

PART A	
Report of: Head of Development Management	
Date of committee:	25 July 2018
Site address:	Land to the south of Thomas Sawyer Way comprising the Waterside area and forming part of the Watford Riverwell development (formerly known as Watford Health Campus)
Reference Number:	17/01511/FULM
Description of Development:	Redevelopment of the site to provide 408 residential dwellings with associated landscaping, amenity space, access and parking
Applicant:	Watford Health Campus Partnership LLP
Date Received:	30th October 2017
13 week date (major):	19th February 2018
Agreed extended deadline:	25th July 2018
Wards:	Oxhey, Vicarage & Holywell

1.0 Site and surroundings

- 1.1 This application relates to an irregular-shaped parcel of land measuring approximately 3.1 hectares in area and located to the south of Thomas Sawyer Way. It comprises the 'Waterside' zone of the Watford Riverwell development area and is currently being subjected to enabling works in order to prepare it for residential development.
- 1.2 The site has been cleared but had previously been occupied by commercial uses forming the Cardiff Road Industrial Estate and a car park associated with the hospital. It was served by a section of Cardiff Road which has now also been removed. A wooded area within its western part has been retained.
- 1.3 At present, the site contains some spoil heaps from recent demolition works. Two bunded oil tanks are also sited in the eastern part of the site. It is understood that these were built in the 1970s for the off-site power station and were infilled at the time of decommissioning in the 1990s.
- 1.4 A tributary of the River Colne runs through the southern part of the site. The disused Croxley branch railway also runs to the south of the site.
- 1.5 Access to the site is gained via the southern spur of the adjacent roundabout forming part of the recently constructed Thomas Sawyer Way which runs along

the northern edge of the site. Either side of the southern spur of the roundabout, and located within the site, are two swales.

- 1.6 The site does not encompass any listed buildings and is not located within a Conservation Area.

2.0 Proposed development

- 2.1 Full planning permission is sought for the redevelopment of the site to provide 408 residential dwellings with associated landscaping, amenity space, access and parking.
- 2.2 The new dwellings will be created by way of three blocks of flats ranging in height between 6 and 11 storeys – referred to as Blocks “D”, “E” and “F” on the submitted plans (see proposed site layout in Appendix 1).
- 2.3 Block D will be the easternmost of the three blocks. It will cover a roughly L-shaped footprint and will comprise 11 storeys with 90 apartments. It will be situated to the southeast of the roundabout serving the site.
- 2.4 Blocks E and F will be sited to the west of Block D and to the southwest of the roundabout. These blocks will be connected at ground floor level.
- 2.5 Block E will comprise 144 apartments and will be configured in a U shape (incorporating projecting elements that extend to the south) around a central courtyard. Its height will range between 7 and 11 storeys.
- 2.6 Block F will comprise 174 apartments and will also be configured in a U shape around a central courtyard. Its height will range between 6 and 10 storeys.
- 2.7 Car parking will be accommodated at ground floor level within the buildings across Blocks D, E and F. There will also be some external parking provided to the south and east of Block D and to the north and west of Block F.
- 2.8 A total of 213 car parking spaces are to be provided on site which equates to 0.5 spaces per dwelling. Additionally, secure and weatherproof cycle parking is to be provided by way of stores incorporated into the ground floor levels of the buildings.
- 2.9 Residents will benefit from having access to communal amenity space that is to be provided around the buildings themselves and also on the ‘Colne Island’ area – which exists to the south of the River Colne and to the north of the railway line – access to which will be gained via two bridges.

3.0 Relevant planning history

- 3.1 The parcel of land to which this application relates forms part of the wider Watford Health Campus site. The redevelopment of the Watford Health Campus site (or parts of) has been under consideration for a number of years and has an extensive planning history. The most relevant aspects of this are set out below.
- 3.2 In On the 6th January 2015.an application for the new Health Campus masterplan was approved:

Ref. 14/00511/OUTM – Hybrid planning application for the development of a mixed-use health campus accessed from the approved Access Road comprising:

1. Outline element for the construction of new hospital/healthcare accommodation, together with business, retail, office, food and drink, hotel, and leisure uses, and up to 681 new dwellings, safeguarding of land for the expansion of Laurance Haines primary school, new public spaces, play space and landscaping, associated car parking, access roads, footways and cycleways.
 2. Detailed element (business area south) for the construction of three industrial business units together associated vehicle and cycle parking, site landscaping and the creation of a new wildlife area.
- 3.3 A separate outline planning application was also submitted in April 2014 for the Farm Terrace Allotments site, however this was held in abeyance and not determined.
- 3.4 A proposal for 95 flats with associated landscaping, amenity space, access and parking on the land immediately to the northwest of the application site (former Willow Lane allotments – outlined with a blue line on the Site Location Plan) was granted planning permission by the Development Management Committee on 5th July 2017 subject to the completion of a s.106 planning obligation (Ref. 17/00178/FULM). The s.106 agreement was completed and the planning permission issued in November 2017.
- 3.5 An application seeking full planning permission for enabling works to prepare the site for its future development including soil remediation and obstruction removal. (Ref. 17/01162/FULM) was granted planning permission in January 2018.
- 3.6 The land immediately to the west of the site has received planning permission for a 253 bed residential care home (Ref: 17/01543/FULM).

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.

Watford 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 11 Conserving and enhancing the natural environment

Section 12 Conserving and enhancing the historic environment

Decision taking

5.0 **Consultations**

5.1 **Neighbour consultations**

5.2 Letters were sent to 131 properties surrounding the site.

5.3 Two responses were received. The objections raised and the officer’s response is

provided in the table below:

Observations	Officer comments
Concerns regarding height of proposed buildings.	This is discussed in the 'Design, scale and impact on visual amenity' section of the report below.
Generation of a huge number of local trips that will put pressure on the road network. In particular the poorly designed junction with Wiggshall Road that already creates numerous conflicts with vehicles ignoring left and right hand turns.	The impacts of the development on the local highway network is discussed in the 'Access, parking and transportation' section of the report below.
Risk of flooding to development and adjacent areas and neighbouring properties.	This is discussed in the 'Flood risk and drainage' section below.
Parking on the key access hospital access will be compromised as the site will generate a lot of on street parking in the evenings on Thomas Sawyer Way.	Thomas Sawyer Way benefits from double yellow lines that will prevent on street parking.

5.4 **Statutory publicity**

The application was publicised by site notices and a notice published in the Watford Observer. The site notice period and the newspaper notice period expired on 1st December 2017.

5.5 **Technical consultations**

The following responses have been received from technical consultees:

5.6 Environment Agency

Comments dated the 15th February 2018 confirmed the Environment Agency have no objection subject to condition.

5.7 Local Highway Authority (Hertfordshire County Council Highways)

Comments dated the 2nd March 2018 indicated that County Highways are satisfied with the revised highways modelling and have no objections on traffic impacts grounds.

