

Committee date	Wednesday, 5 February 2020
Application reference	19/00778/FULM Land To The North Of Thomas Sawyer
Site address	Way Watford
Proposal	Redevelopment of the site to provide 192 no. residential dwellings (Class C3), comprising of 50 no. flats and 142 no. houses, and a community centre (Class D1) alongside associated landscaping, amenity space, access and parking. (Amended description and amended plans received 2nd Dec 2019)
Applicant	Watford Health Campus Partnership
Agent	Mr Nick Green, Savills
Type of Application	Major Full Planning Permission
Reason for committee Item	Major Development
Target decision date	29 th May 2020 (To allow for S106 legal agreement)
Statutory publicity	Notification to Secretary of State, Site Notice and local paper publications, to include Environmental Impact Assessment (EIA) notifications
Case officer	Alice Reade, alice.reamde@watford.gov.uk
Ward	; Vicarage;

1. Recommendation

Approve subject to conditions and S106 Heads of Terms as set out in section 8 of this report.

2. Site and surroundings

2.1 The application site, of 2.15 hectares, is located to the north of Thomas Sawyer Way and to the south of the Vicarage Road Football Stadium. To the east of the site is Occupation Road and to the west is the site of the approved Multi Storey Car Park (MSCP) (Ref 18/01383/FULM). The site is to be accessed by a new road (permission Ref 18/01349/FUL) from the roundabout with Thomas Sawyer Way.

2.2 The application site consists of land forming part of the former allotments and land currently used as surface car parking for Watford General Hospital and Watford Football Club staff. The site and context include significant ground level changes with ground levels reducing from north to south making the site lower relative to the stadium and elevated relative to Thomas Sawyer Way and the south of the Riverwell zone.

2.3 The site is not within a conservation area and does not encompass any listed

buildings. The site is within Flood Zone 1 (low risk) however is in ground water source protection zone 1 which is high risk.

3. Summary of the proposal

3.1 Proposal

3.2 Redevelopment of the site to provide 192 dwellings and a community centre, with associated landscaping, amenity space, access and 169 parking spaces. The development is to follow ground works to reduce the gradient of the site slopes and to erect a 6m high retaining wall at the north end of the site to the stadium (pending application 19/00779/FULM).

3.3 An 8 storey building to wrap south and east sides of the car park to contain a community centre of 397sqm at ground floor and 50 flats (39 x 1bed and 11 x 2bed).

3.4 142 terrace houses as follows:

Size	Type	Number
2 Bed 4 Person	Back to back	26
3 Bed 5 Person	Back to back	12
3 Bed 5 Person	Dual aspect	97
4 Bed 7 Person	Back to back	7
Total		142

Figure 1: Accommodation schedule for houses

3.5 Total residential provisions:

Beds	Size/type	Number	Total
1 Bed	1 Bed 2 Person Flat	39	39
2 Bed	2 Bed 3 Person Flat	6	37
	2 Bed 4 Person Flat	5	
	2 Bed 4 Person House	26	
3 Bed	3 Bed 5 Person House	109	109
4 Bed	4 Bed 7 Person	7	7
			192

Figure 2: Total Accommodation Schedule

3.6 The development proposes affordable housing provision of a minimum of 67 units comprising:

- 7No. x 4 bed 7 person social rented house units
- 6No. x 3 bed 5 person social rented house units

36No. x 3 bed 5 person affordable rented house units
8No. x 2 bed 4 person affordable rented house units
5No. x 2 bed 4 person low cost home ownership flat units
5No. x 2 bed 3 person low cost home ownership flat units

