

PART A	
Report of: Head of Development Management	
Date of committee:	29th November 2017
Site address:	1a, 9-13, Aldenham Road
Reference Number:	17/00685/FULM
Description of Development:	Demolition of existing industrial/commercial building and erection of a single building comprising 15 residential units together with amenity space and cycle parking.
Applicant:	Laguna Properties Limited
Date Received:	19th May 2017
13 week date (major):	18th August 2017 (extended by agreement to 8th December 2017)
Ward:	Oxhey

1.0 Site and surroundings

- 1.1 The site is located on the south-eastern side of Aldenham Road, close to the junction with Pinner Road. It comprises a vacant, 2 storey industrial building (Class B2). To the north-east it adjoins a terrace of 2 storey houses (nos. 15-23a, Aldenham Road) and to the south-west the Railway Arms public house. To the rear it adjoins the gardens of properties in Capel Road, which are at a higher level (approximately 4m). Bushey Station is a short distance to the west.
- 1.2 The site is just within the Oxhey Conservation Area which extends to the south and east. Aldenham Road forms the north-west boundary of the conservation area. The Railway Arms public house is a locally listed building. The site is also located within an air quality management area (AQMA) which extends along this section of Aldenham Road. Aldenham Road is a major distributor road (A4008) and carries high volumes of traffic.

2.0 Proposed development

- 2.1 To demolish the existing building and erect a 3 storey building to provide 15 residential flats comprising 4 x 1 bed and 11 x 2 bed units. The building incorporates an integral bin store and cycle store. No car parking is provided. The scheme also

incorporates a communal amenity area to the rear.

3.0 Relevant planning history

- 3.1 The following planning history is relevant to this application:
14/01801/FULM – Conditional planning permission granted in February 2015 for the development of a new 2 storey retail unit, (use class A1) together with external access and parking, to replace an existing engineering works (use class B2).

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 Part 2: Publication Version* was published in July 2016. This has been subject to 3 rounds of public consultation – Nov-Dec 2013, Dec 2014-Feb 2015 and Dec 2015-Feb 2016. It contains development management policies and site allocations. The emerging policies and site allocations in this document can be given limited weight at this time.

4.3 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.

Residential Design Guide

Watford Character of Area Study

Conservation Area Management Plan

Oxhey Conservation Area Character Appraisal (adopted July 2014)

4.4 National Planning Policy Framework

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

Achieving sustainable development

The presumption in favour of sustainable development

Core planning principles

Section 1 Building a strong, competitive economy

Section 4 Promoting sustainable transport

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

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

Section 12 Conserving and enhancing the historic environment

Decision taking

- 4.5 In January 2016 the Council received the South West Hertfordshire Strategic Housing Market Assessment and associated Economic Study 2016 (SHMA) which set out an Objectively Assessed Need (OAN) for housing in the Borough that exceeds the levels in the Core Strategy. The Court of Appeal has recently confirmed that a “realistic prospect” of a site coming forward within the required timeframe will be sufficient to meet the deliverability test set by national planning policy, thereby endorsing an earlier decision of Mr Justice Ouseley (St Modwen Developments Limited v Secretary of State for Communities and Local Government & Ors. Case Number: C1/2016/2001). Officers have undertaken a recent review of the housing supply having regard to these judgements and are of the view that the Council is able to demonstrate a 5 year supply based on the OAN. Accordingly, the Council’s housing policies can be considered up to date.

5.0 Consultations

5.1 Neighbour consultations

Letters were sent to 100 properties in the surrounding area. Eleven letters of reply have been received, including a representation on behalf of the Railway Arms public house. However, only 2 of the other 10 letters are from the immediate locality (Capel Road) with the others being from further afield. The points that have been raised are summarised and considered in the table below.

