

Committee date	3 rd October 2018
Application reference	18/00163/FULM
Site address	8-12 Chalk Hill
Proposal	Redevelopment of the site to provide a mixed use scheme including 151 residential units (Class C3), 93m ² of retail units (Class A1 and/or A2 and/or A3 uses) and / or community floorspace (Class D1/D2), with associated cycle parking, car parking, landscaping and public realm improvements. (amended description)
Applicant	Mr Simcha Green
Agent	JLL partnership
Type of application	Full planning permission: Major
Reason for committee item	Major Application
Target decision date	25 th October 2018 – extension of time by mutual agreement
Statutory publicity	Press advertisement and site notice with overall expiry of 23 August 2018.
Case officer	Habib Neshat habib.neshat@watford.gov.uk
Ward	Oxhey

1. Recommendation

Approve subject to conditions and subject to the completion of a section106/Unilateral Undertaking with the heads of terms as set out in section 8 of this report.

2 Site and surroundings

- 2.1 The site is located immediately to the east of Bushey Arches Railway and comprises the property at 12, Chalk Hill, the former Massey waste transfer station and an existing industrial building to the north. It measures approximately 0.67 ha.
- 2.2 Along the western Boundary of the site, abutting the railway is an access road which joins Chalk Hill at Bushey Arches and extends through to Three Valleys Way to the north, although is gated at the boundary of the land.
- 2.3 The northern boundary of the site is marked by a heavily treed embankment with mature trees also extending along the eastern boundary. Beyond the trees lies a recent residential development comprising blocks of flats of up to

5 storeys high within Tree Rivers. To the east are the properties at 14, 16 and 18, Chalk Hill and 48, Aldenham Road.

- 2.4 The site has a limited road frontage to Chalk Hill in front of no. 12, which is set at a higher land level. The remainder of the Chalk Hill frontage is occupied by a small ground level car park owned by the Council. Vehicular and pedestrian access to the site is currently via the access road along the western boundary from Bushey Arches.
- 2.5 The site comprises of an industrial unit with associated car parking to the rear and the former Massey waste transfer facility to the front of the site (Use Class B8 in accordance with the Use Classes Order 1987 as amended). The waste transfer facility had ceased operation however the industrial unit is still currently occupied.
- 2.6 The levels across the site vary with the land rising to the north.
- 2.7 Number 14 Chalk Hill is a Grade II listed building, it is timber framed former farm house. However the most important structure is Bushey Arches Railway viaduct which is a Grade II listed brick and stone railway bridge. It comprises 5 Arches built in 1837. However, the fourth line facing the application site has been rebuilt in 1963 in modern materials. Number 48 Aldenham Road as well as number 18 Chalk Hill are locally listed.
- 2.8 The site located within a mixed use area. There is neighbourhood centre/ local shops located near the site which has a mix of small local retail and other uses. There are higher density apartment dwellings located to the north of the site with further lower density residential homes along Aldenham Road and Chalk Hill. There are a number of large car sales/ warehouse units in the Lower High Street Area. It is also within close proximity to Bushey Railway Station at 130 metres away, with access to bus routes and the site is not far from the town centre. Chalk Hill is a main route between Watford and Bushy and Harrow. Therefore, the site is located in a sustainable location.
- 2.9 The actual site does not have significant green space or trees but the boundary is heavily dotted with mature trees and greenery.
- 2.10 The site is currently accessed via a vehicular access along the boundary of the site, adjoining the railway arches. There is a palisade railing to the north of this access way blocking the passage to the recent residential development to the north within Three Rivers. However, the security fencing is currently breached in an unhealthy fashion and people walk through the broken fence. The access way appears to belong to network rail and in fact is outside of the

development site. But it appears there is right of way over it, as it is currently used by the businesses on the application site.

- 2.11 The site is not located within a conservation area. However, Oxhey Conservation Area in Oxhey Village is located about 125m to the south of the site. The site is not located within a Residential Control Parking Zone.

3. **Summary of the proposal**

3.1 **Proposal**

The proposal involves the demolition of the existing buildings and the redevelopment of the site with 6 blocks rising from 3 to 9 storeys of residential use, providing a total of 151 apartments. The proposal will also include a small retail unit at 93m².

- 3.2 The proposed blocks are divided into two groups of 3, on a concave curve facing each other around a landscape area to the centre. There will also be significant landscaping to the front of the site, where lorries currently park and also to the rear of the proposed blocks of flats. The pavement will also be widened.

- 3.3 The proposal will provide 69 car parking spaces. There will be two vehicular accesses to the site. The existing vehicular access will be retained and will be upgraded and will connect to the residential development to north. This access way will primarily be used for service vehicles (including the refuse vehicles) as well as providing a shared access to the existing residential development to the north of the site and will incorporate a cycle route.

- 3.4 The second vehicular access will be provided to the east of the site, directly from Chalk Hill. This access will be used for the proposed underground car parking.

Conclusion

- 3.5 This is a challenging site to bring forward for redevelopment due to the constraints from the surrounding uses, the change in levels, the nearby heritage assets and the limited access arrangements. However, the careful design and layout innovatively responds to the constraints of the site and the strategy to adopt a contemporary approach is to be welcomed as this will create a high quality environment that offers a suitable relationship with its surroundings.

- 3.6 The proposal to provide car parking at a 46% ratio is considered to be suitable taking into account the site's sustainable location. The proposed residential

flats will provide a good overall quality of accommodation for future residents without causing any considerable harm to neighbouring uses or occupiers, subject to appropriate conditions.

- 3.7 The present scheme will regenerate this neglected site in a key location within the townscape, by providing a highly imaginative and innovative style development with significant benefit to public realm in terms of landscaping, cycle routes and widening of the pavement thereby considerably enhancing the character of the area.
- 3.8 Given its location the proposal will not have any significant impact upon the amenities of the adjoining occupiers.
- 3.9 The provision of 151 dwelling units additional will significantly boost the supply of housing in the local area. The provision of affordable housing, while below 35%, has been subject to viability review and been demonstrated to be the maximum possible provision.

4. Relevant Policies

- 4.1 Members should refer to the background papers attached to the agenda. These highlight the Policy Framework under which this application was determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. Relevant site history/background information

- 5.1 The application site has been subject to a number of historical schemes and some recent schemes. The historical permissions date circa early 1960s and mid 1980s where a series of planning permissions were granted for the use of the site for the manufacturing of optical glass.
- 5.2 The more recent planning history of the site reveals that from 2006 to 2016 attempts were made to develop the site for residential development. A series of outline planning applications were made ranging up to 176 dwellings. All such applications were refused planning permissions by the council and a number were dismissed on appeal.
- 5.3 There is however, an extant planning permission (Ref; 15/00115/OUTM) granted on 14.04.2016, for the demolition of existing building and the construction of up to 121 dwelling and a basement car park for residents of up to 197 spaces with access from a new junction on Chalk Hill.