- 3.7 The affordable housing offer has been provided with the following caveats as advised by the applicant. Firstly, the above proposal is to be assessed as a minimum offer. The financial options of the affordable housing remain under review by the applicant who have advised officers that the development may be able to provide more affordable housing than that currently offered. The final S106 agreement may therefore include more affordable housing than that of this minimum offer. Secondly, the placement of the dwellings is proposed as indicative as this may vary.
- 3.8 Some issues raised at pre-application stage had not been resolved in the application submitted and amendments, dated 2nd December 2019, were received during the course of the application to include the following changes:
- Improve amenity for some dwellings with larger private amenity, better internal layouts and more dual aspect units
 - A small enlargement of the site to the west into land no longer required for the MSCP development
 - Correction of discrepancies to show correct gable end elevations
 - Landscape improvements
 - Additional details in the BRE Sunlight and Daylight Assessment
 - Additional details in respect of contamination remediation matters
 - Revised Construction Management Plan.
- 3.9 **Conclusion**
- 3.10 The development for housing and a community centre is fully in accordance with the Special Policy Area (SPA3) aspirations for the site and the Riverwell project. The development offers an innovative approach to create family housing at a high density and offers a policy compliant affordable housing offer. The development includes some positive design approaches to respond to the site, address and screen the approved multi storey car park and to create a new residential family quarter for the town.
- 3.11 This approach is largely supported by officers however long held concerns remain in respect of the lack of some high quality design features and limited amenity quality for future residents arisen from the high density nature of the family housing. It is however noted that the dense approach allows the development to fulfil the aspiration for family houses on the site, whilst securing the viability of the scheme and a 35% affordable housing as a

minimum provision. The merits and compromises of the scheme are discussed and balanced in this report.

4. Relevant policies

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

5. Relevant site history/background information

5.1 *Riverwell Masterplan*

The parcel of land to which this application relates forms part of the wider Watford Riverwell site (formally known as Watford Heath Campus). This project within a Special Policy Area (SPA3) has been progressing for a number of years and has an extensive planning history. The most relevant aspects of this are set out below.

5.2 On 6th January 2015, an application for the new Health Campus masterplan (excluding former allotment site) 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.

5.3 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. The allotments have since been formally deallocated.

5.4 The outline permission was not implemented and proposals for different parts of the area have proceeded as independent full planning applications.

5.5 *Farm terrace Allotments*

The designation of the former allotments at the north of the site was removed under section 8 of the Allotments Act 1925 and the 2014 “Allotment Disposal Guidance: Safeguards and Alternatives” by the Secretary of State in decision dated 26 May 2016 to allow for the Health Campus Scheme. High Court and Judicial Review challenges were unsuccessful. The former allotments are deallocated.

5.6 *History for North side of Thomas Sawyer Way*

To the north side of Thomas Sawyer Way, there is the following relevant history:

5.7 An application for enabling works and a new access road to serve a new Multi storey car park and this site (Ref 18/01349/FUL) was granted conditional planning permission in December 2018.

5.8 The erection of a Multi storey car park (Ref 18/01383/FULM) was granted conditional planning permission in March 2019.

5.9 This application for 192 dwellings and community centre has been submitted alongside a separate application for the enabling works to the land at the site under reference 19/00779/FULM.

5.10 *Pre-application discussions*

The Riverwell project and this development have been subject to pre-application discussions between the applicant and planning officers.

5.11 *Environmental Impact Assessment*

In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 it was determined that an EIA was required for the development due to its potential cumulative environmental impacts. The issues for consideration by an Environmental Statement are to include ground conditions, water resources/flood risk assessment, air quality and socio economics.

5.12 *History for the South side of Thomas Sawyer Way*

The south side Land to the south of Thomas Sawyer Way has the following history:

- Trade City – Ref 15/01246/FULM Development of 12 industrial units was granted February 2016
- Woodlands- Ref. 17/00178/FULM – Development of 95 flats with associated landscaping, amenity space, access and parking on the land

immediately to the northwest of the application site granted November 2017

- Mayfield - Ref. 17/01543/FULM - Development of 253 Bed Care home granted April 2018
- Waterside – Ref. 17/01511/FULM – Development to provide 408 residential dwellings.
- Planning permission to allow works to prepare the site for the Mayfield and Waterside developments, including soil remediation and obstruction removal, (Ref. 17/01162/FULM) was granted planning permission in January 2018.

5.13 *Comparable Schemes*

The approach for this development has been taken with regard to successful schemes of high density family housing. These have been referenced and summarised as ‘precedents’ in the Design and Access Statement.

