposals incorporate 2 new open spaces, the market square and the village green, sited opposite each other across the junction of The Gossamers and York Way. The market square will be paved in high quality paving and will incorporate rain gardens and trees. It will provide a multi-use space that will be used generally to provide car parking for the shops and outdoor seating areas but can also be used for community events and markets. The village green will be a grassed open space with new tree and hedge planting and will incorporate a linear children's play area.

The highway adjoining these spaces will be resurfaced to provide a more pedestrian friendly environment with a more flush surface and contrasting tarmac surfacing, entered via speed ramps to slow down traffic. This will give greater priority to pedestrians and allow easier interaction between the new buildings and open spaces.

The planting strategy utilises both native and non-native species to provide colour and interest throughout the seasons, with the species selected appropriate to the different areas of the site. The hard landscaping scheme will incorporate the use of block paving to the market square and parking areas, flag paving, wide flush kerbs, high quality asphalt with chippings to the roads and resin bonded gravel to footpaths. High quality seating and lighting will be used throughout the different spaces.

The proposals will result in the loss of open space and trees within this part of the estate of approximately 0.4 hectare. However, the estate as a whole is well served with open space. The main area is located along the southern boundary of the estate off Garsmouth Way and Meriden Way and amounts to approximately 3.12 hectares. Overall, it is considered that the benefits of the proposal outweigh the loss of open space from the application site.

7.0 COMMUNITY INFRASTRUCTURE LEVY AND PLANNING OBLIGATION

7.1 Community Infrastructure Levy (CIL)

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

The CIL charges applicable to the proposed development are:

Watford Charging Schedule

Type of Development	CIL Rate
Residential	£120 per sqm
Specialist accommodations for the elderly and/or disabled including Sheltered and Retirement Housing and Nursing homes, Residential Care Homes and Extra Care Accommodation. (This does not include registered, not for profit care homes')(within Use Class C2 and C3).	£120 per sqm
Retail (Class A1 – A5)	£120 per sqm
Other uses	£0 per sqm

The charge is based on the net increase of the gross internal floor area of the proposed development. Exemptions can be sought for charities, social housing and self-build housing. If any of these exemptions is applied for and granted, the CIL liability can be reduced. In the case of this application, all of the residential and specialist accommodation is intended to be affordable and will therefore attract no

CIL charge providing the social housing exemption is correctly applied for. With regard to the retail uses, the CIL charge will only be applied to the net increase in floorarea, with the existing floorspace to be demolished being deducted from the proposed floorspace.

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

7.2 **S.106 planning obligation**

The Council introduced the Community Infrastructure Levy (CIL) with effect from 01 April 2015. On and from this date, s.106 planning obligations can only be used to secure affordable housing provision and other site specific requirements, such as the removal of entitlement to parking permits in Controlled Parking Zones and the provision of fire hydrants.

Unilateral undertaking for affordable housing and fire hydrants

The proposed development is one where affordable housing should be provided, in accordance with saved Policy H16 of the Watford District Plan 2000 and Policy HS3 of the Watford Local Plan Part 1 Core Strategy 2006-31. It is also the applicant's intention to provide all of the proposed residential units as affordable accommodation, in excess of the policy requirements.

In addition, the proposed development is one where Hertfordshire County Council, in pursuance of its duty as the statutory Fire Authority to ensure fire fighting facilities are provided on new developments and that all dwellings are adequately served by fire hydrants in the event of fire, seeks the provision of hydrants required to serve the proposed buildings by means of a planning obligation. The requirements for fire hydrant provision are set out within the County Council's

Planning Obligations Toolkit document (2008) at paragraphs 12.33 and 12.34 (page 22). In practice, the need for hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

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

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

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

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

Accordingly, the provision of affordable housing and the County Council's requirement for fire hydrants meet the tests in Regulation 122 of the Community Infrastructure Regulations 2010, and, consequently, these planning obligations can be taken into account as material planning considerations in the determination of the application. Both the Council's approach to seeking affordable housing

provision and the County Council's approach to seeking the provision of fire hydrants by means of planning obligations are also fully in accordance with the advice set out in paragraphs 203 to 205 of the National Planning Policy Framework.

The affordable housing requirement in this case, in accordance with Policy HS3, is 47 dwellings. However, it is the applicant's intention to provide all 133 dwellings as affordable housing.

8.0 CONCLUSION

- 8.1 The proposal will be a significant intervention into the urban fabric of the central area of the Meriden estate. The applicant's vision is to create a new, vibrant heart at the centre of the estate and make it a destination to visit rather than a place that people just pass through. They have taken a restrained but contemporary approach to the design of the buildings which reflect the scale of existing buildings in this part of the estate. The layout of the proposals apply good urban design principles to create an environment that has a clearly defined, high quality and safe public realm with secure private parking and garden areas for residents.
- 8.2 The proposal provides a significant increase in dwellings which cater for a range of different housing needs within the estate and with a significant majority of units being affordable. The quality of the new accommodation is good with adequate car parking provision. The proposal respects the amenities of existing residents and ensures the existing on-street parking situation is more than sufficient to cater for existing demand. The existing traffic conditions within the estate are acknowledged but the additional traffic generated by the proposals will not be significant and will not generate any additional rat-running through the estate.
- 8.2 Overall, it is considered that the proposals will achieve a successful and high quality regeneration of this part of the estate and the benefits of the proposals will significantly outweigh the loss of open space and the local garage that are necessary to facilitate the development.

9.0 HUMAN RIGHTS IMPLICATIONS

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

10.0 RECOMMENDATION

- (A)** That planning permission be granted, subject to the completion of a planning obligation under section 106 of the Town and Country Planning Act 1990 (as amended) as set out below, and subject to the following conditions:

Section 106 Heads of Terms

- i) To secure the provision of fire hydrants as required by the County Council in accordance with Policy H10 of the Watford District Plan 2000.
- ii) To secure a minimum of 89 dwellings as affordable housing comprising 9 social rented and 80 affordable rented units. The remaining 44 dwellings to be provided as social rented, affordable rented or private rented units.