5.8 National Grid

No objection.

5.9 Arboricultural Officer

No objection.

5.10 Contaminated Land Officer

No objection subject to a condition being imposed to ensure the submission of a verification report (that demonstrates the effectiveness of the remediation set out within the remediation strategy) and a condition to ensure that in the event that any contamination is found during the works that this is reported and necessary remediation is agreed, carried out and verified.

5.11 Environmental Health

No objection and recommends a condition to secure the submission and approval of a construction management plan.

5.12 Waste & Recycling Team

No objection.

5.13 Hertfordshire Ecology

No objection subject to conditions to secure a landscape/ecology management plan and additional proposals to offset the disturbance and enhance the habitat resource within the existing river corridor.

The applicants' ecology consultant provided a response to these comments on the 2nd February (which related to the wider site – this application & Waterside). The response covered various points, but most notably confirms that the site was previously brownfield and industrial with low vegetation cover and that they consider there will be no net loss of biodiversity when the proposals are considered. The proposals create/retain 2.4ha of natural habitat including 232 individual trees and 1 tree group, this being a new increase of approx. 0.4ha of natural habitat and an additional 168 trees and 1 tree group and ecological enhancement concentrated along the river corridor.

5.14 Herts & Middlesex Wildlife Trust

No objection.

5.15 Lead Local Flood Authority

No objection subject to conditions to ensure that the development is carried out in accordance with the surface water drainage assessment and to secure a detailed surface water drainage scheme.

5.16 Hertfordshire County Council Waste & Minerals Team

No objection. The Waste & Minerals Team recommends that a site waste management plan be submitted, approved and implemented should permission be granted.

5.17 Hertfordshire County Council Historic Environment (archaeology)

No objection subject to conditions to secure an archaeological investigation and assessment.

Officer Comment – the comments of the County Council are noted, however remediation and enabling works have already been carried out on the site which included digging out across the entirety of the site to 2m in depth. The enabling works were undertaken in accordance with planning permission 17/01162/FULM. The applicant has queried the need for further works, however the County Council have advised that ground disturbance for the residential development is likely to exceed or differ in depth or extent to that of the enabling works. Therefore a condition is necessary.

5.18 Transport for London

No objection subject to conditions to ensure that there is no conflict with the delivery of the Metropolitan Line Extension.

5.19 Thames Water

No objection subject to conditions to secure a drainage strategy and details of piling.

5.20 Hertfordshire Constabulary Crime Prevention Design Service

No objection.

5.21 Planning Policy – Urban Design Manager

Background:

This scheme is part of the wider Health Campus redevelopment and has been the subject of extensive pre-application discussion including consideration by Design South East through the design review panel process. There are some initial concepts which have not been taken forward due to viability issues and there are considerable challenges in dealing with this site successfully.

Relevant Policies:

NPPF: Paras 7, 11, 17, 56, 61, 64

Local plan – Core Strategy Policies SS1, SPA3, UD1, GI1, GI3

SPD – Cycle Standards

Key Issues:

Main issues discussed here are whether the proposed scheme represents good quality design and whether it provides a good quality of environment for future residents.

Discussion:

NPPF Para 56: *“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”*

NPPF para 61: *“Although visual appearance and architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”*

The development of this site presents some significant challenges:

- Presence of an elevated access road along the northern edge of the site which segregates it from the remainder of the health campus redevelopment area;
- Constraints and opportunities presented by the River Colne;
- Changes in topography between this part of the site and the adjoining development areas.
- Connections to areas beyond the site.
- The quantum of development necessary to generate a viable scheme.

Early discussions with the design team considered these challenges and reviewed different solutions which could be used to overcome some of the challenges and issues raised in the early discussions. Early options, which included the option to rebuild the embankment to the road and allow the residential blocks to front onto Tom Sawyer Way could not be taken forward for various reasons. This was proposed in an effort to deal with the severance issue through seeking to create a street with active frontage on both sides of Tom Sawyer Way. Once it was established that this was not a viable approach, other solutions to improve pedestrian access across Tom Sawyer Way were considered by the Design Review Panel, but ultimately due to the obstacles provided by the embankment and Thomas Sawyer Way other options were preferred. The preferred solution is to focus activity on access points connecting to both the roundabouts – one is pedestrian only access at the Willow Lane end and the other is for all modes to the main roundabout linking the site to the northern part of the Health Campus area. ***There are still concerns regarding the attractiveness of this roundabout to pedestrians and, as the various parts of***

the Health Campus are developed, measures to improve the pedestrian crossing points and ensure that the experience encourages pedestrian use should be added to the roundabout. Measures proposed should also include provision for cyclists to safely negotiate, what will in time become, a busy traffic dominated junction.

In dealing with the location of the buildings and the road within the site area, various options were considered. The preferred option sets the buildings back as far as possible from the river allowing space for a shared space zone alongside the river. This maximises the opportunity to create an attractive riverside public realm with incidental spaces for residents to sit and enjoy views of the river corridor. This approach requires a good quality and well planned public realm; the landscape proposals, which have been submitted as part of this application rather than conditioned for a later date, show how this will be achieved. Generally, the landscape proposals are of high quality and will deliver a good quality and usable public realm where pedestrians, cyclists and vehicles will be able to move safely in the same space. Care has been taken to create good quality incidental spaces for relaxation and play. However, there are a couple of areas within the scheme where there are some concerns:

- ***long term management of the island area to ensure that the area does not become a focus for anti-social behaviour***
- ***the area in front of the podium for block F – there are no steps from this area to the podium and no entrances apart from the cycle store entrance, so there are concerns regarding the level of activity and hence safety and security of the space. Ideally steps from this area to the podium should be included in the scheme. However, if this is not practical going forward an effective management regime should be able to reduce the risk of the area becoming a focus for anti-social behaviour after dark.*** Conditions should be used to ensure that the proposed landscape plan does not become downgraded due to cost issues as the project is developed.

The swale areas either side of the access road have been improved so they will no longer be just an engineering solution but will become an attractive entrance point to the site and will provide a good quality outlook for residents who overlook them. ***Note that the red line for the site excludes these areas and the ground floor plan cross references to another plan (WRL-OUT-RX-EW-DR-7500); drawings of this area are also included in the D&A statement; we need to ensure that the designs for these areas are included in the application as the existing swales are purely an engineering solution and fail to provide a good quality environment.***

Further landscaped areas are proposed as podiums at first floor level above the car park. Two of these are within the “u” shape of blocks E and F and will provide residents with some semi private amenity and opportunities for play

areas. ***Two of the three podium areas have access via a staircase from the public realm area along the riverside which will improve the activity levels in these areas and hence safety and security; this should be considered for the third podium area within block F. Access from these areas to the residential blocks is controlled by security gates.***

There is a clear hierarchy of spaces with most units having private balcony/patio areas as well as the shared amenity areas. Efforts have been made to provide good quality outlook across the river area for a majority of the units.