5.4 The history with respect to the current scheme;

Pre-application scheme

- 5.5 The first pre application scheme was received by the council in June 2017. This proposal included the providing of 6 individual blocks of flats dotted around the site. Officers did not consider the scheme or layout to be appropriate. The applicants were reminded that only high quality design would be accepted in this location.
- 5.6 The second Pre-Application was submitted in August 2017. This scheme incorporated a single stepped bock rising from 5 to 11 storeys and then dropping back to 5 storeys. The scheme incorporated curved features and wings with landscaping on either side of the block, providing 229 residential units. This scheme was considered innovative and more interesting than any other previous schemes for this site. It was agreed that design development continue to progress with this scheme and consultation with the public, the Council's Major Application Forum and Design South East takes place.
- 5.7 After the Public Consultation and the Design Review Panel in September 2017, the scheme was substantially redesigned. The residential typology was changed to smaller scale multi-core layouts with 4-5 units on each floor accessed directly from the lift lobbies. The blocks were laid out to provide a private garden in the middle. The accesses to blocks were from the side of the blocks. The proposal comprised of 3 to 9 storey blocks providing 151 new residential units.
- 5.8 In November 2017, the scheme was presented to the council Major Application Review Forum (MARF). The scheme generally received a positive response. The main outstanding issues to resolve were potential site contamination, servicing and refuse, and affordable housing. There were suggestions to proceed with a warmer brown coloured brick cladding and a less solid, more open facade design especially on the ends of the blocks where it is most visible from a distance.

5.9 The proposal

- 5.10 The proposal as submitted included; the redevelopment of the site to provide a mixed use scheme including 151 residential units (Class C3), 510m² (GIA) of retail units (Class A1 and/or A2 and/or A3 uses) and / or community floorspace (Class D1/D2), with associated cycle parking, car parking, landscaping and public realm improvements. The scheme comprises six residential blocks ranging in height from 3 storeys to 9 storeys.

- 5.11 The revised scheme is principally as above. However, the 500m² retail/community element has largely been omitted (only 93m² in now provided). The landscaping scheme as well as entrances to the blocks has also been altered.

The proposed scheme will incorporate a mix of dwelling units comprising one bed, two bed and three bedroom flats.

6 Main considerations

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) Impacts on heritage assets
- (d) Mix of dwellings
- (e) Affordable housing provision
- (f) Quality of residential accommodation
- (g) Air quality
- (h) Car parking, access and transportation
- (i) Security
- (j) Contamination
- (k) Trees
- (l) Sustainable drain strategy
- (m) Impacts on surrounding properties
- (n) Refuse and recycling,
- (o) Section 106 and Community Infrastructure Levy (CIL)

6.2 (a) Principle of development

- 6.2.1 An outline planning permission has already been granted for a housing scheme, and at one stage the site has been allocated for housing. Therefore, the loss of employment is not an issue here.
- 6.2.2 The scheme as originally submitted included 500m² of retail element. However, this aspect of the development has been revised and the proposed retail element will now amount to 90m² which is considered acceptable in this location.
- 6.2.3 The proposal complies with the provisions of Policy HS1 in that the site occupies previously developed land which is close to good public transport routes and links, is not open space or a community facility for which there is a

need, is not in an area at risk of flooding and does not have high biodiversity, landscape or cultural heritage significance. Therefore the proposal in principle is considered acceptable.

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

6.3.1 The design of the scheme has been subject to significant negotiation with the applicant and the scheme has seen several revisions since the idea of the redevelopment was originally put forward to the council.

6.3.2 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 on 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 will add to the overall quality of the area" and "are visually attractive as a result of good architecture and appropriate landscaping".

6.3.3 The area in which the application site is located is mixed in character – being surrounded by varying residential development, and the commercial uses and the rather haphazard commercial development that has taken place within the site itself.

6.3.4 The existing physical condition of the site is far from ideal. At present, the site comprises neglected industrial buildings in poor condition and a large expanse of car parking spaces. None of the buildings contained within the site have any historic or architectural significance. There are a number of vehicles (Lorries) parked on site and other unsightly paraphernalia associated with the commercial activities exists. Consequently, a fairly poor level of visual amenity is offered at present. The proposed scheme provides the opportunity for the visual amenity of the site to be considerably improved through a comprehensive redevelopment that will include the introduction of soft landscaping contribution to public realm. Therefore, there is no objection to the demolition of the industrial buildings.

6.3.5 The proposed development comprises six residential blocks stepping in height from 5 storeys to 9 storeys. The height and massing of the development is now considered acceptable. The scheme has sought to ensure the lower storey block front the highways with the tallest away from the road frontage. The height will drop again at the furthest point to integrate with the lower blocks on the adjoining lands.

- 6.3.6 The design and layout is dictated by the red line boundary which leaves a narrow road frontage facing the street. The layout follows the shape of the site, with the blocks curving slightly with interval breaks in the building line to provide the 6 development blocks. There is a core amenity area in a central location between the two sets of residential blocks. Initially the landscaped area was at different level. This stepped level change formed a separation between the public area outside the proposed retail/community use and more private space on the upper level. This separation also created a campus style effect to the residential blocks. The revised scheme has sought to open up by connecting the public plaza area to the core green amenity area which was originally separated. This allows this space to have clearer street profile and would improve legibility across the site.
- 6.3.7 The proposed “6 development blocks” approach used here is successful in breaking up the building mass across the site and avoids the issues associated with single monolithic block. This has the added benefit of requiring 6 cores, each one serving a smaller number of units, across the site which is supported.
- 6.3.8 The façades are characterised by a mix of both vertical and horizontal fenestration; however there is a level of verticality maintained by virtue of the relatively narrow width of the blocks and the approach to sections of fenestration. The roofs are also set back which further reduces the bulk of the building. In general the reduced bulk is extremely important for the setting of Bushey Arches Listed Building.
- 6.3.9 The basement layout is acceptable. The ratio of parking spaces has enabled underground parking with different areas for cycle storage and large item storage secure fob/ key access for residents here can provide an extra layer of security for cycles.
- 6.3.10 The new public realm will be extremely important here. This is important as the site has the potential to increase activity in this area, by creating a clear pedestrian connection between the apartment developments at Cockram Road and the other residential areas to the north of the site and Bushey Station. The pedestrian permeability through the site is designed in a way that will enable these connections to be established in the future.
- 6.3.11 The landscape proposals seek to create a range of garden spaces to cater for a variety of user needs and activities with civic spaces fronting the development and more private gardens to the rear. Creating new links and routes through the site to the surrounding urban context, the new proposals will encourage and promote sustainable modes of transport and healthy living. The existing

belt of mature vegetation to the periphery will be retained and protected as a visual buffer to adjacent properties and a valuable ecological resource.

6.3.12 Access to the site is via patterned hard landscaping that will replace the existing tarmac. Rows of low level planting in front of the ground floor apartments will provide additional screening and privacy towards the living areas obstructing direct views in the apartments. Non-accessible biodiverse green roofs will support the existing ecology on the site improving the health and wellbeing of the residents and increasing the performance of the building.

6.3.13 Section 7.1.2 of the RDG 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”. In this particular case, the scheme will create new quarter in highly innovative design

6.3.14 The submitted elevations show the principal material for the external walls of the building to be brick. The applicant has indicated that high quality materials will be used. The use of such materials is considered to be acceptable in principle as these could complement the brickwork and add visual interest. The exact type of materials to be used on the external surfaces of the buildings will be secured by condition so as to ensure that a high quality appearance is achieved.

6.3.15 It is considered that the proposed development is highly innovative which will respond well to the site’s specific location constraints by providing buildings of balance proportions suitable to the site and its surroundings. The significant benefit to the public realm is the proposed integrated landscaping both within as well as public realm which considerably enhances the character of the area transforming the currently poor setting into an attractive environment.

6.4 (c) Impacts on heritage assets

6.4.1 For design purposes it is important to note that the site is not far from Oxhey Conservation Area, but more importantly there are a number of heritage assets near the site. Firstly Bushey Arches Railway Viaduct is a Grade II Nationally Listed Building, while the Pill Box is a locally listed building. Additionally, 14-16 Chalk Hill is a Grade II Nationally Listed Building while there are further locally listed buildings in the vicinity. There are a substantial number of Trees with preservation orders close to the site boundary.