Representations	Officer’s response
Large scale and mass of 3 storey building out of character with 2 storey Railway Arms and 2 storey	See section 6.3 of the report.

cottages.	
No flat roofed dwellings in the area. Should be 2 storeys with a pitched roof.	See section 6.3 of the report.
Proposal would lead to substantial harm to the conservation area and setting of the locally listed public house.	See section 6.3 of the report.
Adjoining properties will be overlooked.	See section 6.6 of the report.
Unacceptable to have no car parking. Area is already saturated with no parking capacity for this development.	See section 6.7 of the report.
This is a polluted area, dual aspect windows should be provided.	See section 6.4 of the report.
No affordable housing has been provided.	See section 6.5 of the report.
No provision for delivery and servicing vehicles.	See section 6.7 of the report.
Proposal will add to traffic congestion and delays.	See section 6.7 of the report.

5.2 **Statutory publicity**

The application was publicised by site notice posted on 6th June 2017 and by advertisement in the Watford Observer published on 9th June 2017. The site notice period expired on 27th June 2017 and the newspaper advertisement period expired on 30th June 2017.

5.3 **Technical consultations**

The following responses have been received from technical consultees:

Hertfordshire County Council (Highway Authority)

No objection to the proposed scheme.

Hertfordshire County Council (Lead Local Flood Authority)

An acceptable surface water drainage scheme has been submitted. No objection to the proposal.

Planning Policy

The proposed scheme will result in less than substantial harm and the new building

will provide additional residential units in the area which are needed. The site is well located in terms of public transport and access to local facilities. The social and economic benefits of the scheme are significant and the scheme will result in an overall improvement to the area.

Arboricultural Officer

No objection to the loss of existing trees on the site.

Environmental Health

No objection to the proposed scheme subject to appropriate conditions relating to noise mitigation, air quality mitigation and land remediation.

6.0 Appraisal

6.1 Main issues

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

- (a) Principle of the use
- (b) Scale and design
- (c) Quality of residential accommodation
- (d) Affordable housing provision
- (e) Impacts on surrounding properties
- (f) Transport, servicing and parking

6.2 (a) Principle of the use

The site has a history of employment use although is not allocated as an employment site, as it is an isolated site surrounded by residential uses. The building is currently vacant, in poor condition and is no longer considered suitable for continued employment use.

6.2.1 Emerging Policy EMP4 of the Local Plan Part 2 seeks to protect existing employment uses outside of designated employment areas and sets out criteria to be considered if a site is to be lost. In this case, it is considered that the proposal accords with this policy in that the building is vacant, is out-dated and in poor condition, and is not considered suitable for continued employment use in the medium to long term. Furthermore, it is not considered that the site is suitable for redevelopment for employment use due to its limited access and proximity to residential properties.

6.2.2 Policy HS1 of the Core Strategy sets out criteria for the consideration of windfall sites. The site is considered appropriate for residential use as it is brownfield land and in a highly accessible location close to Bushey Station, which is well served by rail and bus services. Local shops provide day-to-day services and the town centre

and Lower High Street retail areas are within walking distance. The site is not at risk of flooding and has no biodiversity value. The residential use is also compatible with the surrounding residential uses. The principle of the loss of the employment use and redevelopment for residential use is therefore acceptable.

6.3 (b) Scale and design

The existing building (which actually comprises 2 buildings, known as 1A and 9-13, Aldenham Road) is constructed of brick and is 2 storeys high with a flat roof. Due to its commercial nature and the slope in Aldenham Road, the roof parapet aligns with the eaves of the Railway Arms public house (which is on higher land) but is higher than the eaves of nos. 15-23a, being slightly below the ridgeline. The relevant heights are detailed below:

	Eaves	Ridgeline	Parapet
15, Aldenham Road	5.6m	8.5m	-
Existing building	-	-	7.8m
Proposed building	-	-	9.8m

6.3.1 The building incorporates a recessed loading area and large loading bay doors at ground floor level and is typical of post-war commercial buildings. It is considered to detract from the overall streetscene and the wider area generally.