Appearance:

Massing of the blocks has been the subject of much discussion and several iterations have been considered to arrive at what is considered to be a good balance for the site. The preferred option is oriented to provide a good outlook to the river and maximise views to the landscaped area. The elevations are broken up using a strong vertical rhythm for the arrangement of the windows and balconies. The large buildings have distinct sections for which there is a consistent approach through the scheme providing coherence and contributing to a sense of place. Efforts have been made to ensure that the ground floor interface is active where it meets the public realm; ***the weakest part is block D which has no residential units on the ground floor and the pedestrian entrance is tucked away in a corner; this was raised during the pre-application discussions but no units have been incorporated into the ground floor. Concerns are that this will become a dead area with little passive surveillance; the ground floor is used for all the services and parking – the return, which projects towards the access road, could be used as residential units with ground floor amenity which would improve the passive surveillance. Relocating the plant would mean a reduction in car parking; access to the bin and cycle stores is not overlooked and could be improved***

The materials palette has been worked on to remove the render elements which were a significant element in the earlier iterations of the scheme. The palette is now simplified to a limited number of brick shades; coloured bricks are used within the entrance areas from the podium areas.

There is good use of recessed balconies overlooking the river areas; projecting balconies have been used as well, care will be needed to manage these so that they do not become scruffy and detract from the overall appearance of the buildings. On the upper floors many apartments have access to roof terraces.

There is one part of block F on the north elevation to Tom Sawyer way where there is a large area with no windows or other form of articulation; it is considered that additional windows should be added to the units on floors 7-9 which would improve the external appearance of the section and provide additional light to the rooms.

In general, it is considered that the approach can be successful and will deliver a good number of residential units in a well designed and landscaped area. With appropriate management and attention to detail it is expected that the scheme will be successful and will result in an acceptable quality of place for residents.

It is recommended that conditions are used to require details of features such as window and door reveals, reveals for the inset brick panels; balcony design; car park/podium walls onto public realm and for all materials to be agreed. We would recommend that proposals to sign off details and materials are submitted at the same time so that the scheme can be fully understood. We should also like see more details for the cycle storage to ensure that it complies with the standards in the SPD.

Officer Comment – A number of the Design Officers comments are noted. The scheme has evolved substantially over the design process and through design review. It has not been possible to accommodate all of the requests made by the design officer and some are aspects of conscious decisions whereby different professionals may have differing views. It is noted that articulation has been addressed to block F to address this concern which relates to an element of the building which will be visible. In relation to the issues relating to the swales, embankment landscaping and environment around the roundabout. It is noted that the vision includes improvements to these; however these areas are not in the control of the applicant and cannot be subject to conditions without prejudicing the delivery of the other regeneration benefits. It is also noted that the design of the road and embankment were originally approved and the Local Authority must have felt they were appropriate at the time. The intention is that these areas be addressed, but this will require further dialogue with the Highway Authority and will likely be done as part of the next phase or a separate application.

The aspirations of the Design Officer to achieve good design are noted and to be welcomed. On balance I must conclude that taking into consideration all material planning considerations it is considered that the scheme does overall achieve a high quality design and the balance lies substantially in favour of approving the proposals.

5.22 Natural England

No objection.

5.23 Hertfordshire County Council Developer Services

No objection.

5.24 Hertfordshire County Council (fire hydrants)

No objection subject to fire hydrant provision.

5.25 Head of Housing

We have compared the affordable housing proposed below to what policy requires.

	Affordable Rent	Shared Ownership	Market Housing	Totals
1 bed	23	16	93	132
2 bed 3p	6	7	43	56
2 bed4p	32	18	141	191
3 bed	16	0	13	29
Total	77	41	290	408
	65%	35%		
	29% (30% Hab Rooms)			

A site of 408 units would require 143 units of affordable housing (35%):

93 x affordable rented

29 x social rented

21 x LCHO

The application has 25 fewer affordable housing units than required by the affordable housing policy and no social rented units .

It is appreciated that the applicant has submitted a viability report to justify the lower number of affordable housing properties being offered.

It is welcomed that the majority of the affordable housing rented units are much needed family sized accommodation.

It is expected that greater numbers of family sized affordable housing units including social rented units will be able to be developed on later phases of this project.

6.0 Appraisal

6.1 Main issues

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

- (a) Principle of development
- (b) Design, scale and impact on visual amenity
- (c) Quality of residential accommodation
- (d) Affordable housing provision and housing mix
- (e) Impacts on surrounding properties
- (f) Landscaping and impacts on trees
- (g) Access, parking and transportation
- (h) Flood risk and drainage
- (i) Sustainability
- (j) Other environmental considerations
- (k) Section 106 and Community Infrastructure Levy (CIL)

6.2 (a) Principle of use

Background information

- 6.2.1 The application site forms part of the wider Watford Health Campus masterplan area and benefits from outline planning permission for residential development – granted in January 2015 under application reference 14/00511/OUTM. It encompasses part of the area identified as the ‘Riverside’ area on the masterplan. More recently, this area has been referred to as the ‘Waterside’ area.
- 6.2.2 The details approved under permission 14/00511/OUTM had indicated that 460 residential units would be provided within this Riverside/Waterside area – which also encompasses the land immediately to the west of the application site (which is subject to the 253 unit residential care community development proposed under application 17/01543/FULM).
- 6.2.3 Under the current proposal to which this application relates, 408 units are proposed.
- 6.2.4 While the proposed scheme will be of a different form and layout to that originally envisaged under the masterplan, it will, nevertheless, continue to provide residential development in this area and remains consistent with the masterplan in this respect.

Land use allocation

6.2.5 The site lies within an area designated as an Employment Area on the Proposals Map of the Watford District Plan 2000. Part of the site (its northwestern part) is also shown to fall into an area identified as being allotment land on the Proposals Map of the Watford District Plan 2000. Both the allotment and employment uses have now ceased and the site currently comprises a cleared area.

6.2.6 The site forms part of the Watford Health Campus Special Policy Area as set out within the Watford Local Plan Core Strategy 2006-31 (see below) and has therefore been earmarked for redevelopment. The use of the site to provide residential development has already been established and accepted in principle under the masterplan.

Watford Health Campus Special Policy Area

6.2.7 Policy SPA3 (Health Campus) of the Watford Local Plan Core Strategy 2006-31 has as its objective:

6.2.8 “To deliver a major mixed use development project providing a new quarter for west Watford which seeks to provide new housing, jobs and community facilities with the catalyst of a significantly enhanced new acute hospital. This new quarter will be integrated seamlessly with the existing surrounding neighbourhoods, will enhance the local services and amenities for the existing local communities in west Watford and is expected to provide in the order of 1,000 to 1,900 new jobs.”