6.4.2 The applicant has submitted a comprehensive heritage statement considering all designated and non-designated assets. The statement reviews the significance of the assets in terms of the Historic England guidance on this and

looks at the potential impacts of the proposed scheme on that significance. In all cases there is no physical alteration to the asset but there are changes to the setting and context of some of the assets.

- 6.4.3 The asset most affected is the railway viaduct and it is its setting and context which is affected not the actual structure. The heritage statement argues that the original setting in which the viaduct was located has been lost – which is the case; it also notes that the viaduct would have had a landmark role as the most significant structure in the industrial landscape in which it is set. Whilst the industrial landscape around the structure has altered and mostly lost – a few cottages remain – the viaduct is still the most prominent structure in the area and no other buildings break the top line of the viaduct at present. This will change as the proposed buildings will be clearly visible above this line. The views most affected are as the approaches from the Lower High Street and Eastbury Road. The views shown in the Appendix to the Heritage Statement show that the most affected is that from Eastbury Road, where the new building sits clearly above one of the arches; the Lower High Street view shows the bulk of the building to one side of the arches as they span the road and the impact of the structure is full appreciated.
- 6.4.4 Following the guidance on assessing impact the setting must be seen to contribute to the significance for the impact to be given weight; in this instance the setting has not changed a great deal and it is only the single view which is already compromised by other modern development which is affected. On this basis it is considered that significance of the railway arches will be preserved if the development goes ahead. Other assets are affected in a similar way but to a lesser degree than the railway arches and in no case does the change to the setting/context affect the significance of the asset.
- 6.4.5 It is acknowledged that the existing commercial uses that occupy the site do not make a positive contribution to the setting of the nearby heritage assets. The scheme will allow the physical environment within the site and its relationship with its surroundings to be enhanced through the removal of the disorderly commercial development that exists at present and its replacement with a comprehensive form of high quality architecture and landscaping.
- 6.4.6 It is therefore concluded that the scheme will not cause harm to the heritage assets because the scheme is well designed and in particular with significant enhancement to the public realm around the railway arches.

6.5 (d) *Housing mix*

6.5.1 Policy HS2 of the Watford Local Plan Core Strategy 2006-31 states that the Council will seek the provision of a mix of housing types, sizes and tenures at local level to meet the requirements of all sectors of the community. The application proposes a combination of one, two and three bedroom flats, which is considered to be an acceptable housing mix for a sustainable location such as this. The proposed mixes of dwelling units are as follows;

- 1 bed flat 87
- 2 bed flat 57
- 3 bed flat 7
- Total 151**

6.5.2 The scheme provides a minimum of 10% of the dwellings as wheelchair adaptable units. These dwellings are designed into all tenures and across a range of dwelling types. The total no. of wheelchair adaptable units: 40 (26%) which is considered acceptable.

6.6 (e) Affordable housing

6.6.1 Policy HS3 of the Core Strategy seeks a 35% provision of affordable housing in all schemes of 10 units or more. This provision should have a tenure mix of 65% affordable rent, 20% social rent and 15% intermediate tenures. This policy and national policy indicate that affordable housing requirements should be reduced if there are demonstrated viability issues.

6.6.2 With respect to the pre-application scheme at 229 dwelling units the applicant was confident that the development could meet affordable objective. However, taking on board comments arising from public consultation the number of dwellings was reduced by about 70 units and the applicant considers that the scheme will not be able to deliver the required affordable housing in accordance to the policies.

6.6.3 In accordance with policy, the applicant provided a Financial Viability Assessment (FVA) to be considered. The applicant also agreed to make payment for an independent consultant to test their viability assessment.

6.6.4 The initial FVA by the applicant indicated that the scheme even with no financial contribution would be viable. However, the council's consultant did not agree with the initial assessment. The applicant revised FVA indicated that the scheme may be viable, by providing 15% of units being viable. However, the council's consultant has come to the conclusion that a scheme in excess of

15% may be viable but not only marginally. The applicant has now accepted that 17% of units could be viable. This will equate to 26 units.

6.6.5 The applicant has agreed to provide 17% affordable housing provision as follows;

- 18 shall be Affordable Rented Housing Units comprising four (6) one-bedroom Units and ten (12) two-bedroom Units;
- 5 shall be Social Rented Housing Units comprising two (2) two-bedroom Units and two (3) three- bedroom Units;
- 3 shall be Intermediate Tenure Housing Units one (1) being one-bedroom Units and two (2) two bedroom units.

6.6.6 The applicant has also agreed a review of the viability of the development be undertaken towards the end of the project when actual build costs and sales values of the flats are known. This would allow financial payment to be made towards affordable housing provision where the viability of the development can be shown to have improved to provide a financial surplus.

6.7 (f) Quality of residential accommodation

6.7.1 The proposal provides a mix of 1, 2 and bedroom units. All of the proposed unit will have an acceptable floor area in compliance with national and local policies. .

6.7.2 The floor plans were designed to provide clear separation of use and tenure, clear way finding and efficient use of space. The proposal comprises 6 blocks arranged in two main building forms. Each block has its own core serving 4-5 units on each floor.

6.7.3 One of the key principles of the design of the residential floor plate was to maximize the daylight & sunlight in the main living spaces of the proposed apartments. In order to provide this, the building blocks were angled and separated by gaps big enough to provide corner windows and increase the number of multiple aspect units.

6.7.4 External balconies provide private amenity space for significant number of apartments accessed directly from the main living space and from the bedrooms. The first floor and ground floor apartments that directly overlook either the main shared garden or the perimeter landscaping can potentially benefit from dedicated private gardens with direct access but with visual separation provided by rows of low level planting.

6.7.5 Some of the flats will have a more limited level of amenity than others due to their position within the site and their relationship with the surrounding built form. Nevertheless, it is considered that a reasonable level of outlook will be offered from all of the proposed flats. Additionally, the submitted Daylight Report indicates that all of the units will benefit from daylight levels which are in excess of the Building Research Establishment target values (as set out in the BRE publication entitled 'Site Layout Planning for Daylight and Sunlight; A guide to good practice'). A significant proportion of the flats will benefit from being dual aspect. Those which have only a single aspect will have acceptable outlook. It is felt that all of the proposed units will benefit from reasonable levels of sun lighting particularly given the site's built-up context.

6.7.6 Given that the distances between the existing buildings and the proposed buildings will remain the same, the position with respect to privacy issue remains acceptable. With respect to overlooking among the proposed buildings, some mutual overlooking is to be expected in a high density development within an urban environment such as this. However, notwithstanding this, the scheme has been carefully designed to minimise any potential overlooking between properties and it is considered that future occupiers of the flats will benefit from suitable levels of privacy.

Amenity space

6.7.7 Section 7.3.23 of the RDG advises that "For flatted developments, communal open space provided for the exclusive use of occupants of the development may be acceptable as long as its location, size and shape enable it to be enjoyed by the occupants". It further advises that "The minimum area for usable communal space is 50 square metres, plus 15 square metres per additional unit over two units". Using this standard, the scheme would be required to have a minimum area of 2285 square metres in communal open amenity space. The amount of communal open space to be provided will be 3453m², comprising 2247 of Shared amenity space and 1206 of private amenity space. This is well in above this standard

6.7.8 The proposal provides multiple areas and forms of external amenity space for the residents and for the use of the community. The external space is landscaped to provide high quality outdoor areas for recreation under a shared communal garden that will benefit social interaction and will create a stronger sense of community. It is felt that the level of amenity space is acceptable in this context.