Conditions

1. The development to which this permission relates shall be begun within a period of 3 years commencing on the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall only be constructed in accordance with the following approved drawings, unless otherwise agreed in writing by the Local Planning Authority:

101_PL_011A, 002B, 003D, 004A, 005A, 006B, 007A, 008A, 009A, 010A, 011A, 012A, 013B, 014A, 015B, 016B, 017B, 018B, 019B, 020A, 021A, 022A, 025C, 026C, 027E, 028E, 029D, 030C, 031D, 032B, 033B, 034B, 035C, 036C, 037A, 038A, 039B, 040B.

Reason: For the avoidance of doubt as to what has been permitted.

3. Construction of the development hereby permitted shall not take place before 8am or after 6pm Mondays to Fridays, or at any time on Saturdays, Sundays and Public Holidays.

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

4. No development shall commence until the scheme has been registered with the Considerate Constructors Scheme and a certificate of registration has been submitted to the Local Planning Authority. The construction shall be carried out in accordance with the requirements of this scheme.

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

5. No development shall commence until a Development Phasing Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include for each phase a site plan delineating the following works to be undertaken in that phase:

- i) the dwellings to be constructed;
- ii) the parking spaces to be constructed;
- iii) the improvement works to be undertaken within the highway;
- iv) the footpath improvement works to be undertaken.

No dwelling shall be occupied in any given phase until all works within that phase and each preceding phase have been completed in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development is undertaken in a way that minimises the impact on existing residents and that each phase of the development has adequate parking and servicing facilities.

6. No development shall commence within any phase as approved in the Development Phasing Plan until an Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority for that phase. This Plan shall include details of contractors' parking, arrangements for the delivery and storage of materials, any temporary access/egress points to adjoining highways, measures to mitigate noise and dust, and wheel washing facilities. The Plan as approved shall be implemented throughout the demolition/construction period for each phase.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties and prevent obstruction of the adjoining highway during the time that the development is being constructed, pursuant to Policies T4 and SE22 of the Watford District Plan 2000.

7. No development shall commence within any phase as approved in the Development Phasing Plan until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority for that phase. This Plan shall include demolition and construction works within each phase. The

Plan as approved shall be implemented throughout the demolition/construction period for each phase.

Reason: To minimise the waste generated by the development and ensure the sustainable re-use and management of waste within the county.

8. No development shall commence within any phase until fencing of a style, height and in a position to be agreed in writing by the Local Planning Authority shall have been erected to protect all trees which are to be retained. No materials, vehicles, fuel or any other items shall be stored or buildings erected or works carried out inside this fencing and no changes in ground level shall be made within the spread of any tree or shrubs (including hedges) without the prior written approval of the Local Planning Authority.

Reason: To safeguard the health and vitality of the existing trees which represent an important visual amenity during the period of construction works in accordance with Policies SE37 and SE39 of the Watford District Plan 2000.

9. No construction works shall commence until full details and samples of the materials to be used for the external surfaces of the buildings (including walls, roofs, windows, doors, balconies and solar panels) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved materials.

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

10. No construction works shall commence until details of a lighting scheme for the development have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be installed as approved prior to the first occupation of each phase of the development to which it relates.

Reason: To meet the needs for safety and security for users of the site and to ensure no adverse impacts on the adjoining public highways or adjoining properties, in accordance with Policy SE23 of the Watford District Plan 2000.

11. No removal of trees, scrub or hedges shall be carried out on the site between 1st March and 31st August in any year unless a suitably qualified ecologist has previously searched the trees, scrub or hedges and certified in writing to the Local Planning Authority that such works of removal may proceed.

Reason: In order to avoid harm to nesting birds which are protected.

12. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

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

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

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

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete

and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

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

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

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

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

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

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

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

the public drinking water supply within 50 days and is therefore highly sensitive to pollution.

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

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

17. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

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

18. No development shall commence until a drainage strategy, detailing any on and/or off site drainage works, has been submitted to and approved by, the Local Planning

Authority. The proposed foul water discharge rates to every connection point must be included in the drainage strategy. If initial investigations conclude that the existing sewer network is unlikely to be able to support the demand anticipated from this development, an Impact Study must be undertaken to inform the drainage strategy. No discharge of foul or surface water from the site shall be accepted into the public system until all works referred to in the approved drainage strategy have been completed in full.

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

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

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

20. No development shall commence until a Stage 2 Road Safety Audit for the proposed highway improvements and access junctions has been submitted to and approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved works.

Reason: In the interests of highway safety.

21. No demolition or construction works shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local

Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

- a) Construction vehicle numbers, type, routing;
- b) Traffic management requirements;
- c) Construction and storage compounds (including areas designated for car parking);
- d) Siting and details of wheel washing facilities;
- e) Cleaning of site entrances, site tracks and the adjacent public highway;
- f) Timing of construction activities to avoid school pick up/drop off times;
- g) Provision of sufficient on-site parking prior to commencement of construction activities;
- h) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way.

22. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment carried out by Conisbee Engineers dated 24 August 2015 (Revision 1.2, reference 150340/TG), drawing no.C103 and the response letter to the LLFA received on the 10 September 2015 and the following mitigation measures detailed within the FRA:

- i) Limiting the surface water run-off generated by the 1 in 100 year + 30% for climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

- ii) Restricting the surface water run-off rates to each discharge point into the existing sewer network in accordance with Table 6.1 within the FRA.
- iii) Implement a range of SuDS measures in accordance with the FRA including permeable paving, swales, rain gardens and tanks.

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

Reason: To provide a betterment to flood risk by reducing the overall surface water run-off rates from the new development and ensuring the satisfactory disposal of surface water from the site, in accordance with Policy SE30 of the Watford District Plan 2000.

23. No individual dwelling in any given block of houses or flats, as identified on the approved drawings, shall be occupied until a detailed soft landscaping scheme for all the land within and adjoining the respective part of the site, has been submitted to and approved in writing by the Local Planning Authority. This shall include the retention of existing trees and hedging where possible and measures to enhance the ecological biodiversity of the site. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of the respective block forming part of the development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

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

24. No individual dwelling in any given block of houses or flats, as identified on the approved drawings, shall be occupied until a detailed hard landscaping scheme for all the land within and adjoining the respective part of the site, including details of all site boundary treatments and internal plot boundaries, has been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details.