6.2.9 The policy also sets out the requirements for the Health Campus SPA as follows:

- Improved major acute hospital providing new facilities for patients and staff.
- Residential development (at least 500 new homes) including affordable housing.
- Commercial office development.
- Local centre shops and community facilities.
- Leisure facilities including the support of Watford Football Club as an important local asset.
- New combined heat and power plant.
- New road access arrangements to alleviate congestion on Vicarage Road and site circulation improvements to assist walking and cycling.
- Traffic signalling improvements to Junction 5 of the M1 motorway.
- Improved quality and quantity of green infrastructure.
- A primary school.

6.2.10 The new development should also be of high quality design, making the most of opportunities for energy conservation, renewable energy provision and water recycling; maintain and add to open space for recreational and biodiversity purposes; provide local employment opportunities and affordable and key worker housing; and be designed to reduce flood risk.

6.2.11 The principle of developing this site, as part of the wider Watford Health Campus project, was accepted under the previous hybrid application 14/00511/OUTM as already mentioned. The current proposal reflects the original objectives of the hybrid application in that the site will be used to accommodate new residential units. The works proposed under this application do not compromise the objectives of the original scheme or Policy SPA3 and the proposal will help to bring forward a residential phase of the Health Campus development following the recent completion of the new link road.

6.3 (b) Design, scale and impact on visual amenity

6.3.1 Policy UD1 of the Watford Local Plan Core Strategy 2006-31 seeks to ensure that all new development is based on an understanding of the local characteristics of the surrounding area. At a national level, the government's planning guidance places a strong emphasis towards the creation of high quality environments through good design. Section 7 of the NPPF states that planning decisions should aim to ensure that developments "will function well and add to the overall quality of the area" and "are visually attractive as a result of good architecture and appropriate landscaping". Section 7.1.2 of the RDG advises that "New development must create a place of distinction by building on local identity" and further advises that "Where positive aspects of local character are more limited, development needs to begin to set a standard for the area by creating a distinctive place in its own right".

Existing character of area

6.3.2 The application site itself is undeveloped and falls outside of the character areas identified by the Watford Character of Area Study. It largely comprises cleared, former industrial land. The hospital complex to the north, which has been developed in a rather piecemeal fashion, lies on higher ground than the subject site and dominates its surroundings.

6.3.3 The nearest residential properties include those located within the Stripling Way estate (some 120 metres west of the site) and those on Riverside Road forming part of the estate known as The Rookery (some 170 metres south of the site). Other nearby residential properties include those located within Rose Gardens and Willow Lane to the northwest of the site. The surrounding residential development is varied. The site is separated from the Stripling Way estate and The Rookery area by way of the disused railway line and its associated

embankment and also the river and some open space in the case of the latter. The site is also separated from the Rose Gardens and Willow Lane properties by a wooded area.

6.3.4 The development of this vacant site provides an opportunity for new character and identity to be created. The proposal forms part of the Riverwell scheme, where it is accepted that density levels will be higher than those currently found in the areas adjoining the site. It must therefore be accepted that this necessitates a different building form and a change in approach to scale and massing. The architect has adopted a contemporary design approach that will introduce a new style of architecture to the area and it is felt that the site lends itself to this. The design and appearance of the new buildings will remain in keeping with the architecture of those blocks forming the first phase of residential development in the Woodlands area to the northeast of the site.

Scale and massing

6.3.5 The new buildings will range in height between 6 and 11 storeys and will therefore be significantly taller than the surrounding two storey residential properties. However, the new buildings will be separated a sufficient distance from the nearest two storey properties, ensuring that they have no overbearing or imposing impacts on them. The new buildings will be sited on lower ground than the imposing hospital and football stadium complexes and will not appear unduly prominent in this context.

6.3.6 Views towards the site from various nearby vantage points have been considered within the Environmental Statement (Section 9). It is considered that the effects of the development on visual amenity will largely be limited to the immediate surroundings of the site. The footprint of the proposed built form is less than a quarter of the overall site area and new tree and shrub planting will be provided to help soften the transition between this new 'urban edge' and the undeveloped area to the southwest. It is acknowledged that the area will have changed from one which had comprised low-rise industrial uses to higher rise built development. However, the new buildings will be seen in the context of the wider existing built form around it and from the south against the backdrop of the hospital and football ground buildings. Consequently, it is not considered that the scheme will have any significant detrimental impact on visual amenity.

6.3.7 The proposed buildings will incorporate features to help 'break up' their massing and create visual interest including the use of articulated elements, contrasting materials, a combination of recessed and protruding balconies and variation in window size openings.

External materials

6.3.8 The materials are shown indicatively on the documents submitted with the application and include buff, red and grey coloured bricks for the main elevations. Some brightly coloured bricks will be used around entrances to improve their legibility and add interest. Grey aluminium panelling will also be added to parts of the elevations. This will complement the window frames that will also incorporate a grey finish.

6.3.9 Overall, it is considered that the proposed scale, design and form will offer a robust elevational treatment for the buildings and will achieve a high quality appearance.

6.4 (c) Quality of residential accommodation

6.4.1 All of the proposed units within the development have been designed to achieve the minimum internal floorspace recommendations set out within the Council's guidance and officers consider that the buildings and units have been laid out so as to achieve appropriate privacy for their occupiers.

6.4.2 A daylight and sunlight report has been submitted which demonstrates that 93% of the rooms would meet recommendation with relation to the Average Daylight Factor and 81% with fully Daylight Distribution compliance. These levels are high and demonstrate that the units will generally achieve very good levels of daylight and sunlight.

6.4.3 In addition the units will benefit from good provision of both private and public amenity space which will be well lit as set out in the landscaping section of this report and will sit within a well-designed and pleasant site. Overall, the scheme would give rise to good quality residential accommodation for future occupiers.

6.5 (d) Affordable housing provision and housing mix

6.5.1 The application has been subject to extensive discussions in relation to affordable housing which have been ongoing for a number of months.

6.5.2 It is accepted in principal that the site does have a number of exceptional costs, such as bearing the cost of Thomas Sawyer Way, remediation arising from the former use and the need for works to the watercourse. However, it has still been important for the Officers to have extensive dialogue with the applicant in order to ensure that affordable provision has been maximised and that the offer made best meets the needs of Boroughs current housing needs.

6.5.3 Following these discussions the current offer of affordable housing is to provide 77 affordable rented units and 41 shared ownership units. However, it should be

noted that this offer favours larger family units such that there are 54 affordable rented units providing accommodation which could be used for families and 18 shared ownership units which could be used for families.