Noise

6.7.9 The noise assessment submitted with the application identifies that the site is affected by noise mainly due to traffic on the surrounding roads. The site is

also located close to east of the West Coast Mainline railway which also has the potential to result in noise disturbance to future occupiers of the development. In order to ensure that the occupiers of the new flats are protected from noise disturbance certain attenuation measures will need to be implemented including the installation of specified glazing. This can be secured by condition. The Environmental Health Department has also requested that a system for mechanical ventilation be installed, to allow the new flats to be adequately ventilated (both background ventilation and rapid ventilation for cooling and odour removal) without the need for windows to be open in the interests of protecting the future occupants from noise disturbance and potential poor air quality. This can also be secured by condition.

6.8 (g) Air quality

6.8.1 The site is located adjacent to an Air Quality Management Area (3A) on Chalk Hill, immediately to the east of the site. The application is supported by an Air Quality Assessment which considered the Council's monitoring data and Air Quality Action Plan (2011). The main source of air pollution at the site is from road traffic, particularly Particulate Matter (PM10) and nitrogen dioxide (NO2). There is no local monitoring data for particulate matter but data from the automatic monitoring station at the Town Hall, adjacent to the busy Rickmansworth Road, shows the (PM10) concentration is well below the national objective annual concentration of 40ug/m3)

6.8.2 With regard to nitrogen dioxide a diffusion tube monitoring station on Chalk Hill outside the site has recorded a mean annual concentration of 83 ll significantly in excess of the national objective annual concentration of 40 . In order to protect the future residents from this high level of pollution, a number of mitigation measures are proposed;

- The installation of mechanical ventilation and filtration systems (including air conditioning) with appropriate PM10 and NO2 filters
- Mechanical ventilation inlet location to be located so that it only draws air in from roof level.
- Non-opening windows on facades affected by air pollution, i.e. facing Chalk Hill especially on lower floors.

6.8.3 These can be secured by appropriately worded conditions.

6.8.4 In addition the applicant has agreed to incorporate a "City Tree" into the scheme. A "City Tree" is a piece of street furniture that works to clean the air, by absorbing 250g of pollutant particles a day (the equivalent of about 275

urban trees). In addition the applicant has also indicated that the electric charging points will be provided in accordance to the council's recommended condition.

6.8.5 The Air Quality assessment carried out by the consulted demonstrates that the impact of the development in terms of vehicular emission will be negligible. The report concludes that by incorporating the proposed mitigating measures, the pollutant concentrations will decrease, thereby resulting in improvement the air quality in the AQMA. It is considered the potential to improve air quality is a significant benefit of the scheme which will improve the quality of life of local residents.

6.9 (h) Car parking, access and transportation

6.9.1 The site is well located for access to public transport, being very close to Bushey Station and bus stops. There are local shops in the immediate vicinity of the site, and the Lower High Street retail area and the town centre are both within walking distance. In this context, a higher density residential development is in accordance with national and local policy to encourage sustainable development. However, the area around the arches is particularly congested, there is severe shortage of parking spaces and the environment for walking and cycling is particularly poor. Further, the site is not located within a Residential Control Parking Zone where the already severely overfilled parking spaces could be protected from the future occupiers of the proposed development.

6.9.2 Therefore, there are significant challenges to any high density development facing the site and any scheme will have to incorporate appropriate plans and mitigating measures are in place to ensure the safe and free flow of traffic would not be compromised and the need for the existing users and the future occupiers of the site are adequately catered for.

6.9.3 The accesses (pedestrian and vehicular) and the provision for parking spaces have been subject to significant negotiation with the applicant and the scheme has incorporated the comments made by the councils' officers as well HCC high way officers. This section of the reports address the manner in which the challenges to the scheme have sought to be addressed the parking, access and traffic issues.

6.9.4 In summary the development will allow two vehicular accesses to the site and will provide 69 car parking spaces. The HCC have considered that the trip generation from the site in general is acceptable. It is estimated that the proposed development will a see a reduction in the number of trips being

generated in comparison with the existing uses of site, or from the extant planning permission which provides 120 car parking spaces.

- 6.9.5 The existing access via the Bushey Arches roundabout junction will be retained but will be significantly improved with new surface as well as landscaping. This will provide shared access with pedestrian and cyclist but it will accommodate delivery, refuse collection and emergency vehicles only. Therefore, there will be a significant reduction in reliance on the access compared with the most recent operation. HCC has confirmed that such an access arrangement for these demands would be acceptable. Vehicles would enter the site from the existing access, reflecting the existing arrangement, follow the internal access road and then turn within a dedicated area of hardstanding that has been sized to accommodate vehicle swept path analysis (for variety of vehicles) , before leaving the site in forward gear.
- 6.9.6 Adjacent to this turning area is a large residential bin store. A management company will be appointed to move bins from other satellite bin stores around the site to a temporary holding area adjacent the turning area on collection day. (Please also see paras in waste section)
- 6.9.7 The scheme will provide a total of 69 car parking spaces allocated to the residents situated in the proposed under-croft structure. This includes 4 disabled car parking spaces and 2 car club/visitor spaces that will provide residents with a flexible alternative to owning a car. Further, the development would comply with Watford Borough Council (WBC) requirements for electric charging provision (10% active and 10% passive).
- 6.9.8 Residential vehicles accessing the site do so via a single point of entry to the South East of the site off Chalk Hill. This will be a new simple priority left in/left out junction that is located in the same approximate location as the recent planning approvals which is to eastern side of the site. This will be a shared surface road off from Chalk Hill which provides a link to the under-croft car park via a ramp.
- 6.9.9 The proposed access will achieve visibility splay of 2.4m x 43m in the primary direction. Pedestrian visibility splays of 1.5m x 1.5m are also achieved to the east of the access. The entry radius for this junction is approximately 6m in order to ensure that vehicles can leave the Chalk Hill carriageway and access the site smoothly. The internal access road then serves a 5.5m wide access ramp with a gradient of 1:12, which provides access to the under-croft /basement parking area.
- 6.9.10 Vehicle swept path analysis indicating that this junction and access route can

be accessed by variety of cars. Clear signage and level access will be provided to ensure ease of movement from the parking spaces to the vertical cores. All floors are fully accessible by lifts from the basement. There will be no off-street parking for the proposed retail unit.

- 6.9.11 The applicant has confirmed that discussions have been initiated with a national car club operator, which have confirmed that for a fee of £30,000+VAT they will provide a car club on-site for a minimum term of 3 years, covering three years membership for each resident and £50 driver credit. The applicant has confirmed they will fund this provision and that this can be secured as part of a S106 obligation.
- 6.9.12 The proposed layout incorporates a car parking space adjacent to the car park access ramp to accommodate the car club vehicles. An additional space is provided adjacent to this space in order to future proof expansion of the car club, if demand is noticed. Vehicle swept path analysis indicates the access for the car club parking spaces is acceptable.
- 6.9.13 HCC considers that the proposed car parking provision is acceptable, subject to a suitable Controlled Parking Management Plan and agreement to fund a Traffic Regulation Order for a Car Parking Zone. As part of this, the applicant has agreed that they would agree that residents of the development cannot obtain permits for the new CPZ, HCC agree with this approach.
- 6.9.14 The applicant has provided a Travel Plan (TP) which is considered to be satisfactory as it includes a variety of appropriate measures to encourage sustainable transport modes with targets set for a reduction in single occupancy car use over the period of the plan. The physical measures proposed in the vicinity of the site are also positive.
- 6.9.15 Herts Highways have advised that the cost of administrating and monitoring the objectives of the Travel Plan and engaging in any Travel Plan Review for the residential developments, consisting of a written agreement with the County Council setting out a scheme to encourage, regulate, and promote green travel measures for owners, occupiers, and visitors to the would be in the region of £6,000. This could be secured through s.106 agreement.
- 6.9.16 The proposed development will allow secure and sheltered cycle parking, for at least one space per residential unit. Additional visitor provision to the retail/community floor space is incorporated within the landscape area adjacent to the larger units, to ensure natural surveillance.
- 6.9.17 To reflect the recently adopted WBC SPD, a significant proportion of the cycle

parking requirements will be accommodated within large item storage cages, amounting to 40% of the total residential units.