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

25. No individual dwelling in any given block of houses or flats, as identified on the approved drawings, shall be occupied until the respective refuse and recycling facilities and cycle storage facilities to serve the dwellings, as shown on the approved drawings, have been constructed. These facilities shall be retained as approved at all times.

Reason: In the interests of the visual appearance of the site and to ensure that adequate facilities exist for residents of the proposed development, in accordance with Policy SE7 of the Watford District Plan 2000.

26. No individual dwelling in any given block of houses or flats, as identified on the approved drawings, shall be occupied until the respective vehicle parking accommodation, as shown on the approved Development Phasing Plan has been provided and made available for use. This parking accommodation shall be permanently retained and shall not be used for any other purpose than the parking of vehicles of occupants of the development or visitors to the site.

Reason: To ensure that the development makes adequate provision for the parking of vehicles of the future occupiers of the development and their visitors in the interests of highway safety and to accord with Policies T22 and T24 of the Watford District Plan 2000.

27. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, F of the Order shall be carried out to the houses hereby approved without the prior written permission of the Local Planning Authority.

Reason: To enable the Local Planning Authority to ensure that any such developments are carried out in a manner which will not be harmful to the character and appearance of the proposed development and will not prove detrimental to the amenities of adjoining occupiers in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

28. At least four months prior to the first occupation of the development, details of the proposed Travel Plan for the residential elements of the development shall be submitted to and approved in writing by the Local Planning Authority.

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

29. At least four months prior to the occupation of any commercial unit, details of a Delivery and Servicing Management Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the size of delivery vehicles, the locations for parking delivery vehicles and the times during which deliveries shall take place.

Reason: To protect highway safety and the amenity of other users of the public highway and rights of way and to protect the amenities of neighbouring residential properties.

30. No access shall be brought into use until it has been laid out and constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and convenience.

31. No plant or equipment associated with the commercial uses in Blocks E1, E2 and E3 or the communal kitchen in Block D shall be sited on the external elevations of the buildings unless details of the plant or equipment has been submitted to and approved in writing by the Local Planning Authority. The details shall include size, appearance, siting and technical specifications relating to noise and odour control as appropriate.

Reason: In the interests of the appearance of the buildings and the amenities of adjoining residential properties.

32. The commercial units within the development shall only be used for the following uses within the Town and Country Planning (Use Classes) Order 1987 (as amended), unless otherwise agreed in writing by the Local Planning Authority:
- a) The unit labelled as 'hairdresser' in Block D shall only be used for purposes within Class A1 (Shops).
 - b) The unit labelled as 'café' in Block E1 shall only be used as a café within Class A3 (Restaurants and cafes) or for purposes within Class A1 (Shops).
 - c) Units 1-8 in Block E2 shall only be used for purposes within Class A1 (Shops) with the exception of one unit which may be used as a launderette (Sui generis), one unit which may be used for purposes within Class A2 (Financial and professional offices) and two units which may be used for purposes within Class A5 (Hot food takeaways).
 - d) Unit 9 in Block E3 shall only be used for purposes within Class A1 (Shops).

Reason: To ensure an acceptable range of uses to serve the local community.

33. No commercial unit within Blocks E1, E2 and E3 shall be open to the public before 0700 hours or after 2200 hours on any day.

Reason: In the interests of the amenity of neighbouring residential properties.

Informatives

1. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure the provision of a minimum of 89 affordable housing units and the necessary fire hydrants to serve the development.
 2. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended. The Council also gave pre-application advice on the proposal prior to the submission of the application and undertook discussions with the applicant's agent during the application process.
 3. Before commencing the development the applicant shall contact Hertfordshire County Council Highways (0300 123 4047) to obtain i) their permission/requirements regarding access for vehicles involved in the demolition of the existing building; ii) a condition survey of any adjacent highways which may be affected by construction vehicles together with an agreement with the highway authority that the developer will bear all costs in reinstating any damage to the highway.
 4. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer.
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Drawing numbers

101_PL_011A, 002B, 003D, 004A, 005A, 006B, 007A, 008A, 009A, 010A, 011A, 012A, 013B, 014A, 015B, 016B, 017B, 018B, 019B, 020A, 021A, 022A, 025C, 026C, 027E, 028E, 029D, 030C, 031D, 032B, 033B, 034B, 035C, 036C, 037A, 038A, 039B, 040B.

(B) In the event that an acceptable planning obligation under Section 106 of the Town and Country Planning Act 1990 has not been completed by 30th October 2015 in respect of the Heads of Terms set out above, the Development Management Section Head be authorised to refuse planning permission for the application for the following reasons:

1. The proposal fails to make provision for affordable housing on-site and as such is contrary to Policy HS3 of the Watford Local Plan Core Strategy 2006-31.
 2. The proposal fails to make provision for fire hydrants to serve the development and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.
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Agenda Item 7

PART A

Report to: Cabinet

Date of meeting: 6 November 2017

Report of: Alan Gough, Head of Community & Environmental Services &
Andrew Cox, Head of Service Transformation

Title: Watford Borough Council Commercial Strategy

1.0 Summary

- 1.1 The Council's Corporate Plan and Watford 2020 Programme both recognise the need for the council to be a more commercial organisation. This is both as an enabler to improve service delivery and organisational efficiency and a key component of our financial strategy to address the financial gap that will be caused as a result of the government's removal of the Revenue Support Grant by 2020.
- 1.2 The Commercial Strategy, attached at Appendix A, sets out how the Council, being innovative, bold and entrepreneurial, will continually challenge itself to improve performance, reduce costs and generate income.