6.3.2 The scale of the proposed building at 3 storeys is considered acceptable and appropriate for this site, having regard to the scale of the existing building on the site and the scale of surrounding buildings, including those opposite at Attenborough Court. It has been designed with a recessed central entrance to break up the massing and give the appearance within the streetscene of 2 buildings. The building will sit comfortably alongside the adjoining terrace of houses and the Railway Arms public house at the junction of Aldenham Road and Pinner Road. The Railway Arms is a locally listed building for being one of the earlier buildings to be constructed (circa. 1858), its landmark role opposite Bushey Station, and its contribution to the history of the conservation area. The proposed development will not detract from its significance as a locally listed building.

6.3.3 The proposed design is contemporary and incorporates a flat roof with parapets. It incorporates a number of simple but effective design elements that reflect the vertical rhythm of the surrounding properties. It does not seek to imitate the Victorian style and appearance of the conservation area and the contemporary design is considered to be an acceptable response for this site. The use of brick is welcomed and a pale buff colour as suggested is acceptable. Overall, the scale, design and appearance of the proposed building is considered acceptable, providing a high quality building on the site.

6.3.4 The Oxhey Conservation Area includes at its core one of the oldest residential areas in Watford. It was developed in the mid-late 19th century around the newly opened railway station. The site lies at the north-western boundary of the conservation area fronting Aldenham Road. Properties on the eastern side of Aldenham Road are typical of the Victorian properties that characterise the conservation area and include the locally listed Railway Arms public house adjoining the site. None of the original buildings on the western side of Aldenham Road survive, with all buildings of a much later date. Most significantly, the development opposite the site is very recent, completed within the past 5 years. The application site therefore sits within the varied context of different building typologies and ages and at the very edge of the conservation area.

6.3.5 The demolition of the existing building is not considered harmful to the character and appearance of the conservation area as it is considered at best to have a neutral impact. Indeed, this can be seen as a positive measure in allowing an opportunity for enhancement. The proposed building uses a similar basic massing to the existing but takes the building line of the terraced properties adjoining the site. The elevations are well articulated with recessed sections and a clear rhythm developed with this articulation and the fenestration pattern. The rhythm responds well to that of the terraced properties and bays are based on a similar width to those of the terraced properties. The elevation drawings show how good and simple detailing can provide richness. The main building material is a buff brick which responds to and complements the use of brick throughout the conservation area; detailing is provided through the use of textured Flemish bond (found commonly in the conservation area) on the ground floor and the restrained introduction of metal cladding in the entrance recess which runs the full height of the building.

6.3.6 In terms of impact, the proposed building is understated and uses a simple palette of materials which will allow the stronger detailing on the Railway Arms to be appreciated better. It does not resort to a pastiche of a Victorian building and will therefore allow the character of the conservation area to be better understood. In this context, the proposed building is considered to be a high quality response to the opportunities of this site and one that will enhance the streetscene in Aldenham Road and the character and appearance of the conservation area.

6.4 (c) Quality of residential accommodation

All of the flats are dual aspect and accord with the internal floorareas of the Residential Design Guide. Each of the 1 bed flats will have an area of 50m² (the minimum for a 1 bed, 2 person unit) and each of the 2 bed flats will have an area of

70-85m² (minimum for a 2 bed, 4 person unit is 70m²). All of the flats have a good internal layout and will have good levels of outlook.