6.5.4 The affordable housing offer equates to 29% provision by unit or 30% provision by habitable room.

6.5.5 This offer has been subjected to a robust review of viability with a report being submitted by the applicant and considered by the Council's Consultant. This has confirmed that taking into account the various factors this is the maximum provision of affordable housing that can be made on this site at this time.

6.5.6 In this case there are two additional factors to consider. The development is large and will take place over a number of years, this means there is the potential for changes over time which could positively or negatively impact on the viability situation. In addition the viability discussions have ensured that all possibilities and variables have been maximised, to ensure optimum delivery, leading to an appraisal which is very sensitive to change.

6.5.7 The factors mean there is a risk that changes in circumstance could render the development unviable and ultimately prevent the delivery of the regeneration and housing benefits that it will provide, but it also provides a potential opportunity to increase provision in the future should changes be positive. For these reasons officers are recommending a viability review clause to both mitigate the risk to the regeneration project and ensure the opportunity of a greater contribution.

6.5.8 Subject to an appropriate legal agreement the affordable housing proposals are considered acceptable.

6.6 (d) Impacts on surrounding properties and uses

6.6.1 The development site is well separated from the nearest existing residential properties with block H being over 100m from no. 56 Willow Lane.

6.6.2 The closest consented residential development will be the 253 bed care home approved under application 17/01543/FULM. These proposals were designed alongside each other and in the relationship considered under the care home application whereby it was considered both developments would have an acceptable relationship.

6.6.3 To the east of the site separated from Trade City by the railway line and there are no concerns regarding this relationship. Thomas Sawyer Way and its embankment, separate this site from the Northern Zone of the wider sites.

Given this separation there are no concerns relating to the potential relationship of the development with future phases.

6.6.4 Overall, it is considered that the proposal would not have any unacceptable impacts on surrounding properties or uses.

6.7 (f) Landscaping and impacts on trees

6.7.1 The design and layout of the scheme has been informed by a landscape strategy which divides the site in seven landscape areas which include:

i) Site Entrance – with a formal setting of trees to create a sense of arrival and frame the buildings.

ii) Residential Piazza – a small hard surfacing area at the entrance to the site

iii) Promenade – a shared space for pedestrians and reduced cars to ensure a quieter area and allow a softening of the site towards the riverside.

iv) Communal and Podium Gardens – providing internal courtyards with perimeter blocks to provide amenity for residents and increase visual amenity.

v) Willow Lane Link – a landscaped pedestrian link between this site and the Woodland Development/Thomas Sawyer Way which includes a viewing platform and casual seating.

vi) Colne Island – a new publicly accessible open space created alongside the riverbank with two access points, and a play area. Creating a space where future residents and the wider community can enjoy soft landscaping, play and physical activity.

vii) Homezone Street and Parking – quieter areas towards the edges of the site allowing access and parking for new residents in a safe environment for residents.

6.7.2 Overall the proposals provide over 6,484 sq.m. of communal and private amenity space and the submitted lighting reports indicate that over 98% of the courtyard areas would get at least 2 hours of sunlight on the 21st March in excess of the BRE Guidelines.

6.7.3 The provision of an attractive promenade alongside the River Colne, in addition the creation of a publicly accessible open space with a walkable routes and play space, would both serve to create attractive environments which will encourage exercise and walking, providing health and wellbeing benefits for the residents and the wider community. The softening of the landscaping adjacent to the river enables the creation of a planting zone to have regard to the ecological value of

the watercourse and provide for biodiversity.

6.7.4 Overall, the landscape strategy has been well considered. It will provide a variety of different landscape spaces accommodating a variety of different outdoor uses while also providing for variation in the spaces on a journey through the site and creating walkable link which will encourage more healthy journeys through the site and the use of the public space.

6.7.5 The Council's arboricultural officer has no objections to the proposal and the landscaping is considered to be well thought out with regard to the various benefits it can provide to ecology, health and wellbeing and the amenity of future residents/the local community.

6.8 (g) Access, parking and transportation

6.8.1 The site will be accessed by vehicles from the existing roundabout at Thomas Sawyer Way, which was built for this purpose. Pedestrian Access to the site will be from three locations; the roundabout on Thomas Sawyer Way which will provide a link between this site and the northern zones/hospital; a link to Thomas Sawyer Way/Willow Lane to the north west which will link the development and open space to existing communities; and a pedestrian/cycling route linking the development to the south of the railway line which will link the development, open space and hospital to existing communities. The details of the southern route were principally considered under application 17/01543/FULM.

6.8.2 While earlier versions of the masterplan sought an additional pedestrian route between this site and the northern zone/hospital. This proved impractical due to the levels changes around Thomas Sawyer Way. As part of the design review process it was determined it would be better to focus attention on the existing access point rather than provide a further substantially compromised access. Further improvements to the roundabout on Thomas Sawyer Way to improve the pedestrian environment are intended to be provided in future phases relating to the northern zone.

6.8.3 The 408 units will be served by 213 car parking spaces and 447 cycle parking spaces. The 213 car parking spaces would include disabled parking spaces and electric vehicle charging points.

6.8.4 The level of car parking proposed at 0.5 spaces per unit is in line with the Council's adopted guidance and is considered appropriate for the site, in particular having regard to the site proximity to facilities nearby including local parades, the town centre, public open space and public transport. It is also well aligned with the objective of promoting walking which is supported by the provision of attractive walkable routes and links within the site. The proposed

development will include a car club space and a travel plan to further encourage sustainable travel.

6.8.5 At the request of County Highways updates to the original Traffic Assessment were prepared to address a number of detailed points and to consider the impacts of the proposal in a 'no MLX' scenario. Comments received on the 2nd March 2018 indicate that County Highways are satisfied with the revised highways modelling and have no objections on traffic impacts grounds.

6.8.6 Overall, the development is considered acceptable with regard to transport and access.

6.9 (h) Flood risk and drainage

6.9.1 The application has been accompanied by a Flood Risk Assessment and a Drainage Strategy which address both the application site, and the wider site, these documents and have been updated to address issues raised by consultees during the processing of the application. Having reviewed the revised documents both the Environment Agency and the Lead Local Flood Authority are satisfied that the proposals include appropriate consideration and mitigation for drainage and flooding issues. Subject to appropriate conditions the proposal is therefore acceptable in these respects.

6.10 (i) Sustainability

6.10.1 The application is accompanied by a Sustainability Statement and Energy Strategy, which demonstrate additional measures which have been introduced to improve sustainability and improve energy efficiency above the building regulations requirements.

6.11 (j) Other environmental considerations

6.11.1 The application is accompanied by an Environmental Impact Assessment which considers the development proposals cumulatively with the 'Mayfield' phase and other committed developments against key environmental considerations including, but not limited to Ecology and nature conservation, Landscape effects and visual amenity, Archaeology, Air quality, and Noise & vibration. In general the Statement considers the key matters and concludes that, subject to mitigation, the proposals will not have unacceptable adverse impacts in relation to the relevant areas.