6 Main considerations

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

- (a) Principle of the development
- (b) Layout, scale and design
- (c) Dwelling mix
- (d) Quality of residential accommodation
- (e) Impacts on surrounding properties
- (f) Affordable housing provision
- (g) Transport, access and servicing
- (h) Car and cycle parking
- (i) Environmental considerations
- (j) S106 Contributions and CIL

6.2 (a) Principle of the development

6.3 Policy SPA3 (Health Campus) of the Watford Local Plan Core Strategy 2006-31 has as its objective to deliver a major mixed use development of this area including homes and community facilities. The proposed development is fully in accordance with this objective.

6.4 The overall redevelopment of the Health Campus is also supported in principle in accordance with the approved outline permission which includes the southern end of this application site. The northern section of the application site (former allotments) was not included within the approved outline

permission however following the deallocation of the allotment site, the development of this land is also acceptable in principle.

- 6.5 In general terms, the provision of new homes on brownfield land is also supported by policy HS1 of the Core Strategy and Chapter 5 of the NPPF. The provision of a community centre is supported by policy TLC2 of the Core Strategy and Chapter 7 of the NPPF.
- 6.6 (b) Layout, scale and design
- 6.7 The housing design and layout has been approached with an innovative format and, with regard to successful comparable schemes, proposes higher density family houses with an efficient use of the site.
- 6.8 The site layout as a grid formation creates a typical street pattern but with the benefit of communal amenity areas between many of the blocks. A car route goes through the site however key routes into and through the site are pedestrian only. The development has good pedestrian permeability with access from the west, a pedestrian link to Occupation Road to the east and road and pedestrian links to the south to the planned school, to Cardiff Road and leading to the southern Riverwell zone.
- 6.9 The built form of the development is in two elements. Firstly the 8 storey building to the north-west wraps around the approved multi storey car park (MSCP). This has been the intended approach to visually screen the car park and to successfully address this residential side. This height is appropriate in relation to the MSCP, stadium and hospital buildings to the north and west of the site but without being over dominant to the remainder of the site. The community centre would be well designed in respect of its strong frontage into the development and its flexible layout to facilitate many community uses.
- 6.10 The second building form is of terraced houses which provides the majority of the development. Of these houses, 7 are of 4 storeys backing onto the north-east side of the MSCP. The majority of the terraced houses are however of 3 storeys with flat roofs. The terrace nature and height of the buildings responds successfully to the strong form of the 2 storey terraces which characterise this area of Watford and as seen at Liverpool Road and Cardiff Road to the east of the site.
- 6.11 The buildings are of a typical contemporary design however the design of terraces, with various projecting and recessed elements, will create a strong pattern and rhythm along the new streets. This rhythm will be further created

by the stepped nature of many of the houses and blocks as they respond to the ground level changes.

- 6.12 With the close separation distances of these buildings, the articulation of the spaces between the buildings will be key in the creation of a successful place which does not feel over dominated or cramped by the close proximity of the buildings. The hard and soft landscaping proposals shown in the Design and Access Statement are of significantly high quality. This landscaping will provide some attractive and usable communal open spaces and some pleasant vistas through some areas of the site.
- 6.13 Although there are some positive features of the design, some elements of the design have been significantly compromised in order to achieve the density of housing. Despite the extensive advice provided by officers at pre-application and application stages, there remain some design concerns which revisions have not been able to fully address.
- 6.14 The development layout creates many areas of public realm with poor visual amenity and activity. There are several areas and corners of the development bordered by flank elevations of houses and, following corrections to the latest plans, these flank elevations contain no or only some small clear glazed windows. As such, these flank elevations would not create positive articulation or natural surveillance to the areas they adjoin. Similarly 2 of the 5 communal garden areas would be between the backs of blocks, screened off a ground floor and would be poorly overlooked and uninviting for use. In addition, the block of 4 storey houses to the northeast of the MSCP would be partially raised above the road level, edged by a retaining wall, which again creates an area with minimal activity and overlooking. As such, significant areas of the public realm, including the streets and communal amenity areas, would have a poor quality of environment.
- 6.15 The development does not strongly address the vehicular entrance to the site or the access road to the south/west and there are areas of the site that are somewhat dominated by car parking.
- 6.16 Officers do however note that these compromises in quality are as a result of the high density sought for the family housing on the scheme as well as viability to ensure that the development of the site delivers affordable housing units.
- 6.17 (c) Dwelling mix
Policy HS2 of the Core Strategy seeks for developments to provide a suitable housing mix to meet the needs of Watford's community. The development

provides a significant and welcomed proportion of family homes with 142 units (74%) of the development being family sized houses. Of those, 116 are 3 or 4 bedroomed houses providing the most needed dwellings for the town.