- 6.4.1 A daylight and sunlight study in accordance with the British Research Establishment's publication 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' has been submitted and demonstrates that all habitable rooms will receive good levels of daylight. Levels of sunlight will vary depending on orientation but 12 of the flats will have windows facing east, south or west and will receive direct sunlight. Only 3 of the flats will have windows facing only to the north-east and thereby receive little direct sunlight. Overall, the development will achieve acceptable levels of natural light.
- 6.4.2 In respect of privacy, windows in the rear elevations will face towards adjoining properties at distances of less than 27.5m. However, due to the difference in land levels and the presence of existing boundary fencing and trees, direct overlooking between the windows in the proposed flats and the existing properties will be very limited. Furthermore, in respect of properties at 12-18, Capel Road which directly adjoin the site, the rear windows are principally to non-habitable rooms (kitchens and bathrooms). Windows within the elevation facing towards the car park of the Railway Arms public house have been designed within recesses to minimise direct overlooking, with new screening also being proposed along this boundary. As all the windows at ground floor level are to bedrooms, this is considered acceptable. Those windows facing Aldenham Road are set back 3.8m from the highway behind soft landscaped planters. This is a slightly greater than that of the adjoining houses. This is considered acceptable to ensure reasonable levels of privacy to the windows of the ground floor flats. Overall, it is considered the proposed flats in the development will have acceptable levels of privacy.
- 6.4.3 Aldenham Road is a very busy, A Class route into Watford and carries high levels of traffic throughout the day. Consequently, the site experiences significant levels of road traffic noise and air pollution. A noise impact assessment has been submitted with the application to consider the impact of road traffic noise and also the potential noise from the adjoining public house. Recorded ambient noise levels at the boundary of the site with Aldenham Road were 73LAeq (equivalent A-weighted continuous sound level) during the daytime (07:00-23:00 hours) and 65LAeq during the night-time (23:00-07:00 hours). The recommended maximum levels for internal rooms, as set out in BS8233:2014, are as follows:

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

Sleeping	Bedroom	35 dB(A)	30 dB(A)
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- 6.4.4 Similar noise levels were recorded from the Railway Arms car park from car manoeuvres and door slamming. At the request of the Environmental Health team, further noise monitoring of the public house was undertaken. The licence for the public house includes live music, the provision of food and the broadcasting of live sporting events. It was established that live music was rarely hosted, with no live music events currently planned and none having been hosted for some time. Furthermore, the public house has no commercial kitchen and does not provide food. The additional noise monitoring was therefore focussed on the use of the outside seating area during live sporting events and on match days for Watford Football Club. In order to represent these events, monitoring was undertaken over a weekend when Watford Football Club were playing at home and other live football matches were being broadcast.
- 6.4.5 During the noise survey, the outdoor area was used by up to 30 people, including football fans on their way to or from the match as well as other customers who watched live matches at the site. The recorded noise levels varied from 57-70LAeq, and were similar to the levels recorded from road traffic noise.
- 6.4.6 Mitigation measures are proposed to achieve the required internal noise levels comprising enhanced acoustic double glazed windows on the front elevation facing Aldenham Road and the side elevation facing the Railway Arms. For the other elevations, standard thermal double glazing is sufficient. These measures are considered acceptable by Environmental Health and can be secured by condition. Environmental Health have also requested mechanical ventilation to the rooms with this enhanced glazing, to allow the rooms to be adequately ventilated (both background ventilation and rapid ventilation for cooling and odour removal) without the need to open the windows. This can also be secured by condition.
- 6.4.7 With regard to air quality and the impact this may have on future occupiers, an air quality assessment has been submitted with the previous application. This assessment was based on current legislation and guidance and the Council's air quality monitoring figures from its two monitoring stations on Chalk Hill (adjoining Bushey Arches) and Aldenham Road (outside The Railway Arms public house). These stations monitor air pollution from road traffic. The methodology was agreed with Environmental Health in advance of the assessment being prepared. The Council's monitoring figures show that the annual mean nitrogen dioxide concentrations of 49µg/m² on Aldenham Road exceed the national objective threshold concentrations of 40µg/m². The assessment includes predictive modelling which concludes that the national objective threshold of 40µg/m² will be exceeded for the ground floor flats facing Aldenham Road. It is therefore proposed that these

flats are mechanically ventilated to allow them to be adequately ventilated (both background ventilation and rapid ventilation for cooling and odour removal) without the need to open windows. These mitigation measures are similar to those required to mitigate noise and have been agreed by Environmental Health. A single system can be used to mitigate both noise and air quality impacts and can be secured by condition.

6.5 (d) Affordable housing provision

Policy HS3 of the Core Strategy requires a 35% provision of affordable housing in all schemes of 10 units or more. In the case of the proposal, for 15 units, this would require the provision of 5 affordable units. This provision should have a tenure mix of 65% affordable rent, 20% social rent and 15% intermediate tenures. Only in exceptional circumstances will a lower level of provision be considered through submission of a development viability assessment.

