

PART A	
Report of: Head of Development Management	
Date of committee:	16th May 2018
Site address:	Whippendell Marine, Whippendell Road
Reference Number:	18/00269/FULM
Description of Development:	Redevelopment of the site to provide 81 apartments in 3 apartment buildings with associated access, parking, amenity space, bin store and bicycle/residential storage areas
Applicant:	Oakford Homes Limited
Date Received:	2nd March 2018
13 week date (major):	1st June 2018
Ward:	Holywell

1.0 Site and surroundings

- 1.1 The site is located on the southern side of Whippendell Road just east of the Junction with Sydney Road and extends through to Sydney Road where it has a 'secondary' frontage. The site is rectangular in shape and has an area of 0.6 hectare. It has been occupied by the Whippendell Engineering and Manufacturing Company (WEMCO) since the 1950s and comprises various industrial buildings. The main building fronts Whippendell Road and is 3 storeys with a small 4 storey element. To the rear is a large, 2 storey industrial building. On the Sydney Road frontage are 4 smaller, 2 and 3 storey buildings. The site has 1 vehicular access from Whippendell Road (at the western end) and 4 accesses from Sydney Road.
- 1.2 The immediately adjoining properties on both the Whippendell Road and Sydney Road frontages are 2 storey houses with good sized gardens. Those on Whippendell Road are Victorian terraces and those on Sydney Road semi-detached houses built in the 1950s. Whippendell Road is predominantly residential in character following the recent redevelopment of the Rembrandt House site to the east. To the west is the Printers Avenue mixed use development. Sydney Road has a very mixed character with the former Watford Laundry works and car repair garages opposite. Further to the east are other commercial sites (the subject of a recent application for residential development).

2.0 Proposed development

2.1 To demolish the existing building on the site and erect 3 blocks of flats:

- i) Block A (Whippendell Road) – A 3 storey block with part 4 storey element comprising 52 flats for market sale (30 x 1 bed and 22 x 2 bed).
- ii) Block B (Sydney Road) – A 3 storey block comprising 9 flats for market and affordable low cost housing (8 x 2 bed and 1 x 3 bed).
- iii) Block C (Sydney Road) – A 3 storey block comprising 20 flats for affordable housing (17 x 2 bed and 3 x 3 bed).

The development includes secure cycle/large item storage for each flat and waste and recycling bin stores. A total of 83 car parking spaces are provided (including 1 space for a car club vehicle) with the sole vehicular access from Sydney Road. Within the car park a small play area (98m²) is provided to the rear of Block A.

3.0 Relevant planning history

3.1 The site has a long planning history of works and development from 1949 to 1987 but no recent applications. The first building appeared on the site shortly after the First World War.

4.0 Planning policies

4.1 Development plan

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.

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 177 properties in Whippendell Road, Sydney Road, King George's Avenue and The Gateway. Four letters of reply were received with 1 in support and only 2 raising objections. These are summarised in the table below:

Representations	Officer's response
Additional flats will make already congested area worse. Traffic generation and car parking.	See Section 6.7 below.
Watford is being ruined by putting flats/houses on every bit of land.	See Section 6.2 below.
What about impact on the community – schools and doctors surgeries?	The development will be liable for a Community Infrastructure Levy charge towards local infrastructure based upon the net additional floorspace created.

5.2 The letter of support stated “Redeveloping the site will be a good thing as it is old and does not blend in with the surrounding area. It has become quite noisy and attracts too many lorries. Having flats on the site will blend in better with Sydney Road, as we are residential, and it will be much quieter.”

5.3 The other letter received wanted to ensure there was enough car parking and suggested there be no parking permits for the new flats.

5.4 **Statutory publicity**

The application was publicised by 4 site notices posted on 16th March 2018 and by advertisement in the Watford Observer published on 16th March 2018. The statutory notice period expired on 6th April 2018.

5.5 **Technical consultations**

The following responses have been received from technical consultees:

5.5.1 Hertfordshire County Council (Highways Authority)

Has no objection to the proposed scheme but has requested conditions relating to the closure of existing accesses, modification of existing access, provision of pedestrian visibility splays, provision of parking and servicing areas and a construction traffic management plan. *[This final condition is not considered acceptable or appropriate as it does not satisfy the relevant tests for conditions. The Council as the Local Planning Authority cannot control construction vehicles using the public highway.]*

5.5.2 Hertfordshire County Council (Lead Local Flood Authority)

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

5.5.3 Thames Water

Has no objection with regard to sewerage capacity. Has not requested any conditions.

