

<b>PART A</b>	
Report of: <b>Head of Development Management</b>	
Date of committee:	<b>28 February 2018</b>
Site address:	<b>Grafton Optical, Crown House, The Crescent</b>
Reference Number:	<b>17/01281/FULM</b>
Description of Development:	<b>Demolition of existing warehouse/office/showroom building and erection of two buildings comprising 21 residential units, 2 parking spaces, bin and cycle stores and associated landscaping.</b>
Applicant:	<b>Standard Estates Limited</b>
Date Received:	<b>14<sup>th</sup> September 2017</b>
13 week date (major):	<b>14<sup>th</sup> December 2017 (extended by agreement to 2<sup>nd</sup> March 2018)</b>
Ward:	<b>Central</b>

## **1.0 Site and surroundings**

- 1.1 The site is located on the northern side of The Crescent between Smith Street and High Street. It is L-shaped and has an area of 0.13 hectare. It has a frontage to The Crescent and also adjoins Crown Passage which links The Crescent to High Street. The site currently comprises a large, single storey industrial/warehouse building with a parking area to the front.
- 1.2 The site is within the High Street/King Street Conservation Area and also adjoins 2 listed buildings on High Street (nos. 156 and 158), 4 locally listed buildings on High Street (nos. 146, 146a, 148 and 150) and 2 locally listed buildings on Smith Street (nos. 11 and 12).

## **2.0 Proposed development**

- 2.1 To demolish the existing building and erect 2 buildings to provide 21 residential flats comprising 5 studio flats, 13 x 1 bed flats and 3 x 2 bed flats. A 4 storey building (Block A) is sited towards the site frontage with The Crescent and comprises 15 flats with a 3 storey building (Block B) to the rear comprising 6 flats. A communal amenity area is provided between the two buildings. Two car parking spaces are provided.

- 2.2 The scheme as originally submitted proposed 22 flats but this was amended to address various concerns raised by officers relating to design, the distance between the proposed buildings, the size of the proposed flats and the loss of 2 trees.

### **3.0 Relevant planning history**

- 3.1 The existing building originally dates from the 1930s. Although the building has had new cladding to the elevations and new roofing, there is no other relevant planning history since this time.

### **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 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*

*High Street/King Street Conservation Area Character Appraisal (adopted June 2013)*

#### **4.3 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

- 4.4 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 86 properties in the surrounding area. Three letters of reply have been received. The objections that have been raised are summarised and considered in the table below.

Representations	Officer’s response
5 parking spaces inadequate for number of flats.	Parking has now been reduced to 2 spaces. See section 6.8 of the report.
Security to adjoining rear gardens.	The proposal is to retain the existing wall at a height of 3m.
Development overlooks rear gardens of Smith Street properties.	See section 6.7 of the report.
Height of new buildings will result in loss of daylight to Smith Street properties.	See section 6.7 of the report.
Proposal is too dominant for the site and will overshadow the listed One Bell public house.	See section 6.4 of the report.

## 5.2 **Statutory publicity**

The application was publicised by site notice posted on 29<sup>th</sup> September 2017 and by advertisement in the Watford Observer published on 29<sup>th</sup> September 2017. The site notice period and the newspaper advertisement period both expired on 20<sup>th</sup> October 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 proposed scheme.

### Thames Water

No objection to the proposed scheme.

### Housing

The scheme as originally submitted proposed 3 x 1 bed flats for shared ownership. These were not considered acceptable to meet urgent housing needs either in their size or proposed tenure. It was agreed that it would be more beneficial in this case to seek a commuted payment.

### Planning Policy

The Urban Design and Conservation Manager made detailed comments regarding the submitted scheme which was not considered to be of an acceptable design quality for the conservation area. Many of these comments have been taken into account in the amended scheme. Several suggestions have not been incorporated and reasons have been given for this, although these have not all been accepted by the Urban Design and Conservation Manager. The Urban Design and Conservation Manager still considers that improvements can be made to the scheme.

### Arboricultural Officer

It was noted that 2 substantial ash trees on the site were shown to be removed in the submitted scheme. In the amended scheme, these are shown to be retained.