6.9.18 The cycle access into the site is directly from Chalk Hill and via the improved service road located along the rail viaduct structure. A high level of secure cycle storage and large item storage has been provided for both the residential and the commercial use, as the required by the council's standards. For every one bedroom apartment, 1 cycle rack space is provided in dedicated secure communal cycle storage in close proximity to its lift core at the lower ground floor. For the larger, 2-3 bedroom apartments, 1 no. secure, large item storage cage is proposed per unit. The size of the large item storage cage will be 1.4mx2m in accordance with the recently adopted Cycle Parking SPD. For the commercial/community element of the proposal, there will be 5 short term cycle parking spaces provided situated near the entrance of the commercial/community space in the public realm. In total, this equates to:

- 88 no. secure bicycle racks and
- 63 no. large item storages
- 10 no. short term, visitor parking space in the public realm.

6.9.19 The closest bus stops to the site are located on Lower High Street to the north west of the site. The closest eastbound stop is approx. 75m away, and the closest westbound stop is approx. 100m away. Both these stops consist of a flagpole, timetable and shelter. These bus stops provide access to; Mount Vernon Hospital, Abbots Langley, Brent Cross, South Harrow, Borehamwood, Potters Bar, Hatfield, South Oxhey, North Watford and Carpenders Park. The bus stops located on Lower High Street are approx. a 1 minute walk from the site, making buses a viable method of travel for potential future residents of the development.

6.9.20 The nearest bus stops have a shelter but not easy access kerbing. The applicants Transport Assessment makes reference to a possible contribution towards the provision of real time information which could be provided if display screens were added to both stops. Therefore, in order to better encourage the use of bus services, live timetables at each of the bus stops should be provided which provides up to date information for expected buses. Display screens cost approximately £8000 each so a contribution of £16,000 would cover screens for both stops. This will be secured through s.106 agreement.

6.9.21 Bushey railway station is located approximately 150m to the south of the site on Pinner Road (2-minute walk). The station provides regular services to a variety of popular destinations, including London. There are approximately 5

direct services per hour to London Euston. There are bicycle facilities already available in the station plus there is also a café/retail. Therefore, there is no financial requirement for improvement to the site. It should be noted that the trains on peak times are crowded, but, it is not anticipated that the demand rising from the proposed development could have any significant impact with respect to the trains' congestion.

6.9.22 Watford town centre and many of its facilities are located within easy walking and cycling times (approx. 11 minutes and 5 minutes respectively), including Waterfields Shopping Park and Watford General Hospital.

6.9.23 There is footway provision on both sides of Chalk Hill and other streets within the vicinity of the site, safe pedestrian crossing facilities are located to the west near the bus stops on Lower High Street.

6.9.24 There are no formal cycling facilities within the vicinity of the development site. However, Chalk Hill and the other streets within the vicinity of the site are considered suitable for cyclists due to the road width and the 30mph speed limit.

6.9.25 The development will connect with the existing footway provision along Chalk Hill, with pedestrians able to access the site via the existing vehicular access, a footpath adjacent the proposed vehicle access that will operate as a shared surface within the site, and a dedicated pedestrian only access to the north of Block A, which will be publicly accessible in order to serve the retail / community land uses. Secure pedestrian access into each of the blocks is then achieved internally within the site via a series of steps and ramps located in the central landscape area in order to address the change in levels across the site.

6.9.26 The building frontages have been set back from Chalk Hill to ensure there is footway provision of at least 2m width along the site boundary. Whilst the adjacent car park area is not within the control of the applicant, the proposals indicate that if this site came forward for development it could also be set back from the existing back of footway, which would allow the delivery of a continuous 2m footway from the site to Watford town centre via the footway under Bushey Arches. The Applicant will also agree to resurface the existing footway from the site access toward the Bushey Arches, with the introduction of tactile paving along the existing and proposed site access.

6.9.27 HCC concludes that walking and cycling are viable travel options for potential future residents of the development and that the local area is conducive to both. The accessibility of the area is deemed suitable for the proposed level of

development.

6.9.28 The proposed physical improvement to the public is welcomed and will make a positive contribution to the safety of the existing users and the future occupier of the site.

6.9.29 Personal Injury Collision (PIC) data has been sourced from HCC for a period of 5 years from August 2012 to July 2017, encompassing the local highway network surrounding the site. Over the study period, there were a total of 24 collisions, with 22 classified as slight and 2 classified as serious, with no fatalities. The majority of the PICs involved just vehicle collisions, however 8 included the most vulnerable road users, pedestrians and pedal cyclists, with 5 and 3 collisions respectively. There does not appear to be a geographical clustering of collisions within the study area. A review of the collisions suggests that they are mainly the result of drivers failing to look and/or misjudging speed, rather than a fault of the local highway network. HCC therefore considers that the proposed development is not likely to exacerbate any existing collision trends on the local highway network.

6.9.30 The proposal promotes sustainable methods of transportation due to the development's proximity to the National Rail services and London public transport network. Therefore the residential development proposed has been encouraged to minimise the car parking provision after consulting with the officers. The provision of parking spaces at 46% ratio aims at reducing road congestion.

6.9.31 HCC as highway authority has reviewed the application submission and have no objections to the proposed development, subject to the conditions and terms of legal agreement. The trip generation rates were reviewed and are considered appropriate for the proposals. The collision data was reviewed and it was found that there were no clusters of collisions in the vicinity of the site that would likely be exacerbated by the proposed development. The applicant was provided a number of comments relating to the proposed access arrangements. The applicant has since provided amended drawings which address previous concerns raised and HCC consider the amended drawings acceptable. The proposed access will be subject to detailed design review at the Section 278 or Section 184, whichever is most appropriate, agreement stage.

6.9.32 The Local Highway Authority has recommended that conditions be imposed requiring that the applicant submits a Construction Traffic Plan detailing provision for on-site parking for construction workers. Issues arising from construction works are not material planning considerations and are covered

by other legislation. As such, it is not considered appropriate to impose planning conditions relating to these matters. Nevertheless, informative notes will be added to the decision notice to provide advice to the applicant with regard to wheel washing, contractors' parking and their responsibilities for ensuring that the highway remains unobstructed wherever possible.

6.10 (i) Secured by design

6.10.1 The Proposed Development has an integrated approach with respect to the 'Secured by Design' principles. The proposed scheme and the following strategy has been consulted, coordinated and developed with the Crime Prevention Design Service of the Hertfordshire Constabulary.

6.10.2 The perimeter of the site is defined by Chalk Hill Road on the front the proposed building and 1.8m high fencing running along the side boundaries and the back of the site. The configuration of the buildings creates a strong sense of orientation and direction with clear and obvious pedestrian routes to the main entrances. The revised scheme has ensured the ground floor entrance will be to the front of the blocks rather than the sides as was originally envisaged. The principle entry points to the building at ground floor are clearly visible. The community/commercial entrance will be open during the day and closed in out of hours. Access to the cycle store, service area and the car park will be controlled by entry cards.