5.5.4 Environment Agency

No objections to the proposed scheme subject to appropriate conditions relating to ground contamination and remediation of the site, surface water drainage and intrusive works.

5.5.5 Planning Policy

Do not object to the application but make some detailed comments and conclude as follows:

“Whilst the overall layout and massing is acceptable and follows a logical approach, the internal courtyard does not function as any type of courtyard or amenity space, and is little more than a car park. This should be revisited and a balanced approach with regard to design, materials (shared surface), number of car spaces and amenity provision is required. Minor changes to the materials to the Whippendell Road elevation, more clearly defined own door access, and to ensure adequate screening and privacy for the private gardens is required.”

5.5.6 Housing

The Housing team commented as follows on the submitted application:

“The applicant has taken on board the comments made by the Housing and Planning Services in relation to the affordable housing requirements for the borough and the proposal reflects what the Housing Service requested from the developer in pre application discussions.

The site has 81 units which would usually attract 28 units of affordable housing (35%). The application offers 24 affordable housing units (30%). That said, as per Housing’s request, the smaller 1 bedroom units have been retained in the market sales leaving the affordable housing all 2 and 3 bedroom units. It would therefore be reasonable to look at achieving the 35% by habitable rooms rather than units. The affordable housing habitable rooms are 76 of 217 (35%) and it is considered appropriate provision has been made.

Unit sizes

As requested, all 1 bedroom units are in the market sales and the affordable housing is all family sized units.

Tenure mix

To meet policy requirements the 24 units of affordable housing should be split:

15 x affordable rented (65%)

5 x social rented (20%)

4 x LCHO (15%)

The 4 x LCHO units have been provided. From the 20 units of rented affordable housing we would like the 5 social rented to be 3 x 3 beds and 2 x 2 beds. That would leave 15 remaining 2 bed units to be affordable rented. See below table.

	1 bed	2 bed	3 bed	Total
Social rented	0	2	3	5
Affordable rented	0	15	0	15
LCHO	0	3	1	4
Total	0	20	4	24

Subject to agreeing the tenure mix as above, the Housing Service supports this application.”

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, parking and servicing
- (g) Environmental considerations

6.2 (a) Principle of the use

The site is not designated for employment use and the existing buildings are now very dated, in poor condition and not economic to repair. The loss of the poor quality commercial space would not be harmful to the commercial needs of the town. It is also a relevant consideration that commercial redevelopment of the site, with potential for significantly increased industrial activity and HGVs, is likely to give rise to additional harmful impacts in the residential context of Sydney Road in particular but also Whippendell Road. Retention of the site for commercial uses is therefore not considered to be appropriate or desirable in this case.

6.2.1 Although the immediate locality is of a mixed character, particularly on Sydney Road, the site is within a predominantly residential area and offers the opportunity for the comprehensive redevelopment of a significant brownfield site. Furthermore, the other outdated and poor quality residential sites on Sydney Road are also coming forward for residential development (29-43, Sydney Road – recently approved under ref.17/01591/FULM and the former Watford Laundry site). Bringing this site forward accords with the objectives of the NPPF that sites should not be allocated or protected for employment use where there is no reasonable prospect of them coming forward for employment use and that alternative uses should be considered.

6.2.2 Policy HS1 of the Core Strategy lists the criteria that will be taken into account in assessing the suitability of sites for residential use. In this case, the site is brownfield land, is close to a range of local facilities, is not at risk of flooding and has access to public transport. Furthermore, the site has no heritage significance or biodiversity or landscape value. The proposed residential development would be in keeping with the residential character of the surrounding area. The development provides a suitable mix of 1, 2 and 3 bed units, compliant with Policy HS2 of the Core Strategy, and also provides much needed affordable housing. The principle of residential provision is therefore supported.

