

PART A	
Report of: Head of Development Management	
Date of committee:	25th July 2018
Site address:	56D, 56E, 58 and 58A, Vicarage Road
Reference Number:	18/00614/FULM
Description of Development:	Proposed redevelopment of the site to provide a mixed use scheme comprising of 33 residential units (Class C3), flexible commercial floorspace (Class A1/A2/B1/D2) associated cycle parking, landscaping and associated works
Applicant:	GS8 Watford Limited
Date Received:	23rd May 2018
13 week date (major):	22nd August 2018
Ward:	Vicarage

1.0 Site and surroundings

- 1.1 The site is located on the southern side of Vicarage Road between Farraline Road/The Hornets to the east and Occupation Road to the west. It comprises the former Watford Printers building (58), a small retail unit (58A) and 2 small retail units (56D and 56E) that form part of a small parade of 5 single storey units. The site is approximately rectangular in shape with an area of 0.11 hectare. The site backs onto two storey residential properties in Clifton Road to the rear (south) and a car repair/MOT garage immediately to the west.
- 1.2 The main 2 storey building on the site, no. 58, is a locally listed building. Opposite the site is The Square Conservation Area which contains several locally listed buildings, including the Red Lion PH and stable block, and the war memorial and chapel within the Vicarage Road Cemetery. The 2 units at nos. 56D and 56E fall within the Vicarage Road local shopping frontage designation.
- 1.3 The wider area is very varied. To the east is the Vicarage Road local shopping frontage, which extends through to Merton Road/Wiggenhall Road, comprising single storey and 2 storey properties, with residential accommodation on the upper floors. Opposite the site is the Vicarage Road Cemetery which forms part of The Square Conservation Area. To the west is Vicarage Road Stadium and beyond this Watford General Hospital. The area to the south comprises residential streets of 2 storey Victorian terraced properties.

2.0 Proposed development

- 2.1 To demolish all the existing buildings on the site and erect a single building of 3, 4 and 5 storeys to provide commercial floorspace at ground floor (within Use Classes A1, A2, B1, D2) and 33 flats above. The commercial floorspace is shown as 3 units, reflecting the character of the local shopping frontage. The flats comprise 13 x 1 bed (39%), 17 x 2 bed (52%) and 3 x 3 bed (9%) units. Bin and cycle stores are shown at ground floor level.

3.0 Relevant planning history

- 3.1 The site has no recent planning history. The oldest building on the site, no.58, was originally known as Colney Butts House and formed part of an eighteenth century farm. It was sold to Watford Printers in 1924 with the large industrial extension added in the 1930s.

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.

Residential Design Guide
Watford Character of Area Study

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 33 properties in Vicarage Road, Clifton Road, Oxford Street and Aynho Street. Letters of reply were received from 29 properties with 26 raising objections. These are summarised in the table below:

Representations	Officer’s response
Development too high and not in keeping with Victorian residential properties	See paragraph 6.3 of the report
Overlooking and loss of privacy to residential properties to rear in Clifton Road from windows and balconies	See paragraph 6.7 of the report
Loss of daylight and sunlight to residential properties to rear in Clifton Road	See paragraph 6.7 of the report
Loss of outlook to residential properties to rear in Clifton Road	See paragraph 6.7 of the report
No parking spaces will make parking in the area even more difficult after 6.30pm	See paragraph 6.8 of the report

Loss of the large mature tree adjoining Clifton Road gardens	This tree, at the rear of 56D Vicarage Road, is now to be retained
No affordable housing provision	See paragraph 6.6 of the report
Additional demand on local facilities – GPs, dentists and schools	The provision of these services are the responsibility of other providers
No servicing or drop off space for the development	See paragraph 6.8 of the report

5.2 One representation notes the historic importance of the building locally and the need for an historic building record to be made. One letter has been received specifically in support of the proposed use of part of the ground floor by Random Café, which has been included in the scheme during the application process.

5.3 The applicant has advised officers that since the application was submitted they have met with various local residents on 9 separate occasions to discuss the proposal. This has led to various changes to the proposal to further improve the relationship with properties in Clifton Road. Following these meetings, one objector has removed their objection to the scheme for the following reasons: provision of a green buffer zone, retention of the existing mature tree, CCTV to discourage dumping in the alleyway, obscured glass in the upper floor windows, CPZ extension.