6.12 (k) Section 106 and Community Infrastructure Levy (CIL)

6.12.1 The development site lies within one of the Major Developed Areas identified in the Council's Charging Schedule and as such is exempt from CIL on the basis that

the development will mitigate its individual impacts through a bespoke S106 agreement.

6.12.2 The development forms part of what was originally known as the Health Campus Site and the need for S106 contributions to mitigate the harm of the overall development was subject to detailed consideration and secured under planning permission 14/00511/OUTM. It is therefore appropriate that the current proposal secure the appropriate share of contributions originally set out as they relate proportionally to the smaller site area.

6.12.3 Having regard to this history the S106 will secure the following:

1. Fire Hydrants, if required, in accordance with County Requirement.
2. Affordable Housing and Viability Review. The affordable housing set out in the report will be secured. Given the long development time associated with the development and the assumptions in the Viability Assessment it is appropriate that the clause include provision for a review.
3. Primary Education Contribution. Contributions of:
£343,778 prior to the Implementation of Block E;
£622,885 prior to the Implementation of Block F; and
£202,424 prior to the Implementation of Block
4. Secondary Education Contributions of:
£51,959 prior to the Implementation of Block E;
£60,587 prior to the Implementation of Block F; and
£32,501 prior to the Implementation of Block D
5. Highway Works. Much of the original highways works have been undertaken, however traffic signal installation at M1 junction 5 interchange MOVA with UTC override is outstanding and to be secured.
6. Travel Plan. To ensure measures are in place to encourage sustainable travel.
7. River Management Works. The original outline consent secured river management works as required, and still required, by the Environment Agency. These are to be secured under the current permission.
8. Restrictions on Further Planning Applications/Obligations – Due to pooling contributions in relevant planning legislation a restriction is included to ensure the development of the wider site does not require more than 5 separate legal agreements.

6.12.4 The aforementioned requirements of the S106 are consistent with the requirements set out through the history of the site and adequate to mitigate

the wider impacts of the proposed development.

7.0 Human Rights implications

7.1 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.

8.0 Recommendation

That planning permission be granted subject to a legal agreement and conditions set out below.

8.1 Legal Agreement

A S106 Legal Agreement shall be entered into securing the following Heads of Terms:

1. Fire Hydrants, if required, in accordance with County Requirement.
2. Affordable Housing and Viability Review.
 - a. The development will achieve the level and mix of affordable housing set out in the table below unless alternative provision is justified as a result of a full re-evaluation of the viability of the site.
 - b. If there is a gap of 12 months or more between the grant of planning permission and the commencement of the first residential block a re-appraisal will be undertaken.
 - c. A further re-appraisal will be undertaken prior to the commencement of each of the subsequent residential blocks, unless otherwise agreed in writing by the Local Planning Authority.
 - d. In the event that there is a re-appraisal the development shall provide the maximum amount of affordable housing demonstrated to be viable up to a cap of the policy requirement of 35% (to be achieved either on site or on site with off-site contributions).
 - e. A dispute mechanism will be included in the agreement.

	Affordable Rent	Shared Ownership
1 bed	23	16
2 bed 3p	6	7
2 bed4p	32	18
3 bed	16	0
Total	77	41
	65%	35%
	29% (30% Hab Rooms)	

3. Primary Education Contribution. Contributions of:
 - £343,778 prior to the Implementation of Block E;
 - £622,885 prior to the Implementation of Block F; and
 - £202,424 prior to the Implementation of Block
4. Secondary Education Contribution
 - £51,959 prior to the Implementation of Block E;
 - £60,587 prior to the Implementation of Block F; and
 - £32,501 prior to the Implementation of Block D
5. Highway Works. Much of the original highways works have been undertaken, however traffic signal installation at M1 junction 5 interchange MOVA with UTC override is outstanding and to be secured.
6. Travel Plan. To ensure measures are in place to encourage sustainable travel.
7. River Management Works. The original outline consent secured river management works as required, and still required, by the Environment Agency. These are to be secured under the current permission.
8. Restrictions on Further Planning Applications/Obligations – Due to pooling contributions in relevant planning legislation a restriction is included to ensure the development of the wider site does not require more than 5 separate legal agreements.

8.2 Conditions

Time Limit

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.

Approved Drawings

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

RWL-LHA-RX-00-DR-A-0001 5
RWL-LHA-RX-01-DR-A-0002 2
RWL-LHA-RX-00-DR-A-0003 06
RWL-LHA-RX-01-DR-A-0004 04
RWL-LHA-RX-RL-DR-A-0005 04
RWL-LHA-RX-ZZ-DR-A-0006 02
RWL-LHA-RX-ZZ-DR-A-0007 01
RWL-LHA-ZZ-00-DR-A-0001 01
RWL-LHA-ZZ-XX-DR-A-0002 01
RWL-LHA-RD-ZZ-DR-A-0001 01
RWL-LHA-RD-ZZ-DR-A-0002 00
RWL-LHA-RD-ZZ-DR-A-0002a 00
RWL-LHA-RD-ZZ-DR-A-0002b 00
RWL-LHA-RD-ZZ-DR-A-0003 00
RWL-LHA-RD-ZZ-DR-A-0004 00
RWL-LHA-RD-ZZ-DR-A-0005 00
RWL-LHA-RD-ZZ-DR-A-0006 00
RWL-LHA-RE-ZZ-DR-A-0001 00
RWL-LHA-RE-ZZ-DR-A-0002 01
RWL-LHA-RE-ZZ-DR-A-0003 00
RWL-LHA-RE-ZZ-DR-A-0004 01
RWL-LHA-RE-ZZ-DR-A-0005 00
RWL-LHA-RE-ZZ-DR-A-0006 00
RWL-LHA-RE-ZZ-DR-A-0007 01
RWL-LHA-RE-ZZ-DR-A-0008 00
RWL-LHA-RE-ZZ-DR-A-0009 01
RWL-LHA-RF-ZZ-DR-A-0001 00
RWL-LHA-RF-ZZ-DR-A-0002 00
RWL-LHA-RF-ZZ-DR-A-0003 00
RWL-LHA-RF-ZZ-DR-A-0004 01
RWL-LHA-RF-ZZ-DR-A-0005 01
RWL-LHA-RF-ZZ-DR-A-0006 00
RWL-LHA-RF-ZZ-DR-A-0007 01
RWL-LHA-RF-ZZ-DR-A-0008 00
RWL-LHA-RF-ZZ-DR-A-0009 01
RWL-LHA-RX-ZZ-DR-A-010 00

RWL-LHA-RX-ZZ-DR-A-011 00
RWL-LHA-RX-XX-RP-A-0001 01
RWL-LHA-RX-XX-SH-A-0001 08
RWL-LHA-RX-XX-SH-A-0002 06
RWL-LHA-RX-XX-SH-A-0003

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

Phasing

3. Prior to the commencement of any development, other than works on the access road or open space, a phasing plan shall be submitted to, and approved in writing by, the Local Planning Authority. The phasing plan shall clearly show which areas/parts of the development will be undertaken in each phase and the order in which they shall commence.