2.0 Risks

2.1

Nature of Risk	Consequence	Suggested Control Measures	Response <i>(Treat, tolerate, terminate, transfer)</i>	Risk Rating
The council may not have the required expertise or capacity within the existing team to deliver the objectives of the commercial	Delivery of the strategy would be constrained.	Develop an understanding of resource requirements and an approach to providing the required resource. Solutions will be considered by Leadership	Treat	6

strategy.		Team to identify where additional expertise may be required and how to resource it.		
Residents in the borough do not accept the requirement for the organisation to become more commercial for the purpose of revenue generation.	Damage to the council's reputation or requirement to constrain the commercial objectives.	Communications and Engagement Plan to be delivered to make the case for the necessity of the commercial strategy. Resident survey will help assess the level of support for a more commercial council.	Treat	4
Investment in commercial ventures carries an inherent risk with no guarantee of return.	Investment may be lost, with no return.	All commercial proposals to only be progressed with a valid business case and a detailed analysis of the risk and opportunities taking into account the organisational risk appetite.	Tolerate	6

3.0 **Recommendations**

- 3.1 That the Commercial Strategy, attached at Appendix A, subject to any amendments at Cabinet, is approved for adoption by the Council.
- 3.2 That any future minor amendments are delegated to the Head of Community & Environmental Services or the Head of Service Transformation in consultation with the Portfolio Holder for Resources and Customer Services

Contact Officer:

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Report approved by: N/A

4.0 Detailed proposal

4.1 There are 4 key themes to commercialisation in the Council, namely:

1. Maximising value from our assets
2. Charging for our services
3. Generating novel income
4. Being a more business-like organisation

Each one of these are briefly explained below:

4.2 Maximising value from our assets: The council owns a large number of assets from which it already generates significant income, particularly from the property portfolio, and it is critical to the Financial Strategy that this performance is maintained. There are however other opportunities from which additional income could be generated, which the council has not yet exploited, such as Rooftop Wireless Broadband for businesses and advertising on the council website. These opportunities will be explored and delivered where there is a viable robust business case.

4.3 Charging for our services: The council charges for some services and these charges are approved annually by Elected Members as part of the budget setting process. In delivering this Strategy, except where Elected Members have made an informed decision not to, services that are charged for will be priced commercially ensuring that at least all direct costs are covered.

4.4 Generating novel income: Due to the bold and progressive vision that the Council has for Watford there are opportunities to generate novel income from sources in addition to those listed above. Some of these opportunities are already bringing in income in some areas for example HR and Pest Control; however there are additional opportunities that can be explored. The Council is in a strong position as it can determine the best vehicle to sell or trade these opportunities through as it can do so in its own right as the Council or through Watford Commercial Services Limited, the

Council's commercial arm.

4.5 Being a more business-like organisation: Being more business-like is a broad term that covers the entirety of the council's operation. This is concerned with the way in which the council operates and the culture, behaviours and capabilities of staff and aspiring, where it is appropriate to do so, to work in similar ways to commercial organisations. Examples include:

- driving maximum value from the procurement processes, contracts and partnerships.
- ensuring success through a robust project and programme management approach
- learning from our successes and failures.
- ensuring that risk management is an inherent part of the way we work and operate to maximise opportunities and minimise threats
- aspiring to deliver a quality product every time
- embedding a robust performance management culture
- striving to deliver our services as efficiently as possible maximising the value derived from every pound spent

4.6 By adopting the Commercial Strategy in Appendix A the Council is continuing to deliver on its Corporate Priorities and should enable Elected Members to make positive choices about the future of the Council and the Town.

5.0 **Implications**

5.1 **Financial**

5.1.1 The Head of Finance comments that the Council's commercial strategy feeds into the Medium Term Financial Strategy and beyond to help ensure that the Council is sustainable and solvent into the future. A commercialisation fund has been established in the current budget year to support the commercialisation agenda. Pump-priming funding may well be required and each opportunity for investment must be supported by a viable business case and a robust and deliverable benefits realisation plan before any funding is released.

5.2 **Legal Issues** (Monitoring Officer)

5.2.1 The Head of Democracy and Governance comments that the detailed legal implications will be considered on a business case by business case basis for any novel income streams. There are no direct implications in the strategy itself.

5.3 **Equalities/Human Rights**

5.3.1 Having had regard to the council's obligations under s149 of the Equality Act, it is

considered that whilst the Commercial Strategy itself does not require an equalities impact analysis individual proposals resulting from the adopted Strategy may require an equalities impact analysis and this will be considered at that time

5.4 Staffing

5.4.1 No implications at this time

5.5 Accommodation

5.5.1 No implications at this time

5.6 Community Safety/Crime and Disorder

5.6.1 No implications at this time

5.7 Sustainability

5.7.1 Securing our own financial future is a Council Corporate Priority

Appendices

Appendix A – Watford Borough Council Commercial Strategy

Background Papers

No papers were used in the preparation of this report.

File Reference

None.



Commercial Strategy

Alan Gough - Head of Community and Environmental Services

Andrew Cox – Head of Service Transformation

DOCUMENT CONTROL

Author	Andrew Cox / Alan Gough
Version number	0.3 ML 17.10.17
Issue date	
Approval date	
For internal /external publication	Internal

Version	Date	Comments
0	25/9/17	Original version following discussions with LT, PHs and ML
0.1	25/9/17	Amendments by LH
0.2	29/9/17	Incorporating comments from JW, BW, KR, NF, MJ, CC, NH

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1. Introduction

Our Corporate Plan and Watford 2020 Programme both recognise the need for the council to be a more commercial organisation. This is both as an enabler to improve service delivery and organisational efficiency and a critical component of our financial strategy to address the financial gap that will be caused as a result of the government's removal (by 2020) of the Revenue Support Grant. Successful delivery of the Commercial Strategy should enable members to make positive choices about where they want to invest, rather than having to make decisions about where to de-invest.

Our vision for Watford 2020 includes an aspiration that by 2020 Watford will be a "...commercially-minded council" explained as being innovative, bold and entrepreneurial in continually challenging ourselves to improve performance, reduce costs and generate income.

This is further developed by a set of commercial principles which convey the future state of the organisation:

- We continually identify and develop opportunities to commercialise existing and new services
- Our partnerships (private and public) are efficient and deliver value
- We have a strategic commissioning and procurement approach that derives the maximum value from every pound spent
- We adopt the most effective delivery models to deliver best value services
- We price commercially ensuring we cover all our direct costs (except when we have made a conscious and evidenced decision to subsidise)
- We are commercially astute – we understand the market and know how to make it work for us

This Strategy explores:

1. The drivers behind our aspiration to be a more commercial organisation
2. What this means for Watford Borough Council
3. Our commercial objectives
4. How we will deliver these objectives

2. Drivers

1. The council faces a funding gap and commercial income is a key opportunity to secure our financial future
2. We own / hold a larger number of assets from which we need to derive maximum value
3. As a commissioning organisation we need to ensure we drive full value from the market and our commercial relationships
4. Reducing budgets and increasing demand mean the organisation needs to be as effective and efficient as possible and needs to fully utilise a core set of business tools to do this

3. What does commercialisation mean for Watford

There are a number of strands to commercialisation in Watford, all of which are components of this Commercial Strategy.