In addition, support for the application has been received from 7 local businesses who consider the proposal will deliver much needed regeneration and enhance the street frontage.

5.4 **Statutory publicity**

The application was publicised by a site notice posted outside the site on 8th June 2018 and by advertisement in the Watford Observer published on 8th June 2018. The statutory notice period expired on 29th June 2018.

5.5 **Technical consultations**

The following responses have been received from technical consultees:

5.5.1 Hertfordshire County Council (Highways Authority)

No comments received.

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

No objection with regard to the waste water network or waste water process infrastructure capacity. Has not requested any conditions.

5.5.4 Environmental Health

After reviewing the information provided, I remain concerned that this building could be subjected to Odour and smoke from the low-level flue serving the neighbouring business.

Despite the windows being positioned away from the flue, they are in close proximity to the outlet and so it is likely that some of the discharge could find its way into the building and lead to a loss of amenity for residents. However, if they were able to keep their windows closed at all times, this issue could be overcome. Therefore, this could be dealt with a condition which required an appropriate and effective mechanical ventilation system, able to achieve a comfortable indoor temperature, in line with recognised standards and designed/compiled by a competent person such as a building services engineer – the condition would need to be discharged prior to work commencing. Such a system would also help overcome public exposure to air pollution linked to road traffic – the building is within Air Quality Management Area 2. Subsequently, any air intake for this system would need to be drawn in away from the road and flue.

Unfortunately, the acoustic report does not consider the potential noise impacts from the flue nor does it mention impulsive noise from the neighbouring garage – after recently visiting this premise, I noted the activity happening there had the potential to be an issue. Therefore, a revised acoustic report will be required and this could be done via condition. Furthermore, it would be appropriate to impose a condition which required the glazing selection to be approved by us prior to occupation.

5.5.5 Planning Policy

It is considered that the loss of the locally listed building is justified in this instance due to the quality of the proposed scheme and the additional benefit to the town through the housing provided. The LLB should be recorded prior to demolition. The scheme can be supported in terms of the design and quality of the environment produced.

5.5.6 Housing

The Housing team commented as follows on the submitted application:

The Housing Service does not support this application for planning as all 33 units have been proposed as market housing, with no provision of affordable housing. On a site of 33 units, in line with the Council's policy, we would expect 12 units (35%) affordable housing. The policy then requires the majority (85%) of those affordable housing units to be rented affordable housing (60% affordable rents and 15% social rents), then just 15% LCHO.

That would be:

8 x Affordable Rent, 2 x Social Rent, and 2 x LCHO

The households on our housing register are seeking assistance from the Council as they are homeless or in housing need i.e. living in inadequate housing. They are seeking housing assistance as they cannot find suitable and affordable housing on the private market. The proposed 33 market housing units will provide no assistance to those in housing need, who the Council has a duty to assist.

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 heritage assets
- (d) Quality of residential accommodation
- (e) Affordable housing provision
- (f) Impacts on surrounding properties
- (g) Transport, parking and servicing
- (h) Environmental considerations

6.2 (a) Principle of the use

The majority of the site has no specific land use designation. Only units 56D and 56E fall within the local shopping frontage. In this respect, the proposal will introduce an enhanced floorspace for commercial use at ground floor which will extend the local shopping frontage across most of the site. This will be a benefit to the shopping frontage and is welcomed.

6.2.1 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. Although the site has some heritage significance this is not considered to outweigh the benefit of new residential development on the site (see Section 6.6 below). Overall, the proposal is in general accordance with Policy HS1 and the principle of residential development on the upper floors and to the rear of the site, whilst extending the local shopping frontage, is acceptable.