6.3 (b) Scale and design

The scale and design of the proposed buildings has been informed by a thorough analysis of the existing industrial buildings and materials on the site and other important industrial buildings in the locality, such as Rembrandt House. All of the buildings are proposed as 3 storey, reflecting the scale of the existing buildings, with an enlarged 4th storey element on Block A fronting Whippendell Road, acknowledging the status of this road as an important local distributor road. All of the buildings will sit comfortably within the street frontages alongside the existing residential houses, following the existing building lines and providing high quality and animated frontages.

6.3.1 Block A exhibits a strong grid pattern within its facades reflecting the pattern seen in the existing building and typical of industrial buildings of this age. The materials chosen also reflect the industrial heritage of the site. On the Whippendell Road frontage, a red brick is proposed as the main material with metal and concrete panels adding variety and interest. In contrast, the rear elevation is in a grey brick, reflecting the fact that the rear elevations of industrial buildings were often in a poorer quality brick and contained less detailing (although in this case, the quality of materials and detailing will be the same as the front elevation).

6.3.2 For Blocks B and C, these are of a simpler design, robust but less industrial in appearance, reflecting the simpler design of the ancillary buildings found on this frontage (stores, boiler house) and acknowledging the residential nature of the road. These buildings still contain appropriate brick detailing, stone banding and recessed panels to add texture and interest, with both buildings having a raised parapet adjoining the access junction, signalling the sole entrance to the development.

6.3.3 Overall, it is considered that the proposal provides a successful design response for this site with buildings that will make a positive addition to both street frontages whilst relating well to the adjoining residential properties. The use of brick as the main facing material will ensure the long term quality of the buildings.

6.4 (c) Quality of residential accommodation

All of the proposed residential flats will meet or exceed the nationally described space standards for new residential dwellings. All of the flats will also have good levels of natural light, outlook and privacy. The majority of the flats are single aspect and those facing due north (those facing Whippendell Road in Block A and the internal parking area in Blocks B and C) will receive no direct sunlight into their rooms. This is a consequence of the orientation of the site and the existing pattern of housing on both roads. However, these units will still have a good level of amenity. Due to the level of parking provision (1 space per dwelling), there is only limited provision for communal amenity space (98m²) at ground floor level, which is provided in the form of a play area. However, all of the flats will have private balconies that will provide directly accessible private space for each flat. This is commonly the way private amenity space is provided in high density developments and is acceptable for this site.

6.4.1 A noise impact assessment has been submitted with the application to assess potential noise impacts from road traffic on Whippendell Road and Sydney Road on the proposed flats. This has concluded that additional acoustic double glazing and acoustic air bricks will be required for the flats facing or side on to both roads in order to ensure acceptable internal noise levels are achieved in accordance with British Standard BS8233:2014. Also, in order to allow the flats to be adequately ventilated without the need to open windows, mechanical ventilation will also be required, to provide background and purge ventilation. These additional measures can be secured by condition.

6.5 (d) Affordable housing provision

Policy HS3 of the Core Strategy requires a 35% provision of affordable housing for all major developments, with this provision having tenure split in to 65% affordable rent, 20% social rent and 15% shared ownership. The proposal provides 24 units for

affordable housing with 4 of the flats in Block B for affordable low cost home ownership (LCHO) (the remaining 5 flats are for market sale) and all of the 20 flats in Block C for affordable and social rent. The overall breakdown is as follows:

	1 bed	2 bed	3 bed	Total
Social rented	0	2	3	5
Affordable rented	0	15	0	15
LCHO	0	3	1	4
Total	0	20	4	24

The 24 flats equate to a provision of 30% affordable housing by units and 35% by habitable rooms. This provision of affordable housing has been negotiated and agreed with the Housing team with the scheme being redesigned after pre-application discussions to remove the proposed 1 bed affordable units and introduce 3 bed units and maximising the number of 2 bed units. Overall, the provision of 2 bed and 3 bed units only for the affordable housing, together with a policy compliant tenure split is considered to best meet the current urgent housing needs of the households on the Council's waiting list. This is considered an acceptable and welcome provision of affordable housing to meet the borough's urgent housing needs.

6.6 (e) Impacts on surrounding properties

6.6.1 i) Whippendell Road

The site is adjoined by terraced houses on both side elevations on Whippendell Road. The existing industrial building extends to a depth of 37m beyond the rear elevation of no.475 and 32m beyond the rear elevation of no.495, along the whole length of the garden areas, and is a visually dominant building in this respect. The proposed Block A will extend only 3m and 4m beyond the respective rear elevations with the open parking area adjoining the gardens. This will be a significant visual improvement to these properties.