1. Maximising value from our assets
2. Charging for our services where appropriate
3. Generating novel income and maximising existing
4. Being a more business-like organisation

3.1 Maximising value from our assets

3.1.1 Explanation

The council owns a large number of assets from which it already generates significant income, particularly from our property portfolio, and it is critical to our Financial Strategy that this performance is maintained. There are however other opportunities from which additional income could be generated, which the council has not yet exploited.

3.1.2 Objectives

1. Maintain and where possible improve performance of our Property Portfolio as delivered through our Property Strategy
2. Identify and deliver additional opportunities to derive income from the council's assets

3.1.3 Action Plan

1. Explore opportunity to generate income from a Rooftop Wireless Broadband for businesses arrangement
2. Explore opportunity for advertising on the council website
3. Engage with managers of our assets to identify additional opportunities to explore
4. Optimise use of Council accommodation creating civic hubs and shared use of buildings
5. Continue with PIB investment/divestment strategy to generate better returns
6. Continue Joint Venture approaches to maximise returns on capital

3.2 Charging for our services

3.2.1 Explanation

The council charges for some services and these charges are approved annually by members as part of budget setting. In delivering this strategy we need to ensure that we meet our Watford 2020 design principle to price commercially ensuring we cover all our direct costs (except when we have made a conscious and evidenced decision to subsidise).

3.2.2 Objectives

1. Ensure that where it is legally permissible for the council to set a charge for services it delivers either:
 - a. Charges are levied or

- b. A conscious decision has been made by members that a full subsidy should be provided and the service be provided free of charge
2. Ensure that where charges are levied for services they:
 - a. Are levied at the appropriate point(s) in a transaction / service to ensure that work is not started without costs for that work being recovered in advanceⁱ or there is confidence that costs will be recovered (e.g. through a contract)
 - b. As a minimum cover the council's direct costs for delivery of that service

3.2.3 Action Plan

1. Through the Watford 2020 Programme ensure that transactions / services are properly understood to differentiate between the different parts of a process for which charges could be levied
2. Complete a Fundamental Review of Fees and Charges to ensure that in making decisions about the 2019/20 budget members can understand:
 - a. For which services / transactions the council can legally charge
 - b. What we currently charge for that service
 - c. For these services / transactions what the direct cost of delivery is (per unit) broken down into the different sub-parts of a process for which charges could be levied
 - d. What the cost of collection of any new charges would be
 - e. What should be charged for that service / transaction if the "cost recovery" principle were applied
 - f. What the risk is associated with increases / introduction of charges, including any impact on customers and other council services
 - g. Build flexibility into our process for setting fees and charges to enable the council to maximise its returns
 - h. What insight we have from customer engagement on the likely takeup and customer response

3.3 Generating novel income

3.3.1 Explanation

If the areas mentioned in sections 3.1 and 3.2 above are standard sources of income for the council there are numerous opportunities to generate novel income from non-standard sources. Some of these opportunities are already exploited in some areas, but there are significant additional opportunities that can be explored. There are also legal complexities behind what can be traded by the council and where selling has to be through Watford Commercial Services Limited, our commercial arm.

In considering these opportunities we are addressing through our design principles that:

- We continually identify and develop opportunities to commercialise existing and new services
- We price commercially ensuring we cover all our direct costs (except when we have made a conscious and evidenced decision to subsidise)

3.3.1.1 Trading Services

There are two categories of such services which we can develop.

1. Trading council services beyond the borough boundary (with / to / for) other public bodies

The realisation of these opportunities can be delivered by council services operating under the umbrella of Watford Borough Council and such opportunities are already exploited in certain areas. There are some key criteria that need to be assessed before any new opportunities are considered and all existing trading under this category should be reviewed to understand if it meets the criteria and therefore should continue on the following basis:

- a. Service offering must cover all of its direct costs
- b. Service offering should include a 5% surplus and provide a minimum return of an anticipated £10,000 per annum (or have a robust business justification if this margin and level is not to be delivered)¹. Surpluses are corporately retained with reinvestment into the service based on the business plan/business case.
- c. Opportunities should only be explored where we are genuinely competitive and there is a market opportunity and we have strong service reputation
- d. Service offering should not detract from delivery of the core service in Watford (and Three Rivers) including a robust assessment of the risk behind the service offering including available capacity

2. Selling council services beyond the borough boundary (with / to / for) non-public bodies

The realisation of these opportunities cannot be delivered under the umbrella of Watford Borough Council and therefore such opportunities must be developed under Watford Commercial Services Limited (with the agreement of the Board of Directors). As with traded services under the council umbrella key criteria need to be assessed before any new opportunities are considered:

- a. Service offering must include a 10% surplus and provide a minimum return of an anticipated £20,000 per annum (or have a robust and agreed business justification if this margin and level is not to be delivered). Surpluses are corporately retained with reinvestment into the service based on the business plan/business case.
- b. Service offering should not detract from delivery of the core service in Watford (and Three Rivers) including a robust assessment of the risk behind the service offering
- c. Opportunities should only be explored where we are genuinely competitive and there is a market opportunity and we have strong service reputation

3.3.1.2 Exploiting our intellectual property and specific expertise – new projects

Opportunities exist for the council to generate income (either through Watford Commercial Services Limited or working with our partners) through bringing to market novel ideas derived from our intellectual property. These sorts of opportunities are new to the council and are inherently risky as they involve developing something new to bring to market and will require investment of time, money and assets; however as long as there is robust governance associated with them and the business case / plan has been properly assessed / benchmarked against the existing market offering and there is a robust risk analysis this doesn't mean these opportunities should not be explored.