6.2.2 The proposed residential development would be in keeping with the residential character of the surrounding area to the south and to the north-west. The development provides a suitable mix of 1, 2 and 3 bed units and is compliant

with Policy HS2 of the Core Strategy. 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 the varied scale and design of buildings within the immediate locality, ranging from Victorian terraced housing to the modern appearance of Vicarage Road Stadium. Within the immediate street frontage, the single storey and 2 storey buildings within the local shopping frontage are in stark contrast to the scale, massing and appearance of the stadium. The proposed building has been designed to reflect this transition in scale with a 3 storey element at its eastern end, adjoining the buildings within the shopping parade, stepping up to 4 storeys across most of the site. Towards the western end, closest to the stadium, a recessed roof element increases the height to 5 storeys. This matches the height of the stadium façade on Vicarage Road.

6.3.1 The ground floor commercial units are defined by a strong horizontal feature in the form of a concrete band that separates the ground floor from the upper floors. This highlights the commercial 'base' of the building and gives it a strong presence at street level. To avoid the monolithic mass of the stadium, the upper residential floors are divided into 4 vertical elements punctuated by windows and separated by recessed balconies. This successfully breaks up the massing, adds interest to the façade and provides a strong vertical rhythm that is characteristic of the terraced housing in the area and the buildings within the shopping frontage. The main facing material is proposed to be brick, which is the characteristic material of the locality, with the recessed elements and roof element in timber cladding.

6.3.2 Overall, it is considered that the proposal provides a successful design response for this site with the building being a significant visual improvement to the site and a positive addition to the Vicarage Road streetscene. It reflects the changing scale of existing buildings within the immediate locality and provides a transition

6.4 (c) Impact on heritage assets

The only heritage asset directly affected by the proposal is the locally listed building at no. 58, which will be demolished. The reason for the local listing is given as:

Architectural interest:

A complex building with elements dating from three centuries. Part designed by the architect William H. Syme (F.R.I.B.A.), who was responsible for a number of other Locally and Nationally Listed Buildings in Watford.

Function & Historical interest:

The oldest part of the building was originally known as the Colney Butts House. Originally part of a farm and recorded as existing in the eighteenth century, this is one of the oldest houses that survive in Watford. Part of the two storey section was substantially extended during the mid-nineteenth century, when it still remained as a farmhouse. In 1910 the property was purchased as a home by the architect William Syme, who added the single storey element on the western side in 1911. The site was sold by Syme to the Watford Printers in 1924 and the extensive additions to the eastern side were added during the 1930s.

- 6.4.1 As a result of significant changes to the property over the past 2 centuries and in particular the extensions undertaken by Watford Printers in the 1930s, much of the interest of the building has been lost or eroded. Other unsympathetic alterations have included pebble dash render and uPVC windows. The industrial extensions on the eastern side of the building were built over the original garden area of the house which was completely lost. Consequently, the original context of the building has been lost, the building has little presence within the streetscene and is of limited architectural interest.
- 6.4.2 The value of the building as an undesignated heritage asset is therefore considered to be very limited and the loss of the building needs to be weighed against the benefits of the proposed development. In this respect, the proposal will extend and improve the local shopping frontage, significantly improve the appearance of the site, enhance the streetscene and provide 33 residential flats of 1, 2 and 3 bedrooms. Overall, it is considered that the benefits of the proposal significantly outweigh the loss of the locally listed building as an undesignated heritage asset.
- 6.4.3 The Square Conservation Area is opposite the site on the northern side of Vicarage Road and is a designated heritage asset. It also contains several locally listed buildings. The proposal will have no direct effect on the conservation area but will be seen as part of its setting, alongside Vicarage Road Stadium. The scale and design of the proposed building is considered to enhance the wider streetscene and will therefore enhance the setting of the conservation area. It is not considered the proposal will give rise to any harm.
- 6.5 (d) Quality of residential accommodation
To the rear of the building, where the land levels drop down towards the properties in Clifton Road, the proposal incorporates 7 no. 2 bed duplex units with small private garden areas. The upper floors, above the commercial units and duplex units, comprise a mix of 1, 2 and 3 bed flats. All of the residential units are accessed via a single entrance on Vicarage Road. All of the proposed residential units will meet or exceed the nationally described space standard for new residential dwellings and will have good levels of natural light, outlook and privacy. Whilst the duplex units have private gardens at lower ground level, the upper floor flats will all have access to private balconies.