6.5.1 A viability assessment has been submitted in this case and has been the subject of detailed review by consultants BNP Paribas on behalf of the Council. Negotiations have been undertaken over a period of 4 months. The applicant's submitted assessment concluded that it was not viable for the development to provide any affordable housing, either on-site or in the form of a commuted payment. The final advice from the Council's consultants is that they consider it is viable for the development to make a commuted payment of £322,292. Based upon the Council's emerging Commuted Sums SPD the full commuted payment would be £600,916 for this development. The sum of £322,292 is therefore equivalent of a 19% provision. This sum can be secured by a s.106 planning obligation.

6.5.2 Policy HS3 does not refer to financial payments in lieu of on-site provision, which is the preferred and most appropriate form of provision. However, in this case, it is considered that a financial payment would be the most appropriate option for meeting urgent housing need as it could be used by the Council either through Hart Homes, its joint venture partnership with Watford Community Housing Trust, or to directly deliver its own affordable housing, of the size and tenure required. Although the majority of the units within the scheme are 2 bed, 4 person units being most needed to meet current housing needs, they are not capable of being independently accessed and managed and would likely incur high service charges. This arrangement would not be acceptable to the Council or a registered provider. The scheme is also too small to accommodate 2 separate blocks. For these reasons, a financial contribution is considered acceptable in this case.

6.6 (e) Impacts on surrounding properties

6.6.1 *15, Aldenham Road*

This property adjoins the north-western boundary of the site and is a 2 storey end-

of-terrace house with a small rear garden. The proposed building will sit alongside the flank elevation of this property, projecting only 1.2m beyond the rear elevation and set in 2.8m from the boundary. As such, the proposal will have no adverse impact on this property.

6.6.2 *20a, Capel Road*

This property adjoins the eastern boundary of the site and is sited to the rear of properties fronting Capel Road, accessed via a driveway. It is sited at a higher land level (approximately 4m). The property comprises a single storey house with an L-shaped footprint set away from the boundary. In front of the house, directly adjoining the boundary, is a large hardsurfaced parking area. Windows in the eastern elevation of the proposed building will face windows in this property at a distance of 23.5m at the closest point, increasing to 27.5m. Due to the difference in land levels and the presence of boundary fencing, only the windows at second floor level will have a view towards these windows, across the parking area. In addition, small trees along the eastern boundary provide visual screening. Overall, it is not considered that the proposed development would give rise to any significant level of overlooking to this property.

6.6.3 *10-18, Capel Road*

These properties form part of a terrace fronting Capel Road and their rear gardens adjoin the southern boundary of the site. They are at a higher land level of approximately 4m. The southern elevation of the proposed building is set 4m from the rear garden boundaries with distances of 11.5-13.0m to the rear elevations. These distances are significantly below the minimum of 27.5m for facing windows and 11m to garden boundaries set out in the Residential Design Guide. These rear elevations contain small windows at ground and first floor, most probably serving kitchens and bathrooms given the typical layout of Victorian houses with outriggers. Due to the difference in land levels and existing boundary fencing, only the second floor windows in the new building will give rise to overlooking of these windows and garden areas. In order to mitigate this, some form of screening will need to be incorporated along this boundary. This can be secured by condition.

6.6.4 *Railway Arms public house*

The public house is sited towards the western side of its plot and 16m from the western boundary of the site. It has a landlord's flat at first floor level with 2 small sash windows facing the site. It is not known what rooms these windows serve but there are 3 windows facing Aldenham Road and 2 larger windows facing Pinner Road, suggesting these windows serve the main habitable rooms, sited above the main bar area of the pub. At first and second floor level in the proposed building, only bedroom windows face towards the public house, with the windows set at a distance of 18m away. This is still significantly below the 27.5m guideline in the

Residential Design Guide. In order to prevent overlooking of these windows, the proposed bedroom windows are shown to be obscure glazed. As the bedrooms have second windows facing into the recesses of this elevation (and not towards the public house), this is acceptable.