### Environmental Health

No objection to the proposed scheme subject to appropriate conditions relating to

noise mitigation measures and land remediation. One of these measures is that the windows of the flats should be unopenable in order to adequately mitigate noise and odours from the adjoining commercial uses.

## **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) Impact on the conservation area and other heritage assets
- (d) Quality of residential accommodation
- (e) Affordable housing provision
- (f) Impacts on surrounding properties
- (g) 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 within a largely residential enclave to the rear of the High Street. The building is currently vacant and dates from the early 1950s. The previous occupier, Grafton Optical, has moved to more modern facilities. The existing building is no longer considered suitable for continued employment use in the medium to long term.

- 6.2.1 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 within the town centre, which is well served by bus services and the nearby High Street Station. A wide range of shops, services and facilities are within walking distance of the site. 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 is an industrial warehouse that is of a different scale, design and appearance to the surrounding residential properties. It is essentially a large single storey building, incorporating some office floorspace within a mezzanine level, with a roof comprising 3 large pitched roofs with ridges running across the width of the building. The walls and roof comprise metal cladding and the building is typical of buildings seen within industrial areas. The building is set well back from the road frontage behind a tarmac car park, enclosed by a wall and railings. As such,

it presents a dead frontage to The Crescent and is not in keeping with the general character and appearance of the street or the wider conservation area.

- 6.3.1 The surrounding residential properties on Smith Street and The Crescent vary in their age, style and materials. The houses on Smith Street are typical Victorian terraces in a yellow stock brick, although several have been painted. Houses on The Crescent date from the 1920s and are finished in brown pebbledash render, although again several have been painted. The Mews adjoining the site is a small terrace of houses built in the 1960s in a dark red brick, replacing a Victorian terrace that previously occupied the site.
- 6.3.2 The proposed buildings are 4 storey to the front and 3 storey to the rear. Both are of a contemporary design and incorporate a flat roof with parapets. Each comprise a 3 storey building in brick, with a fenestration that gives a strong vertical rhythm which can be seen in the surrounding properties. The design does not seek to imitate any of the surrounding buildings, not least because of their varied styles and appearance, but is a contemporary insertion into the conservation area. The proposed main facing material is brick which is considered acceptable and appropriate. The front building also incorporates a fourth storey which is set back from the frontage and is proposed to be finished in a zinc cladding. This is a more modern material in this context but reflects the metal cladding of the existing industrial building. It will allow the top floor to be read as a lighter, subservient element.
- 6.3.3 The height of the parapet on each building is just slightly higher (approx. 1m) than the ridgeline of the existing industrial building and the adjoining houses. Although they will read as a different style of building compared to the surrounding houses, with a higher eaves level and no pitched roof, they still reflect the overall height of these houses. They also reflect the overall height of the industrial warehouse although as 2 buildings, will have a significantly reduced overall scale, mass and bulk.
- 6.3.4 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. Although the surrounding houses are 2 storey they all incorporate pitched roofs and the proposed buildings are very similar in height. The scale, design and materials is also considered to be a significant improvement over the existing large scale industrial building and its prominent car park on the street frontage.

- 6.4 (c) Impact on the conservation area and other heritage assets
  - i) High Street/King Street Conservation Area*

The conservation area is divided into 4 character areas. The site lies at the transition between the commercial High Street and the quieter residential area behind. The existing industrial warehouse building is not in keeping with the residential character area in its scale, appearance or use. The proposed residential use, the residential style of the buildings and the use of brick as the main material will not only complement the surrounding residential dwellings but enhance the character of this part of the conservation area. Furthermore, the siting of the proposed buildings will reflect the historic siting of 2 rows of residential terraces on the site up to the 1930s, with the front building also recreating much of the enclosure of The Crescent and Crown Passage that existed until this time. The dead frontage of the walled car park will be replaced with pedestrian entrances to the front building and the area of parking significantly reduced and sited to the side of the building.