¹ For example to enhance our resilience

3.3.2 Objectives

1. Identify and bring to market new Traded Service opportunities
2. Ensure all Traded Service opportunities meet our evaluation criteria (and those that don't are terminated)
3. Identify opportunities to exploit our intellectual property and bring them to market

3.3.3 Action Plan

1. Develop a process through which ideas for Novel Income Generation can be progressed from idea to income
2. Develop a resourcing approach to support the development of ideas into income, recognising that the development of commercial propositions is not a core skill set for council staff
3. Make staff aware of the process and mobilise resources to progress any ideas identified
4. Review all existing Traded Services against our criteria and make decisions about how they should continue
5. Identify all areas where the council will gain a competitive advantage through its brand, experience, unique skillsets or ability to finance more cheaply and exploit these opportunities through our Traded Services
6. Understand the processes around Intellectual Property Rights and how to protect them.

3.4 Being more business-like

3.4.1 Explanation

Being more business-like is a broad term that covers the entirety of the council's operation. This is concerned with the way in which the council operates and the culture, behaviours and capabilities of staff and aspiring, where it is appropriate to do so, to work in similar ways to commercial organisations.

One of the critical components of this, as an organisation with a large number of partnerships and contracts with the private sector, is our ability to drive maximum value from procurement processes, contracts and partnerships. To do this we need to understand the commercial world and our contracts so that we make effective decisions and engage in the right way with our private sector partners / suppliers. We need to recognise why they are working with us and what they want to achieve (which may not be aligned to our value sets) and be cognisant of this in our engagement with them.

We are an ambitious organisation where change and development of our organisation internally and externally is continuous. The project and programme portfolio we are delivering is large and we need to ensure success through a robust project and programme management approach. A business-like organisation recognises the value of these professional disciplines and expects the agreed best practice approach to be followed, as this de-risks all aspects of delivery and protects the reputation of the organisation as one that delivers what it says it will on time and to budget.

Risk management is a critical tool in managing a modern business to ensure there is proper understanding and analysis of the threats to and opportunities for the organisation. In being business-like we need to ensure that risk management is an inherent part of the way we work and operate, not something we do as an add-on.

Being business-like means aspiring to deliver a quality product every time – in the private sector that is what your customers are paying for and if you don't deliver the required / expected quality they won't buy again. In the public sector our customers often don't have a choice about buying from us, but we should still strive to deliver a quality service as if they did. In our internal workings we should also strive to deliver an excellent quality product every time and be proud of the work we produce and we should not accept outputs that are not of the required level of quality. In assessing this we should ask the question – if I was paying someone for this would I be happy to pay the invoice?

Business-like organisations have a robust performance management culture using real-time data and information to drive operational and strategic decision-making through measuring and analysing what is important to them. This is what we aspire to be and therefore we need to ensure that we measure what adds value and is important through our performance framework. We need to ensure that we have real-time data and information available so staff and managers can make informed decisions based on what is really happening on a given day or week.

As local government employees every pound we spend is public money and the drivers of our organisation are different to those in the commercial sector whose objectives are to make money. This does not mean however that our approach to management of our financial resources should be any different – we should strive to deliver our services as efficiently as possible maximising the value we derive from every pound spent. All our spend should be effective in delivering the council's objectives and if it isn't aligned to this spend should not be committed and savings should be made.

3.4.2 Objectives

1. Deliver an organisation where the culture, behaviours and capabilities reflect what we define as business-like

3.4.3 Action Plan

1. Ensure that the People Strategy is congruous with the Commercial Strategy
2. Develop, implement and mainstream a new procurement and contract management toolkit
3. Review our approach to project management resourcing
4. Embed our revised risk management approach
5. Review our performance management framework for both people and operations
6. Investigate development of a real-time performance management dashboard
7. Develop and implement a set of Watford Quality Standards – what does good look like for Watford?
8. Identify any barriers to being more business-like and if necessary work around them
9. Develop and promote the 'Watford' brand
10. Adopt the Watford 2020 design principles in our commercial approach

ⁱ For example – currently a charge is levied for white-lines, when following significant work by the council a quote is prepared and the resident decides whether or not to go ahead. If they decide to go ahead a payment is then made and the line is installed. In the last year 30 applications were made and therefore 30

“assessments” were completed, but only 5 lines were installed and therefore only 5 fees were levied – an approach of a non-refundable application fee followed by an installation fee would ensure that only genuinely serious applications were received and there would be full cost recovery for this discretionary service.

Report to: Cabinet
Date of meeting: 6 November 2017
Report of: Head of Service Transformation
Title: Watford 2020 Programme

1.0 Summary

- 1.1. Watford 2020 is a transformational programme which will review the internal workings and processes of the entire organisation to develop and implement a new operating model¹ for Watford Borough Council.
- 1.2. The paper presents the programme vision, that:

“Watford in 2020 will be a customer-focussed, digitally-enabled, commercially-minded council.”

and introduces a set of design principles that describe the aspirational operating model of the council in 2020.
- 1.3. The programme approach and plan is outlined with the next key gateway being the presentation of the Operating Model and Outline Business Case to Cabinet in March 2017.
- 1.4. As a significant transformation programme robust risk and issue management is a fundamental component to ensure successful delivery of the programme and its constituent projects. This will be completed in accordance with the council’s risk management strategy and approach.
- 1.5. In preparing the programme a rigorous risk analysis has been conducted and the key risks are outlined in the report. The key mitigation to the most significant risks is the approach that has been designed for the programme where, through the High-Level Design work, the Operating Model and Outline Business Case that will be presented to Cabinet in March 2018 will identify the benefits that can be identified and delivered and the resources required for their delivery.

2.0 Potential Risks

- 2.1. As a significant transformation programme robust risk and issue management is a fundamental component to ensure successful delivery of the programme and its constituent projects. This will be completed in accordance with the council’s risk management strategy and approach.
- 2.2. In preparing the programme a rigorous risk analysis has been conducted and the key risks are outlined below. The key mitigation to the most significant risks is the approach that has been designed for the programme where, through the High-Level Design work, the Operating Model and Outline Business Case that will be presented to Cabinet in March 2018 will identify the benefits that can be identified and delivered and the resources required for their delivery.