6.5.1 A noise impact assessment has been submitted with the application to assess potential noise impacts from road traffic on Vicarage Road on the proposed units. The assessment also included a match day to assess noise from Vicarage Road Stadium. This has concluded that additional acoustic double glazing and acoustic ventilators will be required for the units facing Vicarage Road and the stadium 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.

6.6 (e) Affordable housing provision

Policy HS3 of the Core Strategy requires a 35% provision of affordable housing for all major developments, with this provision having a tenure split of 65% affordable rent, 20% social rent and 15% shared ownership. The application was accompanied by a viability appraisal which concluded the scheme was unable to make any affordable housing provision, either on-site or through a commuted sum. This appraisal was subject to a robust review by GL Hearn on behalf of the Council and this concluded that the scheme could support a commuted sum. This was principally due to an excessive existing benchmark land value being used by the applicant. Following further negotiations between GL Hearn and the applicant's consultant, it has been agreed that the development is able to support a maximum commuted sum of £350,000, with 50% to be paid on commencement and 50% on completion of the 18th unit. This equates to an affordable housing provision of 6% based upon the Council's adopted SPD on Commuted Sums for Affordable Housing Provision.

6.6.1 In this case, a commuted sum is considered to be the most appropriate form of provision. Given the relatively small size of the site, it is not practicable to provide a separate entrance and core for a small number of affordable units, which would also have a significant impact on the viability of the scheme. The commuted sum will enable the Council to use this money for the delivery of new affordable units elsewhere in the borough or to change the tenure of affordable housing units already being delivered, i.e. to change affordable rented units to social rented units in order to help meet the most urgent housing needs.

6.7 (f) Impacts on surrounding properties

6.7.1 The only residential properties adjoining the site and those likely to be directly affected are sited to the rear (south) of the site at nos. 20-30 (evens), Clifton Road. These properties are typical Victorian terraced houses with outriggers. The proposed scheme has been designed to achieve a minimum distance of 11m between the rear of the building and the site boundary and 27.5m between the rear facing windows and the nearest windows in the rear of these properties. This accords with the minimum guidelines in the Residential Design Guide and is,

consequently, sufficient to ensure acceptable levels of privacy are maintained to these properties. However, in response to pre-application discussions with officers and concerns raised by local residents, further measures to mitigate any overlooking and loss of privacy have been incorporated; these include slatted, angled balcony railings to a height of 1.7m to prevent direct views towards these properties, the incorporation of obscured glazing on the lower glazing of the rear windows, and the planting of a landscaped buffer incorporating substantial new trees. All of these measures will successfully mitigate any overlooking.

6.7.2 In respect of natural light, the scheme has been designed to accord with the 25° guideline of the British Research Establishment's document 'Site layout planning for daylight and sunlight: A guide to good practice'. This advises that if a 25° line in the vertical plane is taken from the mid-point of a window and is not breached by a proposed development, acceptable levels of daylight will be maintained to that window. In addition to this, a detailed analysis of daylight has been undertaken using proprietary software to demonstrate that only a small number of windows in the Clifton Road properties would experience a minor loss of daylight. Most of these are smaller secondary windows such as kitchens and bathrooms.

6.7.3 Sunlight to these properties will be unaffected. The windows in the front elevation of the properties face south over Clifton Road and away from the application site. The rear facing windows that face towards the site also face north so will receive limited direct sunlight and cannot be assessed. However, the garden areas will receive oblique sunlight from the east and west and this will be unaffected by the proposed building.

6.7.4 In terms of outlook, there is no objective test for compliance. However, compliance with the BRE's 25° guideline will generally ensure a proposal will not appear unduly overbearing and will maintain an acceptable level of outlook. Whilst the proposed building will be higher than the existing buildings on the site, it is not considered that it will appear unduly overbearing when viewed from the adjoining properties. Views of the building will also be softened by the proposed tree planting within the landscaped buffer.

6.7.5 Overall, it is considered the proposed building will not have any harmful impacts on the adjoining properties in Clifton Road.