6.4.1 One of the main views into and out of the conservation area along Crown Passage will be retained although it will appear more enclosed by virtue of the siting of the front building. Again, this reflects the historic context of Crown Passage and is not considered harmful. Overall, it is considered that the proposal, through the removal of the existing industrial warehouse and the proposed residential development will not cause harm and will afford a degree of enhancement to the character and appearance of the conservation area.

6.4.2 *ii) Listed and locally listed buildings*

There are a number of listed and locally listed buildings fronting the High Street. The most important in relation to the site is the small cluster of listed buildings around the High Street entrance of Crown Passage (nos. 156, 158 and 160). These are seen not only in their High Street context but their rear elevations and sequential extensions over several centuries can be seen from Crown Passage and The Crescent. Although the proposed development will have no direct impact on these buildings, it will be seen in the immediate setting of these buildings from The Crescent.

6.4.3 The site is at the transition between 2 character areas within the conservation area, the commercial High Street and the quieter residential area behind. At present, the siting of the building and the car park give a very open aspect and clear views of the rear of the listed buildings. Although the proposed front building will give much greater enclosure to the street on The Crescent, it will not obstruct views of the rear of the listed buildings or detract from their appreciation. It is also set away from the rear boundaries allowing the listed buildings to continue to be seen in their historic context as part of the original development of the town along High Street.

6.4.4 In conclusion, the proposed development will not cause harm to the significance of

the listed buildings.

6.5 (d) Quality of residential accommodation

All of the flats within both buildings are single aspect (with the exception of 1 dual aspect flat in Block A), facing either The Crescent (Block A) or the communal amenity area (Block A and B), and all accord with the internal floorareas of the Residential Design Guide. All of the flats have a good internal layout and will have good levels of outlook and natural light. Seven of the flats in Block A will have a north facing aspect (over the communal amenity area) and therefore will receive no direct sunlight into the rooms. This is often unavoidable in higher density urban schemes and is not considered to merit a refusal of permission in this case. Overall, the development will achieve acceptable levels of natural light.

6.5.1 In respect of privacy, the distance between the two buildings and their respective facing windows is 22m. This accords with the Residential Design Guide which states that a distance of 22m between facing windows is acceptable between new buildings within a development. The normal distance of 27.5m applies between new and existing buildings, principally to protect the existing level of privacy enjoyed by existing properties adjoining a new development. In this case, none of the habitable room windows in the development will face towards the properties in Smith Street to the west or High Street to the east.

6.5.2 The site adjoins the rear of the High Street commercial properties along its eastern boundary. One of these, 152-154, High Street, has several kitchen extract flues towards the rear of the site on the roof of the single storey rear extension. Other plant and equipment is also located on the rear extensions of other buildings along the eastern boundary of the site. The Environmental Health team have expressed concerns regarding potential nuisance from noise and odours to the proposed flats. As such, they have requested conditions to secure noise mitigation to the proposed flats (in accordance with the submitted noise report) and also that the windows of the flats be non-opening. Whilst this would ensure noise and odours would be mitigated, it is considered unreasonable to require the windows to the flats to be non-opening. This would effectively create sealed flats relying solely on mechanical ventilation which is not considered to provide an acceptable living environment. It is the opinion of your officers that future residents should have the option of opening their windows, which may be particularly desirable at times when there is no significant noise or odours from the adjoining uses. Conditions can be used to secure appropriate noise mitigation measures and mechanical ventilation.

6.6 (e) 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 21 units, this would require the provision of 7 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.

6.6.1 A viability assessment has been submitted in this case and has been the subject of detailed review by consultants GL Hearn on behalf of the council. Negotiations have been undertaken over a period of several months. The applicant's submitted assessment proposed 3 one bed flats for shared ownership as the only viable affordable housing provision. The council's consultants considered that an additional commuted sum could also be provided. Following consultations with the Housing team, it was agreed that it would be more beneficial to provide a single commuted payment rather than the proposed 3 shared ownership flats which were not considered to meet urgent housing need in respect of their size or tenure. This approach was agreed with the applicant and a commuted payment of £260,928 has been agreed following a further viability review. Based upon the council's recently adopted Commuted Sums SPD the full commuted payment (equivalent to 35%) for the proposed development would be £839,481. The sum of £260,928 is therefore the equivalent of an 11% provision. This sum can be secured by a s.106 planning obligation.