6.10.3 The provision of quality landscaping materials and finishes make it attractive and easy to maintain. Risks are reduced by CCTV coverage and external lighting will be provided with uniformity and good illumination at human scale to exclude blind unlit pockets and corners.

6.11 (j) Contamination

6.11.1 The southern part of the site was formerly used as a waste transfer station and concrete batching plant and the northern part remains occupied by an industrial buildings. A ground investigation report has been submitted with the application which identified contamination of the ground by lead and organic compounds on the southern part of the site. This will need to be the subject of further investigation once the building has been demolished. A strategy for remediation and further investigation is proposed which is acceptable to the Environment Agency and the Council's pollution team in principle, subject to appropriate conditions.

6.12 (k) Trees

6.12.1 The site contains a number of individual trees and 1 group of trees covered by TPO33 land. However, it is evident from the arboriculture survey and aerial photographs that many of these trees have been lost since the Order was made in 1981. The remainder of these 9 trees will also be lost as a result of the proposal. The arboricultural officer explains “whilst the proposals indicate the loss of 15 trees these are all low quality or in poor health, none are subject to the TPO 33 which affects this and adjacent sites. Where retained trees have their Root Protection Areas (RPA) impacted, the Arboricultural Impact Assessment (AIA) indicates that using ‘no-dig’ construction there will be minimal impact upon the retained trees. A detailed Arboricultural Method statement should be submitted and approved prior to any work (including demolition) commencing on site.”

6.12.2 A detailed landscaping scheme should also be submitted and approved hence relevant conditions are imposed.

6.13 (l) Sustainable drainage

6.13.1 The submitted surface water drainage strategy incorporates surface water storage tanks to attenuate surface water flows to the mains sewer system.

The county is satisfied that the relevant information have been provided with respect to the drainage. However, they highlight that part of the drainage strategy scheme will fall outside of the boundary where the consent of the land owner should be obtained

6.14 (m) Impacts on surrounding properties

6.14.1 It is considered that the proposed development will cause no significant harm to the amenities of any neighbouring occupiers or uses, in accordance with the provisions of the RDG, Policy SS1 of the Watford Local Plan Core Strategy 2006-31 and paragraph 17 of the NPPF.

6.14.2 The development will be visible from many of the surrounding properties but given its distance it is considered that it will not have any overbearing impact on neighbouring properties and will not significantly affect their outlook.

6.14.3 The submitted daylight and sunlight assessment demonstrates that the scheme will result in no significant loss of natural light to the nearest residential properties.

6.14.4 The proposed development will have an acceptable relationship with the neighbouring properties to the north including 48 Aldenham Road and those

within The Larches and will not result in any significant loss of light or outlook to these properties.

6.14.5 The proposed buildings will not cause any neighbouring properties to suffer from a significant heightened sense of enclosure or reduced outlook due to their distance from the nearest residential blocks.

6.14.6 Sections 7.3.16 – 7.3.20 of the RDG outline the privacy standards for new development. The RDG advises that “The separation distance between front elevations will be determined by the street layout and the size of the front gardens”. It further advises that “A minimum separation distance of 27.5 metres should be achieved between rear elevations of new houses and existing houses, when clear glass and directly facing habitable windows are at first floor level”. In this particular case, the development will introduce new residential units in an area where none exist at present. It is apparent that some of the windows and balconies of the new units will not be sited less than 27.5 metres from the windows on the nearest residential properties to the south and east of the site.

6.14.7 On balance, it is considered that the new development will introduce a residential use which is more compatible with the surrounding residential properties when compared to the existing commercial uses. The new residential development has the potential to result in less disturbance to surrounding properties than current or future industrial uses and their associated activities could cause. Through careful design the proposal would avoid any significant impact upon the amenities of the adjoining occupiers.

6.15 (n) Refuse and recycling

6.15.1 The provision for refuse and recycling has been designed with significant care. There will be 5 refuse storage area located in close proximity of the respective cores within the development in order to minimise walking. On the designated collection dates the building management company will be responsible for moving the waste containers from the storage areas from Blocks A, B, C, E and F to the designated collection point, this movement occurs externally. This is to ensure that waste collection operatives do not need to travel greater than 25m. The storage area for building D is accessible to the refuse crew. The management company will then return the containers back to stores.

6.15.2 The existing service road along the railway line will provide access to the designated collection point. Appropriately sized turning head will be provided at the end of the access road as demonstrated in transport assessment report. Each apartment will have “triple bin” facilities to enable waste to be stored at source into three waste types to encourage recycling. The residents will be

responsible for carrying their waste from their apartments to the refuse stores and disposing them in appropriate containers. Each bin store is sized adequately to accommodate the required amount of containers.

6.15.3 With respect to the commercial waste the refuse will be collected and stored separately from the residential refuse area. On the collection days the facilities management company will move the containers to the designated collection point. The containers will be collected from this point by a trade waste provider.

6.15.4 It is considered that the proposed refuse strategy will fully comply with the council's guidelines and hence is considered acceptable.

6.16 (o) Section 106 planning obligations and Community Infrastructure Levy (CIL)
Community Infrastructure Levy (CIL)

6.16.1 The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. The CIL charge covers a wide range of infrastructure as set out in the Council's Regulation 123 list, including highways and transport improvements, education provision, youth facilities, childcare facilities, children's play space, adult care services, open space and sports facilities. CIL is chargeable on the relevant net additional floorspace created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted. The CIL charge applicable to the proposed development is £120m².

6.16.2 The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. On and from this date, s.106 planning obligations can only be used to secure affordable housing provision and other site specific requirements.

6.16.3 A s.106 agreement will be used to secure financial contribution towards highways related issues, affordable housing contribution for on-site provision, plus a review mechanism to revisit actual build costs and values when the development is approaching completion to establish if a contribution towards affordable housing provision can be made. This requirement meets the tests in Regulation 122 of the Community Infrastructure Regulations 2010, and, consequently, this planning obligation can be taken into account as material planning consideration in the determination of the application.

7 Consultation responses received

7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Hertfordshire County Council (Highway Authority)	No objection subject to conditions / terms of legal agreement.	Noted. All conditions and recommendation agreed except for the Highways construction management condition, the issue has been addressed in body of the report
Hertfordshire County Council (Lead Local Flood Authority)	Information provided are acceptable, however, the consent of the owner shall of land where the discharge point is locates will have to be obtained.	Noted.
Hertfordshire County Council (Development Services)	No comments	Noted.
Hertfordshire Constabulary Crime Prevention Design Service	<p>This is a relatively low crime area.</p> <p>Concerns about the ramp and walkthrough between the buildings. Front doors are hidden from view.</p> <p>The site would need to be gated at each side to stop unauthorised access.</p> <p>Should build to the police preferred minimum security standard, Secured by Design.</p> <p>Parking is a concern because if there is not enough parking people will park in inappropriate places, this causes conflict and extra demand on police resources.</p>	<p>The scheme has incorporated security measures in according to Herts Constabulary, in particular the entrances have been relocated to the front of the buildings.</p> <p>Scheme has paid particular attention in providing car parking spaces. Further there will be mitigating measure with respect to additional demand for parking, servicing and delivery through s.106 as discussed in the body of the report.</p> <p>The issue with respect to police resources is not within the remit of planning regime</p>
Environment Agency	No response.	

Thames Water	No objection.	Noted.
Council's Environmental Health (pollution) team	No objections subject to conditions.	Noted.