6.8 (g) Transport, parking and servicing

The site is located on the edge of the wider town centre area and within the Vicarage Road local shopping frontage. It is served by various bus routes along Vicarage Road, principally the 10 bus service which runs every 10 minutes to the town centre and Watford Junction. The site is also within walking distance of the town centre and numerous additional bus services, the High Street Station and, slightly further away, Bushey Station. There are also various local services within

the local shopping frontage including a convenience store and ethnic food shops, barbers/hairdressers, opticians, cafes and take-aways.

6.8.1 The site is located within a controlled parking zone (CPZ) due to the close proximity to Vicarage Road Stadium and the town centre. This would allow a reduced level of parking provision or a car-free development on the site. In this case, as there is no opportunity to provide any on-site parking due to the constrained nature of the site, the development is proposed as car-free. The applicant has agreed that the development be excluded from the CPZ in order to ensure future residents will not be entitled to parking permits to park on the surrounding roads. This can be secured by a s.106 planning obligation in the normal way. As such, the proposal is fully supported as a car-free development will help minimise car ownership and encourage use of public transport, which is a key aspiration of the Council and supported by planning policy.

6.8.2 Furthermore, the applicant has also agreed to fund a survey of the local CPZ (Zone K) and a consultation with local residents regarding a potential extension of hours beyond 6.30pm. This has been agreed in response to requests from local residents during the applicant's consultation process and a petition signed by 133 local residents, which has been forwarded to officers.

6.8.3 A bin store and cycle store are provided at ground floor within the building to serve the residential flats with adequate capacity for the number of flats proposed. Due to the relatively small size of the proposed commercial units and their potential uses, no separate bin stores have been provided for the units, with any waste to be stored within the units themselves.

6.8.4 Servicing of the former printers and the majority of other units within this part of the shopping frontage has to take place directly from Vicarage Road. This will remain the case for the proposed commercial units and the residential flats. There are single yellow lines outside the site which allow limited servicing to take place and this is acceptable. There is no opportunity for on-site servicing to take place.

6.9 (g) Environmental considerations

6.9.1 i) Land contamination

No site investigation for land contamination has been submitted with the application. Given the previous use of the site as a printing works, contamination arising from the various chemicals used in the printing process over many years is highly likely. Appropriate conditions are therefore proposed to secure a site remediation scheme.

6.9.2 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 rear garden areas with regulated flows into the public sewer. This has been agreed by Herts. County Council as the Lead Local Flood Authority and is acceptable.

6.9.3 iii) Sustainability

An Energy and Sustainability Statement has been submitted in respect of both the commercial and residential elements of the proposal. These detail how the proposed development will achieve a reduction in annual energy demand by 10% for the residential element and 10.3% for the commercial element through the potential to utilise a ground source heat pump system and solar photovoltaic panels on the roof of the building.

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 £0 for the commercial units and £120m² (excluding indexation) for the residential units.

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 a commuted sum towards affordable housing provision is to be provided and this will need to be secured. The development will also need to be excluded from the local controlled parking zone.

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 on Vicarage Road and within walking distance of the site, is close to local facilities in the local shopping frontage and a wide range of services within walking distance in the town centre, and is compatible with adjoining residential uses. The proposed 33 flats will make a significant contribution to the borough's housing supply while the commercial units will extend and enhance the local shopping frontage. Following a robust viability review, it has been agreed that a commuted sum of £350,000 can be

provided towards affordable housing provision within the borough.

- 8.2 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. It will enhance the streetscene in Vicarage Road and the setting of The Square Conservation Area. Although it will result in the loss of a locally listed building on the site, the harm arising is considered to be outweighed by the many benefits of the proposal.
- 8.3 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 is car-free which is acceptable in this sustainable and 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 to the Council of £350,000 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 development;

- iii) To secure a financial payment to the Council of £31,200 towards survey work and a public consultation into the potential to extend the operating hours of the local controlled parking zone (Zone K);
- iv) A financial contribution of £6,000 to Hertfordshire County Council for monitoring of the Travel Plan for the site.