6.6.2 ii) Sydney Road

On this frontage the site adjoins nos. 58 and 88, Sydney Road. A detached building on the application site extends 6m beyond the rear elevation of no.58 and another detached building extends 14m beyond the rear elevation of no.88. Under the proposal, with Block C will extend 7m beyond no.58 (an increase in 1m) and Block B will extend only 7m beyond no.88 (a reduction of 7m). Parts of the existing main building also extend along the garden boundaries of these properties and this will be removed. Overall, the proposal will have a significant positive impact on these properties.

6.7 (f) Transport, parking and servicing

The site is located in an out-of-centre location although is served by various bus routes along Whippendell Road and is within walking distance of the Metropolitan Line station. There are also various local services within walking distance including a convenience store, doctors' surgery, pharmacy and day nursery at Printers Avenue, local shops on Whippendell Road and a Morrison's on Ascot Road.

6.7.1 Although the site is out-of-centre, it is located within a controlled parking zone (CPZ) due to the relative proximity to the Metropolitan Line station and Vicarage Road Stadium. This would allow a reduced level of parking provision. In this case, the applicant has provided 83 spaces, which equates to 1 space per dwelling, 1 car club space and 1 visitor space. Under the Council's parking standards within the Watford District Plan 2000, the maximum provision for the proposed development would be 117 spaces. The proposal therefore makes a provision of 71% which is considered acceptable. The applicant has agreed that the development be excluded from the CPZ in order to ensure future residents are not entitled to parking permits. This can be secured by a s.106 planning obligation. The applicant has also agreed that 8 of the spaces will have active electric charging points and these will be unallocated.

6.7.2 In respect of traffic generation, a transport statement has been submitted which compares the predicted traffic generation from the industrial use of the site with that predicted for the proposed residential development. The predicted increases in traffic are considered to be insignificant and acceptable by the County Council as the Highway Authority. No cumulative transport assessment has been undertaken in respect of the other sites on Sydney Road which have either been granted consent (29-43, Sydney Road – 17/01591/FULM) or which are known to be coming forward (the former Watford Laundry site). However, application 17/01591/FULM did include a cumulative assessment for the former Laundry site and the Whippendell Marine site (based on an initial pre-application scheme for 65 flats and 1000m² of commercial floorspace). Although the submitted scheme for the application site is different to that assessed, a comparison can be made between the predicted traffic flows for the pre-application scheme and the current proposal. This shows that the predicted difference in two-way traffic flows in the peak periods is -12 vehicles in the morning peak and -2 vehicles in the evening peak. The proposed scheme will therefore have no greater impact on the highway network than the previously assessed scheme.

6.7.3 Two bin stores are provided within the development with adequate capacity for the required number of bins. Adequate manoeuvring space is also provided for a refuse vehicle to enter and leave the site in forward gear. Six residential stores are also

provided within the blocks which include cycle and large item storage cages for each of the flats. These will provide good facilities for the future occupiers.

6.7.4 On Whippendell Road, a servicing bay is proposed to allow servicing of Block A. This is intended to operate between the hours of 8.00am and 6.30pm, Monday to Saturday only, which will allow the servicing bay to be used for residents parking during the evenings, overnight and on Sundays when on-street demand is greatest. As this servicing bay is within the highway, it will need to be the subject of a traffic regulation order with the County Council as the Highway Authority in order for it to be enforceable.

6.8 (g) Environmental considerations

6.8.1 i) Land contamination

A Geo-environmental Site Assessment has been submitted with the application. Despite the investigation being limited by the extent of existing structures on the site, a range of contaminants has been identified on the site including asbestos, heavy metals, organic contaminants and other toxic chemicals. As such, further investigation will be required to fully assess any contamination on the site and to formulate an appropriate comprehensive remediation strategy. This will need to include asbestos removal, removal of made ground, and the decommissioning and removal of underground fuel tanks, the existing sub-station and the boiler house and fuel store. This can be secured by condition.