6.6.2 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. The majority of the units within the scheme (18) are studio and 1 bed flats whereas the council's greatest need is for 2 bed, 4 person units. For these reasons, a financial contribution is considered acceptable in this case, in accordance with the Commuted Sums SPD.

## 6.7 (f) Impacts on surrounding properties

### 6.7.1 *High Street properties (nos. 144-154, evens)*

The properties fronting High Street have narrow, long plots reflecting their medieval origins. All have commercial uses at ground floor and all have been extended to the rear in modern times, most of them at single storey level to the full depth of the plots. Some have residential uses at first floor level within the original buildings at the front of the plots. The existing industrial warehouse extends across the rear of all of these properties with the 3 gables of the pitched roof form facing

towards these properties. In the proposed development, only the rear building will sit to the rear of nos. 144-146a with the new amenity area sited to the rear of nos. 148-154. The proposed rear building will have no adverse impacts on these properties.

#### 6.7.2 *The Mews*

This is a short terrace of 4 houses unusually sited at right-angles to the site and the terraced housing in Smith Street. Their front elevations face the flank elevation of 6, Smith Street with their rear gardens facing The Crescent. The proposed front building has been designed to maintain a 45 degree angle of view from the front and rear facing windows in the nearest house, no.4. This accords with the guidelines in the Residential Design Guide and will ensure no adverse impact on outlook or natural light to this house. Privacy will be unaffected.

#### 6.7.3 *Smith Street properties (nos. 6-12, inclusive)*

These are 2 storey Victorian terraces with short rear gardens. The existing industrial warehouse extends across the rear of all of these properties with the 3 gables of the pitched roof form facing towards these properties. In the proposed development, only the rear building will sit to the rear of nos. 11 and 12 with the new amenity area sited to the rear of nos. 6-10. In respect of nos. 11 and 12, the flank elevation of the proposed building will have a greater mass than the gable roof form of the existing building but it is not considered this will give rise to any significant loss of outlook or natural light. Although some small secondary windows are shown in this elevation, they are to be obscured glazed to prevent overlooking and loss of privacy. This can be secured by condition. In respect of nos. 6-10, some oblique overlooking of the gardens will occur from the upper floor windows of the building. This additional impact (the industrial building has no windows on the flank elevation) it is not uncommon in urban areas and is not considered unduly harmful.

#### 6.8 (g) Transport, servicing and parking

The site is well located for access to public transport, being very close to High Street Station and the various bus services that serve the town centre. There is a wide range of shops and services within the town centre and the nearby Lower High Street. In this context, a higher density, largely 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 relative lack of on-site parking will mean that the proposal will not add to existing traffic flows on the surrounding roads.

- 6.8.1 It is acknowledged that the surrounding residential roads experience high levels of parking congestion at all times. However, the site is within a controlled parking zone so the development can be excluded from the CPZ to prevent future residents

from entitlement to parking permits. This can be secured by a s.106 planning obligation.

- 6.8.2 The site layout incorporates a facility for service and delivery vehicles to access the site from The Crescent and service the development without parking on the highway. This is acceptable.
- 6.8.3 The scheme incorporates external cycle stores for 21 cycles. This is acceptable in principle subject to details of the proposed stores and 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 £120m<sup>2</sup>.

### **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 £260,928 shall be made in lieu of on-site provision. It is also necessary that the development be excluded from the local controlled parking zone and that any required fire hydrants be provided to serve the development.

## **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 in the town centre and close to High Street Station with a wide range of shops and services

nearby. The existing building detracts from the streetscene and from the 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 with brick as the main facing material. It is considered that the proposed buildings are an appropriate response for this site and will enhance both the streetscene and wider conservation area. The buildings will provide good levels of accommodation for future occupiers and will have no significant adverse impacts on adjoining properties. The development is virtually car-free which is acceptable in this highly accessible location.
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## **9.0 Human Rights implications**

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

That, 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 £260,928 towards the provision of affordable housing in the Borough of Watford.
- ii) To secure a financial payment to the council of £2,000 towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude the site from the controlled parking zone, thereby preventing residents' parking permits being issued to this site.
- iii) To secure the provision of fire hydrants to serve the site as required by Hertfordshire County Council.