6.18 Although the layout and amenity areas of these houses are not traditional, the dwellings would allow for reasonable family living and the development location and layout has the potential to create a strong community for family homes.

6.19 (d) Quality of residential accommodation

The design approach for the development has deviated from some key guidance points of the Residential Design Guide (RDG) to allow for the higher density for houses. The approach has however sought to achieve residential amenity in more innovative ways as has been achieved in the comparable schemes detailed in the Design and Access Statement.

6.20 *Privacy*

Residential design standards require minimum distances between new dwellings of 22m back to back and 11m for private gardens. The approach of this development sees a tighter layout of the houses with mutual distances below these minimum standards. As a result, there would be a higher than expected level of mutual overlooking to almost all the habitable room windows of all dwellings within the development.

6.21 Site opportunities and design details have sought to mitigate some of this overlooking. The position of the windows of opposite dwellings have been off set to create angled rather than direct overlooking. The ground level changes also mean that there would be some stagger between opposite blocks further offsetting the windows. The significant trees in the communal areas between the blocks will also provide screening and more sense of privacy. These features will successfully reduce some of this overlooking. As seen in comparable schemes, it is also considered that this higher degree of mutual overlooking will be an expected general feature of the development and would not constitute harm to future occupiers.

6.22 *Internal Space and Layout*

All 50 flats and 142 houses will comply with the minimum floorspace of the nationally described space standard. The internal layout of the houses is arranged vertically with 3 or 4 storeys to each house however this arrangement retains opportunities for typical family living.

6.23 *Light and outlook*

A significant number of the dwellings in the development are single aspect as

follows:

	Single Aspect	Dual Aspect/Corner	Total Units	Percentage Single aspect
Houses	32	110	142	22%
Flats	37	13	50	74%
Total	69	123	192	36%

Figure 3: Table of single aspect units

- 6.24 Single aspect dwellings can experience poor residential amenity in respect of light and ventilation. Although single aspect flats can be common, the creation of single aspect family houses is more unfortunate. It is further noted that of the 32 single aspect houses, 19 of these have a sole northerly aspect (north east or north-west aspect) and this includes 6 of the 7 4bed houses which are sole aspect north-east facing. Officers have expressed concerns regarding the amenity of the single aspect units. This has been marginally improved at application stage with 2 single aspect dwellings lost and replaced with 5 dual aspect. The 4 bed single aspect units, have also been given larger front amenity areas to improve the light opportunities.
- 6.25 The majority of the dwellings are dual aspect however the close layout of the development will also mean some of these have a reduced degree of light and outlook. The dual aspect houses backing onto the 6m high retaining wall of the stadium at the north of the site will be significantly dominated by this wall. Other dual aspect units with close distances to other units will also be restricted.
- 6.26 The sunlight and daylight assessment has been undertaken in accordance with BRE standards and additional detail has been added at the request of officers. This has found that 48 of the 703 habitable rooms of the development (7%) would not meet the minimum standard for daylight (Average Daylight Factor referred to as ADF below). This has been reduced during the course of the application from being 8% of the habitable rooms however this remains of concern for the quality of some of the dwellings.
- 6.27 For the single aspect flats, there are 6 units with reduced ADF to the kitchen/living/dining areas of each flat. This is mainly due to the deep nature of the single aspect rooms and the recessed nature of the glazed doors to these rooms to allow for the recessed balconies. The rooms would also be south east facing meaning that overall they would have suitable amenity. It is also noted that the single aspect arrangement of these flats is the only solution option for this side of the car park.