6.8.2 ii) Surface water drainage

A surface water drainage strategy has been submitted with the application. This proposes that all surface water from the site will be collected in underground attenuation tanks within the car park with regulated flows into the public sewer. Due to the proximity of the site to a potable water supply and the history of contamination, infiltration measures are not considered appropriate in this case. This has been agreed by Herts. County Council as the Lead Local Flood Authority and is acceptable.

7.0 Community Infrastructure Levy and s.106 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 £147m² including indexation.

7.2 **S.106 planning obligation**

Following the adoption of the Community Infrastructure Levy, 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 is to be provided on-site and this will need to be secured. The development will also need to be excluded from the local controlled parking zone and necessary fire hydrants provided to serve the development.

8.0 **Conclusion**

- 8.1 The site is suitable as a windfall housing site as it comprises previously developed land, is close to public transport, is close to a range of local facilities on Whippendell Road and Ascot Road and will be compatible with adjoining residential uses. The proposed 81 flats will make a significant contribution to the borough's housing supply including 24 affordable housing units. The proposed development is considered to be an appropriate and acceptable response to the context of this site in respect of its scale, design and materials. The proposal will sit comfortably within the streetscenes of Whippendell Road and Sydney Road.
- 8.2 The proposal will provide residential units of good quality and amenity and will not give rise to any significant harmful impacts to surrounding residential properties. The proposal will provide adequate on-site car parking and will also be excluded from the local controlled parking zone, which will mitigate any potential for overspill parking on the adjoining roads. The proposal will deliver many planning benefits and is welcomed.

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 24 flats as affordable housing comprising 5 flats (2 x 2 bed and 3 x 3 bed) for social rent, 15 flats (15 x 2 bed) for affordable rent and 4 flats (3 x 2 bed and 1 x 3 bed) for low cost home ownership;
- 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 a financial payment to the County Council of £2,000 for the monitoring of an approved Travel Plan;
- iv) To secure the provision of fire hydrants to serve the site as required by Hertfordshire County Council;
- v) To secure 1 parking space for the use of a car club vehicle.

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:-

01258_P_00 P2, P_01 P1, P_02 P1, P_03 P1, P_04 P1, P_05 P1

01258_EL_01 P2, EL_02 P1, EL_03 P1, EL_04 P1, EL_05 P1, EL_08 P1

01258_S_00 P1, S_01 P1, S_02 P1, S_03 P1
01258_SOA_01 P1
01258_SP_00 P1, SP_01 P1, SP_02 P1, SP_03 P1
D0328_001A, 002B, 003B

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. The scheme shall include:
- i) a preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses. A conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site;
 - ii) a site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
 - iii) the results of the site investigation and risk assessment referred to in (ii) 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;
 - iv) 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 (iii) 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. To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water

pollution in line with paragraph 109 of the National Planning Policy Framework. To prevent deterioration of groundwater within the secondary and Principal aquifers present beneath the site. The submitted geo-environmental assessment has identified known and suspected contamination from current and historical land uses. The proposed development includes extensive groundworks and foundation works which will alter the current site conditions, resulting in the creation of new pollutant pathways. This will need to be addressed to better constrain the conceptual site model and provide greater detail to the risk assessment.

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 and that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. To prevent deterioration of groundwater within the secondary and Principal aquifers.

5. The development hereby permitted may not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: This is a pre-commencement condition to ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. To prevent deterioration of groundwater within the secondary and principal aquifers.

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. No infiltration of surface water drainage associated with the development is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilised contaminants. To prevent deterioration of groundwater within the secondary and principal aquifers onsite. Infiltration of surface water has the potential to mobilise contamination present within the soil.

8. Piling or other intrusive ground works (investigation boreholes, tunnel shafts, ground source heating and cooling systems) using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. A piling risk assessment and appropriate mitigation measures should be submitted for approval. The development shall only be carried out in accordance with the approved details.

Reason: To ensure that any proposed piling or deep foundations do not harm groundwater resources. Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution.

9. A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies.

10. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Surface Water Drainage Strategy (133191-R1(1)-FRA, dated February 2018) by RSK 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.

11. 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: This is a pre-commencement condition to ensure the design of the surface water drainage scheme is able to prevent any increased risk of flooding, both on and off site.