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:-

1715-LS-X-XX-DR-A-0100_P1
1715-LS-X-XX-DR-A-1000_P1
1715-LS-X-00-DR-A-1100_P4
1715-LS-X-05-DR-A-1100_P3
1715-LS-X-10-DR-A-1100_P3
1715-LS-X-20-DR-A-1100_P3
1715-LS-X-30-DR-A-1100_P3
1715-LS-X-40-DR-A-1100_P2
1715-LS-X-50-DR-A-1100_P3
1715-LS-X-XX-DR-A-1201_P2
1715-LS-X-XX-DR-A-1202_P3

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

3. No demolition of the existing buildings shall commence until a Historic Building Record of 58, Vicarage Road has been submitted to and approved in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition as the building is locally listed and will be lost as a result of the proposal and a record of the building is required before it is demolished, in accordance with Policy UD2 of the Watford Local Plan Core Strategy 2006-31 and the NPPF.

4. No demolition of the existing buildings shall commence until details of the tree protection measures to protect the retained tree at the rear of 56E, Vicarage Road have been submitted to and approved in writing and these measures have been installed as approved. These measures shall be retained at all times during the demolition and construction of the development.

Reason: This is a pre-commencement condition in order to ensure the long term health and retention of the tree.

5. 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.

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

7. 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 saved Policy SE24 of the Watford District Plan 2000.

8. The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Elliott Wood Partnership Ltd, job number 2170842, revision P2, dated May 2018:

- i) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 2.5 l/s during the 1 in 100 year event plus 40% of climate change event.
- ii) Providing storage 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 providing a minimum of 44 m³ (or such storage volume agreed with the LLFA) of total storage volume in underground tank.
- iii) Discharge of surface water from the private drain into the Thames Water sewer network.

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 a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- i) Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
- 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 in order to ensure adequate measures are incorporated into the design to prevent any increased risk of flooding, both on and off site.

10. No development (excluding demolition works) shall commence above ground level until a revised noise impact assessment has been submitted

to and approved in writing by the Local Planning Authority. The revised assessment shall take into account all noise sources including road traffic noise, Vicarage Road Stadium on a match day, the extract flue at the adjoining Kasturi take-away and the adjoining car repair garages. The revised assessment shall include a mitigation scheme for each of the residential dwellings and 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.

11. No development (excluding demolition works) shall commence above ground level until the specification of a mechanical air supply/extract system for each of the residential dwellings, based upon the revised noise impact assessment required under Condition 10, 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.

12. No development (excluding demolition works) shall commence above ground level until full details and samples of the materials to be used for the external surfaces of the building (including walls, roofs, windows, doors, balconies, 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 (version P1 dated 18 May 2018) by Lynas Smith. 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.

13. No dwelling shall be occupied until a detailed soft landscaping scheme for all the land within the site, based upon the details given in the Design and Access Statement (version P1 dated 18 May 2018) by Lynas Smith, has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the biodiverse roof system. 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 the bin store and the cycle store 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.

15. No dwelling shall be occupied until the following works have been completed in full:
- i) the formation of a vehicular crossover on Vicarage Road in front of the bin store to facilitate collection.
 - ii) the provision of 2 cycle stands (4 cycles) for short stay visitors.

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

16. 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.

17. No dwelling shall be occupied until a detailed Travel Plan has been submitted to and approved in writing by the Local Planning Authority, based upon the Residential Travel Plan dated May 2018 by Caneparo Associates. The approved plan shall be implemented in full.

Reason: To encourage and promote sustainable modes of travel to the residents of the development.

18. No dwelling shall be occupied until a detailed external lighting scheme for the development, based upon the details given in the Design and Access Statement (version P1 dated 18 May 2018) by Lynas Smith, has been submitted to and approved in writing by the Local Planning Authority and the lighting scheme has been installed 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.

19. 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/neighbor_complaints_%E2%80%93_construction_noise.

2. This development may be considered a chargeable development for the purposes of the Community Infrastructure Regulations 2010 (as amended). The charge is non-negotiable and is calculated at the time planning permission is granted. The charge is based on the net increase of gross internal floor area of the proposed development.

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

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

3. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure a financial contribution towards the provision of affordable housing, the exclusion of the development from the local controlled parking zone, and a monitoring fee for the Travel Plan.
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