- 6.28 The other 42 rooms with lower than standard daylight (ADF) are the ground floor kitchen/living/dining rooms of 28 single aspect dwellings and 14 of the dual aspect dwellings. Although the Sunlight and Daylight assessment describes this as a marginal deviation from standards, it is of concern that 42 of the family dwellings would have a lower than standard light to their main family area.
- 6.29 For the 28 single aspect units affected, although the ground floor kitchen/dining rooms would be below standard, they would experience above standard daylight to their first floor living areas as well as upper floor bedrooms. As such the overall living environments of these dwellings will be reasonable.
- 6.30 For the 14 dual aspect dwellings (the block backing onto the stadium at the north of the site), the rooms affected are the ground floor kitchen/living/dining room which is a concern as these dwellings do not have any upper floor living areas. The daylight of these rooms is poor despite the dual aspect of the rooms with front windows and rear patio doors. This demonstrates the particularly significant and overbearing impact the north retaining wall will have on these dwellings and the degree of overshadowing to the front of the dwellings from their recessed front windows and the 3 storey blocks opposite to the southeast.
- 6.31 It is also of particular concern that 10 of these 14 dwellings at the far north end of the development and with poor daylight and outlook, are those currently indicated as being affordable rented or social rented dwellings, providing these occupants with the worst quality dwellings of the development. It is however noted that the location of the affordable dwellings has been provided as indicative and the final dwellings, to be secure by a S106 agreement, can be relocated.
- 6.32 In order to prevent overlooking to the neighbouring property at No70 Cardiff Road, 5 dual aspect houses at the south east corner of the development will have a window solution that provides light but no outlook to the first floor bedroom at the rear of the house. This would be the smallest of three with the light and outlook to the two main bedrooms provided from the front. As such, it is not considered that this arrangement would undermine the reasonable living environment of these dwellings.
- 6.33 *Private and communal amenity area*
The layout of the dwellings sees family houses without typical private rear gardens and with private amenity areas significantly below the minimum garden standards of the RDG. The design approach for the development has

instead included communal gardens between the blocks with excellent landscaping proposals and to include informal play space and community gardening opportunities. Of these 5 communal areas, 3 are well overlooked and have the potential to be high quality and useable spaces. There is however two strips located between blocks with a back to back relationship. The rears of these blocks include screens to the private rear amenity areas and other than one first floor bedroom to the single bedroom, these dwellings do not have good overlooking to the rear aspects. With minimal overlooking, no significant activity and minimum natural surveillance these areas of amenity space may experience more limited activity and quality.

6.34 As well as the communal areas, all houses and most flats also include areas of private amenity space consisting of balconies, roof terraces, front terraces and/or rear courtyards. Although these are below the RDG garden standards and are not of a typical nature for family houses, these areas will be of sufficient space to allow for family use opportunities such as outdoor dining. The layout of these amenity areas, leading from the main living areas and/or from the master bedrooms, mean that these are well located for maximum use. As such, the approach to create smaller private gardens with larger communal garden space is supported for this development.

6.35 *Noise Disturbance*

The football stadium, the approved multi storey car park, the proposed community centre and the general activity and traffic of the area will create noise and activity that could create noise disturbance to the dwellings within the development. This may particularly affect the dwellings at the north of the site which are currently indicated as being predominantly affordable and social rented units.

6.36 The noise impact assessment assesses all of these impacts other than the community centre impact. This assessment has been undertaken to include noise measurements at the site taken during a home match at the adjacent stadium. This concludes that, subject to the noise attenuation measures, the dwellings in the vicinity of the stadium would not experience unreasonable noise disturbance for other than short periods of time and that this is not harmful to amenity. These attenuation measures are secured by condition.

6.37 The assessment concludes that the dwellings backing onto the MSCP, with windows facing the opposite direction, would not experience detrimental noise impact. The assessment does not however include consideration of the proposed community centre and the potential for the noise impact of this use on the dwellings above the centre and in its vicinity. It is however considered that noise disturbance arising from the community centre could be avoided by

appropriate sound insulation and subject to its use within reasonable hours. Conditions to secure these matters are therefore recommended.

6.38 (e) Impacts on surrounding properties

6.39 *Liverpool Road*

Properties of Liverpool Road back onto Occupation Road along the north-east side of the site. The new dwellings would have a minimum back to back distance of 29m to the upper floors of these existing dwellings. This exceeds the minimum guidance distance of 27.5m as sought by the Residential Design Guide and will ensure no unreasonable overlooking or loss of amenity to the Liverpool Road properties.