12. No development (excluding demolition works) shall commence until a noise mitigation scheme for each of the residential dwellings requiring acoustic double glazing, based upon the recommendations of the Noise Assessment Affecting the Proposed Residential Development (Report Ref. GA-2017-038-R1-RevA dated 16th February 2018) by Grant Acoustics, has been submitted to and approved by the Local Planning Authority. The scheme shall include

the details and specifications of the sound reduction performance of all glazed and non-glazed elements of the building facades. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition to ensure appropriate noise mitigation measures are built into the development to ensure good indoor ambient noise levels are achieved in accordance with BS 8233:2014 for the future occupiers of the dwellings.

13. No development (excluding demolition works) shall commence until the specification of a mechanical air supply/extract system for each of the residential dwellings requiring acoustic double glazing, based upon the recommendations of the Noise Assessment Affecting the Proposed Residential Development (Report Ref. GA-2017-038-R1-RevA dated 16th February 2018) by Grant Acoustics, has been submitted to and approved in writing by the Local Planning Authority. The system must be capable of providing background and rapid ventilation for cooling with the windows of the respective dwellings remaining closed. The system must not compromise the sound insulation of the façades. 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: This is a pre-commencement condition to ensure appropriate ventilation measures are built into the development to ensure good indoor ambient noise levels are achieved in accordance with BS 8233:2014 for the future occupiers of the dwellings.

14. 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 and privacy screens) have been submitted to and approved in writing by the Local Planning Authority. These should be based upon the details given in the Design and Access Statement dated February 2018 by JTP. The development shall only be constructed in the approved materials.

Reason: This is a pre-commencement condition to ensure high quality materials are used for the buildings 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.

15. No dwelling shall be occupied until a detailed soft landscaping scheme for all the land within the site (based upon the Proposed Landscape Masterplan, drawing no. D0328_003 B dated January 2018, by Neil Tulley Associates) has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the amenity play area and, where practicable, enhanced tree and hedge planting along the western and eastern site boundaries. 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.

16. No dwelling shall be occupied until a detailed hard landscaping scheme for all the land within the site (based upon the Proposed Landscape Masterplan, drawing no. D0328_003 B dated January 2018, by Neil Tulley Associates) 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.

17. No dwelling shall be occupied until the respective refuse and recycling stores and residential 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 and shall be used for no other purpose.

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.

18. No dwelling shall be occupied until the following works have been completed in full:

- i) the existing vehicular crossover on Whippendell Road 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 crossovers on Sydney Road have been removed, the footpath has been reinstated and the controlled parking zone bay has been extended to incorporate these parts of the highway.
- iii) the new access junction on Sydney Road to serve the development has been constructed in full, as shown on drawing no. 01258_P_00 P2.
- iv) the servicing bay on Whippendell Road has been formed, to be effective between the hours of 8.00am and 6.30pm, Mondays to Saturdays only, as shown on drawing no. 171015-02F within Appendix C of the Transport Statement dated February 2018 by Motion.
- v) the 83 parking spaces have been provided as shown on drawing no. 01258_P_00 P2, to include 8 unallocated spaces served by active electric charging points and 1 car club space.

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

19. No dwelling shall be occupied until a detailed Travel Plan, based upon the Travel Plan by Motion (dated 23 February 2018) submitted with the application and the Hertfordshire County Council document 'Hertfordshire Green Travel Plan Guidance', has been submitted to and approved by the Local Planning Authority. The approved Travel Plan shall be implemented at all times.

Reason: To ensure the development encourages a wide range of sustainable travel choices to reduce the impact of travel and transport on the environment, in accordance with Policy T3 of the Watford Local Plan Core Strategy 2006-31.

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

21. For the avoidance of doubt, no communications development permitted by Classes A, B or C of Part 16 of Schedule 2 of the Town and Country Planning

(General Permitted Development) (England) Order 2015 (as amended) shall be undertaken on any of the buildings hereby approved.

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

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 24 flats as affordable housing, the exclusion of the development from the local controlled parking zone, the necessary fire hydrants to serve the development, a monitoring fee for the Travel Plan and a parking space for a car club vehicle.
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.

Case Officer: Paul Baxter

Email: paul.baxter@watford.gov.uk

Tel: 01923 278284