6.7 (f) Transport, servicing and parking

The site is well located for access to public transport, being very close to Bushey Station and the various bus services that serve the station. There are local shops in the immediate vicinity of the site and the Lower High Street retail area and the town centre are both within walking distance. In this context, a higher density, car-free residential development is in accordance with national and local policy to encourage sustainable development. The proposal is therefore considered acceptable in principle. The lack of on-site parking will mean that the proposal will not add to existing high traffic flows and congestion on Aldenham Road and the nearby Bushey Arches.

6.7.1 It is acknowledged that the surrounding residential roads experience high levels of parking congestion at all times, from commuters during the daytime and local residents during the evening. However, the site is not within a controlled parking zone so it is not possible to restrict on-street parking by future occupiers of the development. The site is highly accessible and is an appropriate location for car-free development. For this reason, the proposal is considered acceptable.

6.7.2 There is no facility for service and delivery vehicles to access the site. The Highway Authority has confirmed that it is acceptable for servicing to take place from Aldenham Road. Parking and waiting on the highway outside the site is controlled by a single yellow line and loading restrictions. Servicing within these restrictions is acceptable.

6.7.3 The scheme incorporates 2 internal cycle stores for 16 cycles. This is acceptable in principle subject to details of the proposed racking system to ensure adequate space is provided.

7.0 Community Infrastructure Levy and Planning Obligations

7.1 Community Infrastructure Levy (CIL)

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

and is calculated at the time that planning permission is granted. The CIL charge applicable to the proposed development is £120m².

7.2 S.106 planning obligation

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. On and from this date, s.106 planning obligations can only be used to secure affordable housing provision and other site specific requirements, such as the removal of entitlement to parking permits in Controlled Parking Zones and the provision of fire hydrants.

The proposed development is one where affordable housing should be provided, in accordance with Policy HS3 of the Watford Local Plan Part 1 Core Strategy 2006-31. In this case, it has been agreed that a financial payment of £462,272 shall be made in lieu of on-site provision.

8.0 Conclusion

- 8.1 The site comprises an out-dated industrial building that has now reached the end of its useful life and is vacant. It is located in a highly accessible location close to Bushey Station and has local shops nearby. The town centre, Lower High Street retail area and Oxhey Park are all within walking distance. The existing building detracts from the streetscene and from the Oxhey Conservation Area and is not compatible with the surrounding residential uses. The development of the site for residential use is therefore acceptable in principle.
- 8.2 The proposed design is contemporary and 3 storeys in height with brick as the facing material. It is considered that the proposed building is an appropriate response for this site and will enhance both the streetscene and wider conservation area. It will provide good levels of accommodation for future occupiers and will have no significant adverse impacts on adjoining properties. The development is car-free which is acceptable in this highly accessible location.

9.0 Human Rights implications

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

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

Section 106 Heads of Terms

- i) To secure a financial payment of £322,292 towards the provision of affordable housing in the Borough of Watford.

Conditions

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

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

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

A2801-200 R15, 201 R13, 202 R13, 203 R11, 400 R6, 401 R5, 402 R5

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

3. No development shall commence until a construction management plan, to include dust management and noise management, has been submitted to and approved in writing by the Local Planning Authority. In relation to the dust management include mitigation measures detailed in tables 6 and 7 of the Air Quality Assessment prepared by XCO2, 17 May 2017. In relation to the noise management consideration must be given to the principles in BS5228.
4. No demolition of the existing buildings or construction of the development shall commence until a detailed scheme to deal with the risks associated with the potential contamination of the site has been submitted to and approved in writing by the Local Planning Authority. That scheme shall include

- i) a site investigation scheme, based on the Desk Study report by Geotechnical and Environmental Associates Limited dated 4th May 2017 (ref. J17057), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
- ii) the results of the site investigation and risk assessment referred to in (i) above and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
- iii) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (ii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: This is a pre-commencement condition to ensure any contamination of the ground is identified and remediated in the interests of the health of the future occupiers of the site, in accordance with Policy SE24 of the Watford District Plan 2000.