6.40 *Cardiff Road*

At the south east corner of the development, No70 Cardiff Road backs onto Occupation Road at a closer distance. The 5 terraces at the south east end of the development would have rear windows which infringe the 27.5m distance and privacy arc to the rear of No70 Cardiff Road.

6.41 The layout and rear window arrangement of these properties will however ensure that the upper floor windows of these units do not create overlooking to No70. The main bedrooms have been positioned at the front of the dwellings. At the rear, there is one single bedroom at first floor level. This is to have one obscurely glazed window and one projecting bay window which has a solid finish to the rear and side and clear glazing from the top. This will allow light to the bedroom but will prevent any overlooking to the rear of 70 Cardiff Road. The two rear windows at second floor would serve a bathroom and hallway and so are obscurely glazed. This arrangement is secured by condition and will ensure there is no overlooking or loss of privacy to No70 Cardiff Road.

6.42 *Stadium Flats*

The development would sit on a lower ground level to the flats on the south side of the stadium and would not create adverse impact to the amenities of these dwellings.

6.43 (f) Affordable housing provision

6.44 *Compliance with Policy HS3*

Policy HS3 of the Core Strategy seeks for 35% of residential developments to be affordable housing comprising tenures of 65% Affordable rent, 20% Social rent and 15% Low cost home ownership (LCHO).

- 6.45 This application has included a policy compliant offer of affordable housing. The applicant has advised that following the ongoing review of financial options, the development may be able to offer more affordable housing which would be included in a subsequent S106 agreement. The placement of the dwellings is proposed as indicative as this may also vary. The provision is however assessed as submitted.
- 6.46 The offered affordable housing provision shown by unit number in figure 4 and by habitable room provision in figure 5 below.

Units	1 bed	2 bed	3 bed	4 bed	Total	% of scheme	% of Affordable housing provision
Market	39	19	67	0	125	65	
Affordable rent	0	8	36	0	44	23	66
Social rent	0	0	6	7	13	7	19
LCHO	10	0	0	0	10	5	15
Total	49	27	109	7	192	100	100

Figure 4: Affordable housing provision by Unit Number

Habitable rooms	1 bed	2 bed	3 bed	4 bed	Total	% of scheme	% of Affordable housing provision
Market	78	57	268	0	403	62	
Affordable rent	0	24	144	0	168	26	68
Social rent	0	0	24	35	59	9	24
LCHO	20	0	0	0	20	3	8
Total	98	81	436	35	650	100	100

Figure 5: Affordable housing provision by Habitable rooms

- 6.47 As demonstrated above this application meets the affordable housing policy requirements of 35% affordable housing, then split 65% affordable rents, 20% social rents and 15% LCHO. Indeed, with habitable rooms it provides 68% affordable rents and 24% social rents, which is slightly more favourable to housing officers.
- 6.48 Previous phases of the Riverwell project (Woodlands and Waterside) were lower in their provision of affordable housing overall (29% by unit number)

and they did not meet the tenure type mix policy requires. There was a higher provision of Low Cost Home Ownership, a significant under supply of affordable rented and no social rented tenure on these two schemes. These previous applications were subject to viability reviews which confirmed that these developments could not fund further affordable housing. It however remained disappointing that the two first phases of the Riverwell project had not provided any social rented dwellings which are the most valued tenure to the housing service and the most needed for families on the housing register.

6.49 Notwithstanding this, planning officers and committee were advised of the applicant’s aspiration that this later phase would off-set this shortfall. As recorded in the minutes of committee of 25th July 2018, the then Deputy Managing Director advised that it was anticipated that the next phase, the Farm Terrace allotment site, would achieve affordable housing levels closer to 40%. Officers were also advised of the aspiration for this latest phase to seek to compensate for the under supply on those previous applications and this has been discussed with the applicant at pre-application and application stages.