7.2 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Services	Bin allocation should be 2 x 1100 litre bins for refuse; 2 x 1100 litre bins for recycling and 2 x 240 litre bins for green waste.	Noted. Bin storage is provided. Swept path analysis shows that refuse vehicles can turn within the site and so can enter and leave in forward gear.
Environmental Health	No objection.	Noted.
Design & Conservation	The design quality is now of a standard which is acceptable; the reduced footprint and altered design works better in the street scene and will not harm the character of the area. The detailed design will result in an interesting contemporary building. The living environment will be of good quality for residents and will not impact on neighbours. The scheme is now supported.	Noted.
Housing	The Housing Service was delighted at the original proposal which incorporated 35% affordable housing. However, the Housing service does not support this application for planning as 85% of the units have been proposed as market housing.	This is discussed in paragraph 6.8 of the report.
Arboricultural Officer	No objection subject to	Noted.

	conditions.	
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7.3 Representations received from interested parties

6 letters of objection were received

Objection comment	Officer comments
The scale and design of the new development is not in keeping with the character of the area. The buildings are too tall The proposal is an overdevelopment.	This is considered in the body of the report
Lack of parking.	This is considered in the body of the report – highways section
Trains are running at over-capacity at Bushy Station there is no more room at peak hours.	There will only be a marginal increase in the number of passengers in comparison with the existing demand
More traffic congestion.	These are addressed in highways issues in the body of the report.
Increased noise levels.	The proposed residential use would not cause a material increase in noise and disturbance.
Disruption during construction work.	This is not a material planning consideration. There are controls outside the planning system including the Environmental Protection Act, the Control of Pollution Act, the Health and Safety at Work Act, the Clean Air Act and the Highways Act.
Loss of light to neighbouring properties.	This is considered in the body of the report
Loss of trees.	None of the trees shown for removal are subject to a Tree Preservation Order and the Arboricultural Officer concurs with the assessment and comments in the submitted Arboricultural Impact Assessment.
Impact on local infrastructure. Any	The impact on infrastructure is mitigated

additional housing in the area needs to be backed up with more funding to public services.	through the Community Infrastructure Levy.
Loss of privacy	These have been address in the body of the report

8 Recommendation

8.1 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 financial contribution for;
 - A contribution of £30,000 + VAT, for the provision of car club on-site and covering three years member ship for each resident with £50 driver credit.
 - A contribution of £16,000 towards improvement to two nearby bus stop to be equipped with Information Display Screen.
 - Funding for a traffic regulation order for CPZ and to agree that the future residents of the development cannot obtain permits for the new CPZ, if it were to be implemented.
 - Cost of monitoring travel plan to the sum of £6,000.

- ii) That of total of 151 Units to be constructed within the Development, 17% i.e. 26 Units shall be Affordable Housing Units provided as follows:
 - 18 shall be Affordable Rented Housing Units comprising four (6) one-bedroom Units and ten (12) two-bedroom Units;
 - 5 shall be Social Rented Housing Units comprising two (2) two-bedroom Units and two (3) three- bedroom Units;
 - 3 shall be Intermediate Tenure Housing Units one (1) being one-bedroom Units and two (2) two bedroom units.
 - A review mechanism of the viability of the development to be undertaken towards the end of the project when actual build costs and sales values of the flats are known. This shall allow financial payment to be made towards affordable housing provision where the viability of the development can be shown to have improved to provide a financial surplus.

- iii) To secure highways improvement including the widening of the pavement along Chalk Hill as well as the shared vehicle and pedestrian and cycle routes along the railway line and a stage II safety audit of any highway works.

Conditions

1. No development whatsoever shall take place until the applicant has demonstrated to the satisfaction of the Local Planning Authority (to be confirmed in writing) that they have gained appropriate ownership/rights/easements to:
 - a) Utilise the access road to the west of the site for access and servicing of the development (both during construction and for the life of the development)
 - b) To landscape the area to the south west of the site for public use and to enable pedestrian access to the residential entrances of the development in accordance with the approved plans and maintain it as such for the life of the development.

Reason: These areas have not been included within the red line plan for the development, but are fundamental to the successful delivery of the development and the impacts of the development being in line with those assessed by the Local Planning Authority. A full Grampian condition is considered an appropriate way to secure these matters and prevent any development from being undertaken until these issues are resolved. This condition has been placed first on the schedule of conditions to ensure the developer is aware that it must be resolved prior to the commencement of any works.

2. The development to which this permission relates shall be begun within 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.

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

Design and Access Statement revision: 1 date: 08/06/18

PL_001 Site Location Plan revision: 2

PL_009 Site Plan as Existing revision: 2

PL_010 Site Plan as Proposed revision: 2
PL_099 Lower Ground Floor Plan revision: 2
PL_100 Upper Ground Floor Plan revision: 2
PL_101 1st Floor Plan revision: 2
PL_102 2nd Floor Plan revision: 2
PL_103 3rd Floor Plan revision: 2
PL_104 4th Floor Plan revision: 2
PL_105 5th Floor Plan revision: 2
PL_106 6th Floor Plan revision: 2
PL_107 7th Floor Plan revision: 2
PL_108 Roof Plan revision: 2
PL_201 Sections revision: 2
PL_301 Site Street Elevations revision: 2
PL_302 North West & South East Garden Elevations revision: 2
PL_303 North West & South East Street Elevations revision: 2
PL_401 Façade Details revision: 2
PL_501 Apartment Layouts Upper Ground Building A Apt Type A1, C1, C2 revision: 2
PL_502 Apartment Layouts Upper Ground Building B Apt Type A2, A4, A14, A12, B11 revision: 2
PL_503 Apartment Layouts Upper Ground Building C Apt Type A13, B2, B3 revision: 2
PL_506 Apartment Layouts Upper Ground Building E Apt Type A5, A7, A9, B5 revision: 2
PL_507 Apartment Layouts Upper Ground Building F Apt Type A5, A7, A10, B4 revision: 2
PL_508 Apartment Layouts 1st Floor Building A&C Apt Type A6, B6, B7 revision: 2
PL_509 Apartment Layouts 1st Floor Building B Apt Type A2, A3, B8 revision: 2
PL_511 Apartment Layouts 1st Floor Building D&F Apt Type A7, A8, B5 revision: 2
PL_512 Apartment Layouts 1st Floor Building E Apt Type A7, A8, B5 revision: 2
PL_513 Apartment Layouts 2nd Floor Building A&C Apt Type A6, B3, B9 revision: 2
PL_514 Apartment Layouts 2nd Floor Building B Apt Type A2, A3, B1 revision: 2
PL_515 Apartment Layouts 2nd Floor Building D&F Apt Type A7, A8, B4 revision: 2
PL_516 Apartment Layouts 2nd Floor Building E Apt Type A7, A8, B5 revision: 2

PL_517 Apartment Layouts 3rd Floor Building A&C Apt Type A11, C3
revision: 2

PL_518 Apartment Layouts 5th 6th 7th Floor Building D&E&F Apt Type
A7, B10, C4 revision: 2

PL_519 1 Bed Wheelchair Adaptable Apartment revision: 2

PL_520 2 Bed Wheelchair Adaptable Apartment revision: 2

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

4. No construction works shall commence until a detailed noise mitigation scheme for the proposed flats (to include acoustic glazing, acoustic trickle vents and mechanical purge ventilation), to protect the future occupiers from noise from rail traffic on the adjacent railway line and the plant and equipment associated with the adjacent Holiday Inn Express and Egale office building, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall achieve the internal noise levels for individual rooms as set out in British Standard 8233: 2014.