- 5. No construction works shall commence until a verification report demonstrating completion of the works set out in the approved remediation strategy (see Condition 3 above) and the effectiveness of the remediation has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: This is a pre-commencement condition to verify that all contamination has been successfully removed from site following all remediation works in the interests of the health of the future occupiers of the site, in accordance with Policy SE24 of the Watford District Plan 2000.

- 6. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to, and obtained written approval from, the Local Planning Authority for a remediation strategy detailing how this

unsuspected contamination is to be dealt with. All works shall be carried out in accordance with the approved details.

Reason: In the interests of the health of the future occupiers of the site, in accordance with Policy SE24 of the Watford District Plan 2000.

7. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and SuDS Strategy Report (Version 3, dated August 2017) by Graphic Structures and the following mitigation measures detailed within the Flood Risk Assessment:
 - i) Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
 - ii) Implementing appropriate drainage strategy based on discharge into Thames Water sewer.

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

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

8. No development (excluding demolition works) shall take place until the final design of the drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - i) Detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features including any connecting pipe runs and manholes.
 - ii) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

9. No development (excluding demolition works) shall commence until the specification of a mechanical air supply/extract system for each of the residential dwellings has been submitted to and approved in writing by

the Local Planning Authority. The system must be capable of providing background and rapid ventilation for cooling with the windows of the respective dwelling remaining closed. The system must not compromise the sound insulation of the façades. The air delivered to the occupiers of the residential dwellings with windows facing Aldenham Road through this system should have an annual mean nitrogen dioxide (NO₂) concentration of 40ug/m³ or less. Details of the siting of any air intake; extraction units; generators and other mechanical equipment serving this system that are likely to give rise to noise should be submitted, along with details of noise attenuation measures to be incorporated to ensure these units do not give rise to a noise nuisance. Noise from the external plant associated with this system, when combined with any building services plant, must not exceed limit of 39dB(A) during the daytime and 27dB(a) night time, one metre from the nearest residential façades. In addition, when in operation, the sound pressure level within each flat shall not exceed the internal noise levels contained in BS8233:2014 1 metre from any associated inlet or outlet. No dwelling shall be occupied until the approved ventilation system has been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

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

10. No development (excluding demolition works) shall commence until a noise mitigation scheme for each of the residential dwellings, based upon the recommendations of the Environmental Noise Survey by Hoare Lea dated 5th September 2017 (Revision 04), has been submitted to and approved by the Local Planning Authority. The scheme shall include the details and specifications of the sound reduction performance of all glazed and non-glazed elements of the building facades. An updated noise assessment shall be submitted to demonstrate that the proposed measures achieve the required internal noise levels. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

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

11. No development (excluding demolition works) shall commence until a specification for the building services plant, to operate in combination to a

noise emission limit of 39dB(A) during the daytime and 27dB(a) night time, one metre from the nearest residential façades, has been submitted to and approved in writing by the Local Planning Authority. Any building services plant must not compromise the sound insulation of the façades. The applicant shall submit details of the building services plant, up to date plans and an updated Noise Assessment demonstrating that these noise emissions limits are met by the proposed plant.

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

12. No development (excluding demolition works) shall commence until full details and samples of the materials to be used for the external surfaces of the building (including walls, roofs, windows, doors, balconies) have been submitted to and approved in writing by the Local Planning Authority.

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.

13. No development (excluding demolition works) shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:
 - i) Existing and proposed land levels;
 - ii) Design and appearance of the retaining walls to the boundaries of the site;
 - iii) Cross-sections of the building in relation to the adjoining land, retaining walls and existing boundary treatments on all boundaries of the site;
 - iv) Boundary treatments to prevent overlooking between the proposed building and adjoining land.

Reason: To ensure an acceptable relationship between the proposed building and adjoining land and in order to ensure no unacceptable levels of overlooking occur, either to adjoining properties or the proposed flats within the approved building.

14. No dwelling shall be occupied until a detailed soft landscaping scheme for all the land within the site has been submitted to and approved in writing by the Local Planning Authority. This shall include new tree and shrub planting to replace trees to be lost. The approved landscaping scheme shall be carried

out not later than the first available planting and seeding season after completion of 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.