¹ An operating model is a model of the future organisation - its working practices and processes, its structure and organisation, the information it requires and the infrastructure and technology that supports its operations to deliver the vision statement.

Nature of risk	Consequence	Suggested Control Measures	Response	Risk Rating
The delivery of the programme's anticipated benefits at the required pace may be constrained if sufficient resources are not made available.	Benefit realisation will be slower than anticipated.	Detailed resource planning will take place to enable the required resources to be made available to deliver benefits at the required pace.	Treat	9
Council services (staff and managers) may not have the capacity to support the delivery of the transformation agenda in parallel with delivering their business as usual responsibilities.	Either: 1. The programme will be delayed / quality impacted and therefore benefit reduced or 2. Service delivery will be impacted	Detailed planning for delivery to be conducted with services to ensure the risk is mitigated and service delivery is able to continue in parallel with delivery of the transformation agenda.	Treat	4
The delivery of some of the programme's anticipated benefits assumes behaviour change from our customers (residents and businesses).	If change does not occur anticipated benefits, particularly from wider take-up of digital transactions will not be realised.	1. Ensure that the service provision through digital channels is of a high quality 2. Detailed communication plan to ensure customers are aware of the new channels available to them	Treat	8
The £1million savings attributed to the Watford 2020 programme in the MTFS may not be identifiable or deliverable.	Financial savings / income increases would need to be identified through other mechanisms.	Watford 2020 process needs to be robust and detailed to support the identification of financial benefits. Outcome will be known through the completion of first stage of work (Tranche 1).	Tolerate	9

Full delivery of the “customer-focussed” and “digitally-enabled” elements of the vision may be constrained due to available financial resources, or the availability of suitable products in the market to deliver this ambition.	Ambition would need to be reduced.	The Outline Business Case will identify the resource and product requirements to deliver the programme’s vision.	Tolerate	9
Legislative or policy changes could mean that the vision and design principles are not deliverable.	Ambition would need to change or be reduced.	Maintain an awareness of changes to legislation and policy to provide early assessment of their impact on the delivery of the programme.	Treat	2

3.0 Recommendations

- 3.1. That the Cabinet approve the proposed Watford 2020 Vision and Design Principles
- 3.2. The regular Highlight reports are taken to Overview and Scrutiny for the duration of the Programme.

Contact Officer:

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4.0 Introduction to Watford 2020

- 4.1. Watford 2020 was initiated to develop and implement a new operating model for Watford Borough Council. It is a transformational programme which will review the internal workings and processes of the entire organisation through a series of “Service Innovations” to create a council which is ready for the challenges of the future. The programme is a key component in delivering the council’s ambition to be “bold and progressive”. It will enable delivery of all of the corporate priorities and is at the heart of delivering the priorities to:
 - Deliver a digital Watford to empower our community
 - Secure our own financial future
- 4.2. The reduction in government funding has significantly reduced in recent years and is anticipated to continue, with the Revenue Support Grant being entirely withdrawn by April 2019. The current Medium Term Financial Plan includes a £1m saving per year to be delivered from April 2018 by the

Watford 2020 programme. This means that financial savings are not just an ambition, but absolutely necessary.

- 4.3. Alongside this requirement to make financial savings has been the acknowledgement that the council needs to improve its digital offer for customers (residents and businesses), both of whom often expect to access services and communicate with the organisation outside of the usual office hours. The corporate drive to further develop the council's use of digital solutions, both customer-facing and back-office, is demonstrated by the inclusion of a digital agenda in the council's corporate priorities. The organisation is subsequently in a position where it needs to offer additional channels and digital integration without increasing the level of continuous resource or annual operating expenditure. However, the two are not mutually exclusive and Watford 2020 seeks to apply the council's 'bold and progressive' approach to the programme acknowledging that both commitments are an opportunity to improve services to customers whilst introducing significant efficiency.
- 4.4. To deliver this agenda a fundamental shift in mind-set is required across the organisation to be more commercial and to act and think in a more business-like manner. Encapsulating all of this under the umbrella of the Watford 2020 programme allows competing demands for resources to be reconciled, interdependencies to be identified and managed and the necessary change in culture to be firmly embedded across the council.

5.0 Programme Vision and Design Principles

5.1. Vision Statement

Watford in 2020 will be a customer-focussed, digitally-enabled, commercially-minded council.

- Our high-performing services will provide an excellent customer experience and will be designed from the customer's perspective and will ensure accessibility for all.
- Our services will be digital by design, exploiting opportunities provided by existing and emerging technology to deliver significant efficiencies.
- We will be innovative, bold and entrepreneurial in continually challenging ourselves to improve performance, reduce costs and generate income.

5.2. Design Principles

As has been noted in the introduction, Watford 2020 is fundamentally concerned with developing and implementing a new operating model for Watford Borough Council, which will realise the programme's vision. At the point of initiation of the programme it is not possible to articulate in detail the organisation of the future, as doing so requires substantial work and is part of the first tranche of the programme. It is however necessary to define as a set of design principles the aspirational operating model for the future organisation, as these help to set the framework against which the operating model will be designed. The design principles are deliberately written as a future present and do not comment on where the organisation is now, or how it will move to that future.

1. Process Principles

- All processes are end-to-end digital by design and maximise use of automation
- The web channel is the default option for customers - Customer Services only facilitate / support

use of the web channel for those who can't / won't use it²

- We tell customers what they should expect, keep them regularly updated of progress and either meet the expectation we have set or proactively tell them why if it won't be met
- We publish only selected telephone numbers – there is no initial transactional telephone contact with customers anywhere except within Customer Services
- Front-end services are joined-up around life events not our organisational structures adopting tell-us once principles
- Processes are simple and standardised designed around the customer outcome and ideal customer journey
- We don't check physical things – we use the Internet of Things to alert us when we need to do something

2. Organisation and People Principles

- Our culture is creative, entrepreneurial, pro-active and can-do
- We have the skills and expertise to fully utilise digital capabilities
- Staff are rewarded for enhancing the delivery of our organisational objectives
- Management is output and outcome focussed
- We are a learning organisation – we encourage balanced risk-taking and there is no blame for “failure”
- We are outward-facing and industry aware – we learn from what others are doing and we share our learning with others
- Staff are appropriately empowered and encouraged to make decisions and changes
- We have a culture of continuous improvement, always searching for opportunities to make changes that will enhance the value of what we do