Reason: To ensure an acceptable living environment is achieved for the future occupiers of the development.

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

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

6. No construction works shall commence until details of the window reveals for flats have been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved materials.

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

7. The development hereby permitted shall be carried out in accordance with the approved surface water drainage assessment and the following mitigation measures detailed within the FRA:
- 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 10.6 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 29.1 m³ (or such storage volume agreed with the LLFA) of total storage volume in underground attenuation tanks.
 - 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.

8. No development shall take place until a detailed surface water drainage scheme for the site based on the approved Drainage Strategy and sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy 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. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- i) Detailed, updated modelling for up to and including the 1 in 100 year rainfall event including climate change allowance to accommodate the latest changes of drainage layout.

- i) Detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
- iii) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To prevent 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 impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

10. 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 and to prevent pollution of controlled waters (the site is within Source Protection Zone 2), in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

11. No part of the development shall be occupied until the refuse and recycling store to serve the development, as shown on the approved drawings, has been constructed and made available for use. This facility shall be retained as approved at all times.

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

12. No part of the development shall be occupied until a detailed soft landscaping scheme for all the land within the site has been submitted to and approved in writing by the Local Planning Authority. 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.

13. No part of the development shall be occupied until a detailed hard landscaping scheme for all the land within the site, including details of all site boundary treatments, has been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details.

Reason: In the interests of the visual appearance of the site and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

14. The development shall not be occupied until a detailed Travel Plan, based upon the Hertfordshire County Council document 'Hertfordshire Green Travel Plan Guidance', has been submitted to and approved in writing by the Local Planning.

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

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

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

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

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

17. No plant or equipment shall be sited on the external elevations of the buildings unless details of the plant or equipment have been submitted to and approved in writing by the Local Planning Authority. The details shall include size, appearance, siting and technical specifications relating to noise.

Reason: In the interests of the visual appearance of the site and the amenities of the residential occupiers, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

18. No demolition or development shall commence within the site until a detailed tree protection plan (showing all trees and hedges to be retained, the siting and type of protective fencing and the use and type of no-dig construction methods where appropriate) has been submitted to and approved in writing by the Local Planning Authority and all tree protection measures have been installed as approved. The development shall only be carried out in accordance with the approved details and all protective fencing shall be retained throughout the construction period.

Reason: To safeguard the health and vitality of the existing trees which represent an important visual amenity during the period of construction works in accordance with Policies UD1 and GI3 of the Watford Local Plan Core Strategy 2006-31 and Policy SE37 of the Watford District Plan 2000.

19. No development shall commence within the site until details of the routing of all below ground services and cabling (electricity, gas, telephone, foul water, surface water, etc), including any temporary connections for site huts, showing depth, width and routing of all

trenches, have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure the retention of the existing trees on the site is not prejudiced by the development in accordance with Policy SE37 of the Watford District Plan 2000.

20. No trees, scrub or hedges on the site shall be lopped, topped, felled, grubbed up or otherwise removed from the site between 1st March and 31st August in any year unless a suitably qualified ecologist has previously surveyed the trees, scrub or hedges and certified in writing to the Local Planning Authority that such works of removal are unlikely to harm any protected species.

Reason: In order to avoid harm to any protected species, in accordance with Policies GI1 and GI3 of the Watford Local Plan Core Strategy 2006-31.

21. All windows directly facing Chalk Hill and the railway viaduct to the west shall be non-opening and shall be retained as such at all times, unless otherwise agreed in writing by the Local Planning Authority.

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

22. No development shall commence until the specification of a mechanical air supply/extract system for each of the residential dwellings with windows directly facing Chalk Hill and the railway viaduct to the west 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 facing Chalk Hill and the railway viaduct being non-opening. The air delivered to the occupiers of the residential units through this system should have an annual mean nitrogen dioxide (NO₂) concentration of 40ug/m³ or less. The system must not compromise the sound insulation of the façades. Details of the siting of any air intake; extraction units; generators and other mechanical equipment serving this system that are likely to give rise to noise should be submitted, along with details of noise attenuation measures to be incorporated to ensure these units do not give rise to a noise

nuisance. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

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

23. No development shall commence until a noise mitigation scheme for the proposed residential dwellings facing Chalk Hill and the railway viaduct to the west, to achieve the recommended interior noise levels in BS 8233:2014, has been submitted to and approved by the Local Planning Authority. The scheme shall include the details and specifications of the sound reduction performance of all glazed and non-glazed elements of the building facades. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

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

24. No part of the development shall be occupied until details of an external lighting scheme for the site has been submitted to and approved in writing by the Local Planning Authority and the approved has been installed.

Reason: To meet the needs for safety and security for users of the site in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

25. The approved soft landscaping scheme shall be carried out as approved not later than the first available planting and seeding season after completion of each phase of the 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 in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

26. Notwithstanding the information already submitted, no construction of the approved buildings 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 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.

Reason: 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).

27. No dwelling shall be occupied until a detailed scheme showing the provision of fire hydrants serving the development (as incorporated into the provision of the mains water services for the development whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus) has been submitted to and approved in writing by the Local Planning Authority. The approved fire hydrant provision shall be installed and made available for use prior to the first occupation of any dwelling forming part of the development and shall be maintained as such thereafter.

Reason: To ensure that suitable fire-fighting facilities are provided.

28. No dwelling shall be occupied until a detailed scheme showing the citing and the detail of a "City Tree" to improve the air quality of the area has been provided and approved in writing by the local planning authority. The approved "City Tree" shall be installed and be operation prior to the first occupation of any dwelling forming part of the development and shall be maintained as such thereafter.

Reason: To ensure the air quality of the area is not deteriorated as a result of the proposed development.

29. No above ground construction may commence until a scheme for active and passive electric charging points for on-site vehicles has been submitted to and approved in writing by the Local Planning Authority. The electric charging infrastructure and charging points shall be installed in accordance with the approved scheme prior to the first occupation of the development.

Reason: To ensure that the proposed development achieves high levels of sustainability in accordance with Policies SD1 and SD3 of the Watford Local Plan Core Strategy 2006-31 and paragraph 110 of the National Planning Policy Framework revised July 2018.

30. Prior to the first occupation of the development hereby permitted (or Prior to the commencement of the use hereby permitted) the proposed access /on-site car parking shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety.

31. Prior to first occupation of the development, a Car Parking Management Plan shall be submitted to and approved in writing by the LPA. It shall include the following:

Details of car parking allocation and distribution;
Details of the car club regarding the operation, management, and implementation scheme;
Methods to minimise on-street car parking;
A scheme for the provision and parking of cycles; and,
Monitoring required of the Car Parking Management Plan to be submitted to and approved in writing in accordance with a timeframe to be agreed by the LPA.

The Car Parking Management Plan shall be fully implemented before the development is first occupied or brought into use, in accordance with a timeframe agreed by the LPA, and thereafter retained for this purpose.

Reason: In the interests of highway safety and to ensure sufficient available on-site car parking and the provision of adequate cycle

parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport.

32. The Servicing and Delivery Plan shall contain the delivery and servicing requirements (including refuse collection) for the proposed uses, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that would be used for loading and manoeuvring of delivery and servicing vehicles, and access to / from the site for delivery and servicing vehicles.

Reason: In the interests of maintaining highway efficiency and safety

Informatives

IN912 Hours of Construction

IN913 Community Infrastructure Levy Liability

IN914 Section 106 Agreement

IN909 Street Naming and Numbering

IN907 Considered in positive and proactive manner

IN915 Highway Works – HCC agreement required