15. No dwelling shall be occupied until a detailed hard landscaping scheme for all the land within the site 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.

16. No dwelling shall be occupied until the refuse and recycling store and the cycle stores to serve the dwellings, as shown on the approved drawings, have been constructed and made available for use. These facilities shall be retained as approved at all times.

Reason: To ensure that adequate facilities exist for residents of the proposed development, in accordance with Policies SE7 and T10 of the Watford District Plan 2000.

17. No dwelling shall be occupied until the existing vehicular crossover on Aldenham Road serving the site has been removed and the footpath reinstated.

Reason: In the interests of highway safety and convenience, in accordance with saved Policy T21 of the Watford District Plan 2000.

18. No dwelling shall be occupied until details of a communal terrestrial television aerial(s) and satellite dish(es) have been submitted to and approved in writing by the Local Planning Authority.

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

19. For the avoidance of doubt, no communications development permitted by Class B or Class C of Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 shall be undertaken on the building.

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

20. The 3 windows at first floor level and the 3 windows at second floor level shown to be obscure glazed on approved drawing nos. A2801-201 R13, 202 R13 and 400 R5 shall be non-opening and fitted with obscured glass at all times.

Reason: To prevent overlooking at a loss of privacy to the first floor flat at the Railway Arms public house.

Informatives

1. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health & Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990.

In order to minimise impact of noise, any works associated with the development which are audible at the site boundary should be restricted to the following hours:

- Monday to Friday 8am to 6pm
- Saturdays 8am to 1pm
- Noisy work is prohibited on Sundays and bank holidays

Instructions should be given to ensure that vehicles and plant entering and leaving the site comply with the stated hours of work.

Further details for both the applicant and those potentially affected by construction noise can be found on the Council's website at:
https://www.watford.gov.uk/info/20010/your_environment/188/neighbour_complaints_%E2%80%93_construction_noise.

2. This development may be considered a chargeable development for the purposes of the Community Infrastructure Regulations 2010 (as amended). The charge is non-negotiable and is calculated at the time planning

permission is granted. The charge is based on the net increase of gross internal floor area of the proposed development.

A person or party must assume liability to pay the levy using the assumption of liability form 1 which should be sent to the CIL Officer, Regeneration and Development, Watford Borough Council, Town Hall, Watford, WD17 3EX or via email (semeta.bloomfield@watford.gov.uk).

If nobody assumes liability to pay the levy this will default to the land owner. A Liability Notice will be issued in due course. Failure to adhere to the Regulations and commencing work without notifying the Council could forfeit any rights you have to appeal or pay in instalments and may also incur fines/surcharges.

3. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure a financial payment towards the provision of affordable housing in the Borough.
4. All new developments granted planning permission and to be constructed require naming or numbering under the Public Health Act 1925. You must contact Watford Borough Council Street Naming and Numbering department as early as possible prior to commencement on streetnamenumbers@watford.gov.uk or 01923 278458. A numbering notification will be issued by the council, following which Royal Mail will assign a postcode which will make up the official address. It is also the responsibility of the developer to inform Street Naming and Numbering when properties are ready for occupancy.
5. 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 entered into extensive pre-application discussions with the applicant and requested amendments during the consideration of the application.
6. All works required to be undertaken on the highway network will require an Agreement with the Highway Authority. Before commencing the development the applicant shall contact HCC Highways Development Management, County Hall, Pegs Lane, Hertford, SG13 8DN to obtain their permission and requirements. This is to ensure any work undertaken in the

highway is constructed in accordance with the Highway Authority's specification and by a contractor who is authorised to work in the public highway.

Drawing numbers

A2801-100 R4, 101 R4, 102 R4, 103 R1

A2801-200 R15, 201 R13, 202 R13, 203 R11, 400 R6, 401 R5, 402 R5

Case Officer: Paul Baxter

Email: paul.baxter@watford.gov.uk

Tel: 01923 278284