3. Infrastructure Principles

- We are enabled to work wherever and whenever
- Accommodation is utilised around functional requirements delivering maximum value from the asset
- We are paper-light
- Our ICT environment is modern and fit-for-purpose
- We only use a defined set of core applications
- All signatures are digital

4. Commercial Principles

- We continually identify and develop opportunities to commercialise existing and new services
- Our partnerships (private and public) are efficient and deliver value

² This does not mean that channels will be closed – customers will still be able to access the council via the telephone and face-to-face; however the way in which this will be supported / mediated will be using the same digital processes as if the customer had self-served

- We have a strategic commissioning and procurement approach that derives the maximum value from every pound spent
- We adopt the most effective delivery models to deliver best value services
- We price commercially ensuring we cover all our costs (except when we have made a conscious and evidenced decision to subsidise)
- We are commercially astute – we understand the market and know how to make it work for us

5. Information Principles

- We input / capture data once and use it many times
- We have accurate real-time information about customers and our business performance
- We have a knowledge culture – we are data / information rich, which is used to drive decision-making and day-to-day performance management
- We know what information we hold and we only hold that which we need in the most appropriate format
- We share information where it is appropriate to do so across the Council and with our public sector partners

6.0 Programme Plan

- 6.1. As referenced in the Introduction, the programme is transformational and will review the internal workings and processes of the entire organisation through a series of "Service Innovations" to create a council which is ready for the challenges of the future. This is not a simple exercise and there are a number of gateways that are essential throughout the life of the programme to ensure that the programme's business case remains valid and delivery remains aligned to the realisation of the vision and objectives of the programme.
- 6.2. To provide this control and scrutiny the programme has been organised into Tranches, which group activity (projects) of a similar nature and will conclude at defined points when a formal review and authorisation to proceed will be required.
- 6.3. Tranche 1 - Service Innovations - High-Level Design

This tranche is planned to run from July 2017 to March 2018 and will deliver:

- Design of the future operating model in accordance with the design principles (covering processes, people, commercial opportunities and technology / infrastructure) for the council across all services identifying required changes, the benefits of these changes and the technology / infrastructure required to enable the changes
- Outline Business Case demonstrating the benefits that can be delivered through implementation of the future operating model, the cost of implementation and the assumptions made
- Implementation Plan to identify when and how changes can be made and therefore when benefits can be realised - this will inform Tranche 2 of the programme plan

These three deliverables will require sign-off by Cabinet (in March 2018) prior to the initiation of Tranche 2.

6.4. Tranche 2 - Service Innovations - Detailed design and implementation

This is the truly transformational part of the programme which will be initiated upon the conclusion and approval to proceed at the end of Tranche 1. This will see the high-level design being developed into detailed designs and implemented for all areas of the organisation. It is this tranche in which the benefits of the programme will be realised as commercial ideas are progressed, digital infrastructure is utilised and efficiencies are made. Through the detailed design work detailed cost and data analysis will enable the Outline Business Case developed during Tranche 1 (identifying expected benefits) to be developed into a Full Business Case describing the benefits that should/will be delivered.

It will not be possible to determine the projects or phasing of changes until the end of Tranche 1 as projects will need to be prioritised based on benefit, when required enabling infrastructure (technology) can be in place and synergies between different opportunities.

6.5. Tranche 3 - Enablers

This tranche, potentially running throughout the life of the programme, will explore and implement all required components to enable delivery of the new operating model.

The initial scope of this tranche at the point of the programmes initiation includes all known required enablers at this point and for which there is a valid business case. New projects will be added to the scope as and when the requirement for them is identified through the programme's lifecycle (anticipated to be through both Supporting Strategies and Service Innovations - High-level Design) when there is a valid business case and available funding as approved by the Programme Board.

6.6. Tranche 4 - Supporting Strategies

This work will include the development of three key organisational strategies (People, ICT, Commercial), which will articulate in detail key components of the future organisation to ensure that the new operating model can be delivered and the benefits realised. It is anticipated that through the development of these strategies more enabling requirements will be identified and that therefore more enabling projects will need to be initiated.

The strategies will all require approval by Cabinet with an objective for this to take place during the autumn of 2017.

6.7. Tranche 5 - People

This tranche, running from the approval of the People Strategy, will include a variety of activity to deliver the desired organisational culture and supporting HR infrastructure. This Tranche will run for the lifecycle of the programme. The People Strategy will be reported to the December Cabinet in support of the change programme.

7.0 Implications

7.1. Financial

- 7.1.1. The Shared Director of Finance comments that there is a budget allocated to the Watford 2020 programme in the current year. Any additional costs identified through the process will need to come for approval either through the annual budget setting process or supplementary budget requests.

7.2. **Legal Issues** (Monitoring Officer)

7.2.1. The Head of Democracy and Governance comments that there are no specific legal implications at this stage of the programme.

7.3. **Equalities / Human Rights**

7.3.1. Having regard to the council's obligations under s149, it is considered that at this time no Equalities Impact Assessment is required because as yet there are no specific proposals relating to service delivery changes arising from the Watford 2020 Programme.

7.3.2. A full Equalities Impact Assessment of all proposed service delivery changes will be presented to Cabinet with the Operating Model and Outline Business Case in March 2018 with further evolution of the Equalities Impact Assessment for each individual service change in advance of implementation.

7.4. **Staffing**

7.4.1. The staffing implications of the Watford 2020 programme are not yet known; however it is anticipated there will be an impact on staffing once the design of the future organisation has been established. Any changes to staffing will be conducted in accordance with the organisation's approved change management policy and processes.

7.5. **Accommodation**

7.5.1. Any accommodation implications of the Watford 2020 programme will be identified within the New Operating Model and Outline Business Case in March 2018.

Appendices

None

Background Papers

The following background papers were used in the preparation of this report. If you wish to inspect or take copies of the background papers, please contact the officer named on the front page of the report.

- None

File Reference