Reason: To establish a phasing plan, such that the discharge of other conditions on this consent can be appropriately timed and not unnecessarily delay commencement of various phases of the development. In accordance with good practice and the request of the applicant.

External Materials and Finishes

4. No phase of the development other than works on the access road and open space shall commence until details of the materials to be used for all the external finishes of the buildings in that phase (including all walls, roofs, doors, windows, balconies, rainwater and foul drainage goods and details of the reveal treatment to be applied around windows and doors) have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

Reason: In the interests of the visual appearance of the site and the character and appearance of the area, in accordance with the provisions of the Residential Design Guide (RDG), Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and Section 7 of the National Planning Policy Framework (NPPF).

External Lighting

5. No phase of the development shall be occupied until a scheme detailing the external lighting to be installed within that phase (including free standing light fixtures and any external lighting attached to the buildings)

has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed prior to the first occupation of the development in accordance with the specifications and locations set out in the scheme, and shall be maintained thereafter in accordance with the approved scheme. Under no circumstances should any other external lighting be installed without the prior written approval of the Local Planning Authority.

Reason: To ensure that any external lighting safeguards the security and amenities of residents, respects the character and appearance of the area and is sensitive to wildlife in accordance with Policies GI3 and UD1 of the Watford Local Plan Core Strategy 2006-31.

Surface Water Management

6. The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Waterman Infrastructure & Environment Limited (document reference WIE11284-101-R-10-3-1-App, dated 27 October 2017) and the following mitigation measures detailed within the assessment;
 - a) 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 10.2 l/s during the 1 in 100 year event plus 40% of climate change event.
 - b) 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 total storage volume in porous paving sub-base, filter trench and bio-retention area.

- c) Discharge of surface water from the proposed development drainage system into the River Colne.

The mitigation measures required to serve each phase of the development shall be fully implemented prior to occupation of that phase or 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 reduce the risk of flooding by ensuring the satisfactory disposal and storage of surface water from the site, in accordance with saved Policy SE27 of the Watford District Plan 2000, Policies SD1 and SD2 of the Watford Local Plan Core Strategy 2006-31 and Section 10 of the National Planning Policy Framework (NPPF).

- 7. No phase of the development other than works on the access road and open space shall take place until a detailed surface water drainage scheme for that phase, based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy scheme should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event.

It should be noted that the scheme for each phase needs to have regard to the wider drainage strategy for that site and it may be necessary for details to demonstrate how the proposal for each phase will link with this.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

- a) Final detailed surface water drainage strategy layout including all SuDS features (permeable paving included) with their connections into the private surface water sewer system and final inlet and outlet levels.
- b) Detailed engineered drawings of the proposed SuDS features including their size, volume, depth, any inlet and outlet features including any connecting pipe runs and final modelling reflecting the detailed design of the proposed drainage strategy.

- c) Routes of exceedance for rainfall events that exceed the 1 in 100 year plus climate change event including its extents, depths and volumes.
- d) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To reduce the risk of flooding by ensuring the satisfactory disposal and storage of surface water from the site, in accordance with saved Policy SE27 of the Watford District Plan 2000, Policies SD1 and SD2 of the Watford Local Plan Core Strategy 2006-31 and Section 10 of the National Planning Policy Framework (NPPF).

Piling and Foundations

- 8. No piling or other foundation designs using penetrative methods shall take place until a method statement (detailing the depth and type of piling and/or foundations to be undertaken and the methodology by which such piling/foundations will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, measures to prevent harm to groundwater resources and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

Reason: To safeguard underground sewerage utility infrastructure and to ensure that the proposed foundation works do not harm groundwater resources in accordance with saved Policy SE28 of the Watford District Plan 2000, Policy SD1 of the Watford Local Plan Core Strategy 2006-31 and Section 11 of the National Planning Policy Framework (NPPF).

Refuse, Recycling and Cycle Storage

- 9. No phase of the development shall be occupied until the refuse, recycling and cycle storage to serve that phase of the development, as shown on the approved drawings, has been constructed and made available for use. These facilities shall be retained as approved at all times.

Reason: To ensure that adequate facilities exist for residents of the proposed development and in the interests of visual amenity, in accordance with saved Policies SE7 and T10 of the Watford District Plan 2000 and Policies SD4 and UD1 of the Watford Local Plan Core Strategy 2006-31.

Hard and Soft Landscaping and Children's Play Space

10. The hard and soft landscaping (including the childrens playspace) on Colne Island shall be carried out in accordance with the details shown on the approved drawings prior to the occupation of any part of the development. Other hard and soft landscaping shall be carried out in accordance with the details shown on the approved drawings prior to the occupation of any unit within that phase. The proposed planting shall be completed not later than the first available planting and seeding season after the relevant trigger set out above.

For the purposes of this condition a planting season is the period from 1 October in any one year to 31 March in the following year. 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 in writing by the Local Planning Authority.

Reasons In the interests of the visual appearance of the site and to ensure that suitable play facilities are provided for children in accordance with saved Policies L9 and SE36 of the Watford District Plan 2000 and Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

Means of Enclosure

11. Notwithstanding the information already submitted, none of the units in any phase shall be occupied until details of the siting, height, type, materials and finish of all fencing, walls, gates or other means of enclosure around the boundaries of the site and within the site for that phase have been submitted to, and approved in writing by, the Local Planning Authority. All fencing, walls, gates or other means of enclosure shall be provided in accordance with the approved details prior to the first occupation of any part of the development and shall be maintained as such at all times thereafter. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no gates or means of enclosure, other than those approved under this condition, shall be erected or installed on the site without the prior written approval of the Local Planning Authority.

Reasons In the interests of visual amenity, to ensure that suitable levels of privacy are provided for future occupiers of the development and neighbours, and to minimise danger, obstruction and inconvenience to users of the adjacent highway, in accordance with the provisions of the

Residential Design Guide (RDG), saved Policies T21 and T24 of the Watford District Plan 2000 and Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

Parking, driveway and manoeuvring layout

12. No unit within any phase of the development shall be occupied until the access road, on-site parking and manoeuvring areas to serve that phase have been laid out and constructed in accordance with the approved drawings and made available for use. These facilities shall be retained as approved at all times.

Reasons To ensure that adequate facilities are provided for the occupants of the development and to ensure that the adjoining highway is not obstructed, in accordance with saved Policies T21 and T24 of the Watford District Plan 2000.