## 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:-

GOW/17/PL01B, PL02B

GOW/17/2/PL/L10A, L11A, L15A

GOW/17/PL/2/L20A, L21, L22, L23, L25A, L26, L27, L28

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

3. 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 JNP Group dated (ref. M42180/RE001/Rev A), 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.

4. 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.

5. 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.

6. No development shall commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and
  - i) The programme and methodology of site investigation and recording;
  - ii) The programme and methodology of site investigation and recording as suggested by the archaeological evaluation;
  - iii) The programme for post investigation assessment;
  - iv) Provision to be made for analysis of the site investigation and

- recording;
- v) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- vi) Provision to be made for archive deposition of the analysis and records of the site investigation;
- vii) Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

The development shall only be carried out in accordance with the programme of archaeological works set out in the approved Written Scheme of Investigation.

Reason: This is a pre-commencement condition to ensure that any archaeological remains are properly recorded, in accordance with Policy UD2 of the Watford Local Plan Core Strategy 2006-31. This needs to take place before development commences in order to ensure any remains present are not damaged or destroyed before they are recorded.

7. No demolition of the existing buildings shall commence until details of the boundary walls to be retained and/or rebuilt, including their height, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure an acceptable relationship with the adjoining properties.

8. The development permitted by this planning permission shall be carried out in accordance with the approved Drainage Strategy (ref. 170964/DS/TS/RS/01) by Lanmor Consulting and the following mitigation measures:

- i) Implement appropriate drainage strategy based on attenuation and discharge into Thames Surface water sewer.
- ii) Limiting the surface water run-off to a maximum of 5l/s generated by the 1 in 100 year + 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.
- iii) Providing a minimum of 70.22m<sup>3</sup> (or such storage volume agreed with the LLFA) of total storage volume 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.

- iv) Implement drainage strategy as indicated on the proposed drainage strategy drawing 170964/DS/01 utilising permeable paving AND attenuation basin.

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.

- 9. 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 location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations.
  - ii) Final design should incorporate silt traps and appropriate pollution prevention methods to ensure surface water run-off from the proposed car parking and roads can be treated in a sustainable manner and reduce the requirement for maintenance of underground features.

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

- 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 AIRO (Report No. DLW/7120 dated 23<sup>rd</sup> October 2017), 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 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. 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.

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 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.

14. 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.

15. No dwelling shall be occupied until details of the design and materials of the external bin store and cycle stores to serve the dwellings, as shown on the approved drawings, have been submitted to and approved in writing by the Local Planning Authority and have been constructed in accordance with the approved details. 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.

16. No dwelling shall be occupied until the following works have been completed in full:
- i) the existing vehicular crossover on The Crescent at the western end of the site frontage has been removed, the footpath has been reinstated and the controlled parking zone bay has been extended to incorporate this part of the highway.
  - ii) the existing vehicular crossover on The Crescent at the eastern end of the site frontage has been improved and the controlled parking zone bay has been modified and any necessary additional yellow lines have been installed.
  - iii) the existing lamppost and parking payment meter adjacent to the existing vehicular crossover on The Crescent at the eastern end of the site frontage have been relocated.

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

17. No dwelling shall be occupied in either block until details of a communal terrestrial television aerial(s) and satellite dish(es) for the respective block 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.

18. 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.

19. All windows at first floor, second floor and third floor level in the east and west facing flank elevations of both blocks shall be non-opening and fitted with obscured glass at all times.

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

### 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](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](mailto: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](mailto: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

GOW/17/LP01

21214 & 21215 Rev.1 (MK Surveys)

L[---]002, L[---]003 (Triggs Associates)

GOW/17/PL01B, PL02B

GOW/17/2/PL/L10A, L11A, L15A

GOW/17/PL/2/L20A, L21, L22, L23, L25A, L26, L27, L28

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