No use of flat roofs

13. No parts of the flat roofs of the development, with the exception of those areas marked as terraces on the drawings hereby approved, shall be used as terraces, balconies or other open amenity spaces.

Reasons To prevent overlooking and consequent loss of privacy to the occupiers of the development pursuant to the provisions of the Residential Design Guide (RDG) and paragraph 17 of the National Planning Policy Framework (NPPF).

Levels

14. Notwithstanding the information already submitted, no construction of the approved buildings within any phase shall commence until detailed plans showing the existing and new or altered ground levels within the site and the floor levels of all the proposed buildings for that phase have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.

Reasons To ensure that the proposed buildings and any other changes in level on the site maintain a satisfactory relationship between the development and existing properties so as to safeguard the character and appearance of the area and the privacy and amenities of neighbouring properties in accordance with the objectives of Policies UD1 and SS1 of the Watford Local Plan Core Strategy 2006-31 and paragraph 17 of the National Planning Policy Framework (NPPF). Details of all the levels have

not been specified within the application submission and these details need to be agreed with the Local Planning Authority before any works commence.

Tree Protection Measures

15. The tree protection measures set out within the Arboricultural Impact Assessment (Report No: RT-MME-125046-02 Rev A Date: September 2017) shall be carried out.

Reasons To safeguard the health and long term retention of the existing trees and shrubs which represent an important visual and ecological asset, in accordance with saved Policies SE37 and SE39 of the Watford District Plan 2000 and Policies UD1 and GI3 of the Watford Local Plan Core Strategy 2006-31.

Archaeology

16. With the exception of the road and landscaping, no phase of the development shall commence until an Archaeological Written Scheme of Investigation for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording;
2. The programme and methodology of site investigation and recording as suggested by the archaeological evaluation;
3. The programme for post investigation assessment;
4. Provision to be made for analysis of the site investigation and recording;
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
6. Provision to be made for archive deposition of the analysis and records of the site investigation;
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

The development shall only take place in accordance with the programme of archaeological works set out in the approved Written Scheme of Investigation. No part of the development shall be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme

of Investigation and the provision made for analysis and publication where appropriate.

Reasons To ensure that any archaeological remains on the site can be evaluated and recorded, in accordance with Policy UD2 of the Watford Local Plan Core Strategy

Satellite Dishes and Aerials

17. No phase of the development shall be occupied until details of a communal terrestrial television aerial(s) and satellite dish(es) for that phase have been submitted to and approved in writing by the Local Planning Authority. No aerials or satellite dishes, other than those approved by this condition, shall be installed within the site.

Reasons To prevent visual cluttering and to ensure that a high quality environment is achieved, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

18. No phase of the development shall be occupied take place until a landscape management plan, for Colne Island, the buffer zone and that phase has been submitted, and approved in writing by, the Local Planning Authority. The plan shall include long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas including the buffer zone. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The buffer zone element shall be free from built development including lighting, domestic gardens and formal landscaping; and will form a vital part of green infrastructure provision. The schemes shall include:

- plans showing the extent and layout of the buffer zone.
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.
- details of the proposed native planting scheme
- details of any new habitat created on site
- details of establishment and maintenance regimes
- details of treatment of site boundaries and/or buffers around water bodies, including any fencing.

Reasons Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected, particularly for riverside developments. An appropriately planned and managed landscape

scheme, including the buffer zone will improve the river habitat continuity and affords species a wider and therefore more robust and sustainable range of linked habitats. Which in turn will bolster the resilience of local and migrating wildlife to disturbance. The National Planning Policy Framework (NPPF), paragraph 109 recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. The Natural Environment and Rural Communities Act which requires Local Authorities to have regard to nature conservation and article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the river basin management plan.

19. No works on the pedestrian footbridge shall commence until the details of the footbridge has been submitted to, and approved in writing by, the local planning authority. No unit within the development shall be occupied until the footbridge has been completed and brought into use. The scheme shall be implemented as approved.

Reasons This condition is necessary to ensure the bridge is designed to maintain a continuous river corridor and provide for movement of wildlife.

20. If, during development, contamination not previously identified is found to be present at the site then no further development of that phase (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reasons To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 109 of the National Planning Policy Framework. The contamination currently identified should have been addressed under the enabling works planning conditions 127430/02 but ground is variable, so additional contamination may be discovered over the course of the construction activities.

21. Each 'phase' is in reference to the Site Zoning Plan in the Geo-Environmental Risk Assessment. 'Contamination not previously identified' includes:
- contaminants at concentrations higher than previously identified in this area of the site.
 - contaminants not previously identified in this area of the site.
 - contaminants in groundwater, surface water or in/on/under the land.
22. Prior to each phase of development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy, and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reasons This condition requires a verification report of any remediation measures taken to address 'contamination not previously identified' as per the above planning condition. This is to ensure 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. This is in line with paragraph 109 of the National Planning Policy Framework.

23. 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.

Reasons To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 109 of the National Planning Policy Framework. The submitted planning application indicates that boreholes have been and will need to be installed at the development site to *investigate land and groundwater quality and potentially for geotechnical investigations*. If these boreholes are not decommissioned correctly they can provide preferential pathways for contaminant movement which poses a risk to groundwater quality.

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

Reasons Deep foundations and piling can provide preferential pathways for contaminant movement which poses a risk to groundwater quality. Groundwater is particularly sensitive in this location because the proposed development site is within Source Protection Zone 1 relating to the deep chalk aquifer.

25. Piling for the development hereby permitted may not commence until a groundwater monitoring and maintenance plan in respect of potential contamination mobilised by piling activities, 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.

Reasons To ensure that piling on the site does not pose any further risk to the deep water environment by managing any contamination issues and completing all necessary long-term remediation measures. The information required by this condition is intended to be complementary to the long-term groundwater monitoring condition on the enabling works planning application.

26. No infiltration of surface water drainage into the ground 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.

Reasons To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 109 of the National Planning Policy Framework. The previous use of the proposed development site presents a risk of contamination that could be mobilised by surface water infiltration from a sustainable drainage system (SuDS) leading to pollution of controlled waters

Contamination

27. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a

verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reasons To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

28. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

Reasons To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

TFL

29. No phase of the development shall take place until a scheme of appropriate safeguards for the MLX have been submitted to and approved in writing by the Local Planning Authority. The safeguards will ensure there is no conflict with the Croxley Rail Link Order 2013, no negative impact on the construction programme for the MLX, no negative impacts on the subsequent operation of the MLX as a live railway and address any construction safety issues associated with the railway.

Reasons To ensure the appropriate safeguarding of proposed and existing infrastructure.

Drawing numbers

See condition 2.

Case Officer: Adrien Waite

Email: adrien.waite@watford.gov.uk

Tel: 01923 278283