6.50 The affordable housing and social rent provision of this application alongside the previous two phases are shown below:

	Affordable housing as a % of the scheme (Policy seeks 35%)		Social rent as a % of the affordable housing (Policy seeks 20%)	
	By unit number	By habitable rooms	By unit number	By habitable rooms
Willow Lane	30%	32.6%	0%	0%
Waterside	29%	29.5%	0%	0%
Current application	35%	38%	19%	24%
Overall 3 phases	31%	33%	6.3%	8%

Figure 6: Affordable housing of the first 3 phases of Riverwell

6.51 The overall affordable housing provision of the 3 phases so far has therefore increased to 33% by habitable rooms. This remains short of the 35% policy aspiration however it is noted that the provision offered for the current scheme is a minimum and the applicant hopes to increase this so that the overall provision for the 3 phases is closer to the 35%.

6.52 Notwithstanding this, it is evident that the previous social rented provision has not been compensated for. The social rent provision of the 3 phases has increased from none to 8% of the affordable dwellings (by habitable rooms)

however this remains significantly below the 20% sought by policy. As explained by housing officers in their comments, the increased provision of social rented units would be welcomed as the scheme finances are reviewed.

6.53 Any shortfall in affordable housing is disappointing, however this application can only be formally considered on its own merits. For this application alone, for the land to the North of Thomas Sawyer Way, the Affordable housing offer is fully policy compliant as it meets the 35% affordable housing requirement and offers the correct tenure mix sought by policy HS3.

6.54 *Meeting local Affordable Housing need*

Notwithstanding policy aspirations, planning and housing officers actively seek to engage with developments to secure appropriate size, nature and tenure of affordable housing which are genuinely affordable and meet the greatest housing needs for the town.

6.55 For instance, it is of value to note that all 4 bed units are now social rented tenure not affordable rented tenure as 'affordable rented' costs for dwellings of this size remain too high and unaffordable in relation to housing benefit and household incomes. As such, these dwellings being 'affordable rent' would be unaffordable in reality for those requiring this dwellings.

6.56 As previously raised with the applicant, housing and planning officers do however remain concerned that the 36 x 3 bedroom affordable rent units. Again, 3 bed 'affordable rented' dwellings are often unaffordable to tenants. The housing service has expressed that they do not want to see a reduction in the number of 3 bedroom affordable housing units, as these are significantly needed, however they would like to continue to work with the applicant to see how a significant proportion of the 36 x 3 bed affordable rented tenure units could become social rented tenure.

6.57 As discussed previously in the report, it is again noted that it is unfortunate that affordable housing units have been somewhat clustered and are predominantly allocated to the dwellings with compromised amenity. It is however again noted that the current allocations are provided as indicative and it is hoped that a more appropriate final allocation can be arranged for the S106 agreement.

6.58 (g) Transport, access and servicing

6.59 The location is suited for new development in accordance with policy T2 of the Location of New Development. As supported by the transport assessment and response for the Highways Authority, there are no concerns or objections

to the development in highway terms.

- 6.60 The development has suitable access from the road as already approved from the roundabout with Thomas Sawyer Way. The development creates a new appropriate road through the development with access and egress from the junction at the south of the site. The junction to the west of the site is exit only to allow another opportunity for traffic to leave the site and to minimise traffic movements within the site. Additional pedestrian routes into and through the site create good pedestrian access and permeability.
- 6.61 The submitted waste management scheme demonstrates the appropriate waste servicing of the development.
- 6.62 Hertfordshire County Council as the Highway Authority has raised no objection to the development subject to recommended conditions.
- 6.63 (h) Car and cycle parking
The development provides 169 car parking spaces of which 10 will be allocated to the community centre and 159 for the dwellings. This is ratio of 0.82 of parking spaces per dwelling.
- 6.64 The site is identified with zone 4 of the Car and Cycle Parking Standards Map of the Watford District Plan 2000. Appendix 2 of the Watford District Plan sets maximum standards for car parking provision based on the identified zone. In accordance with these standards, the development should not have more than 370.5 car spaces for the new dwellings and no more than 44 for the community centre. The proposed car parking spaces are within those maximum standards and the provision is compliant with 'saved' policy T22 of the Watford District Plan 2000.
- 6.65 The parking provision as indeed been kept low at a ratio of 0.82 space per dwelling in order to minimise the highway impact and minimise the dominance of parked cars on the site. This is supported as the site is in a sustainable location with access to transport and amenities. The development would be located outside of the controlled parking zone meaning that the residents of development would not have entitlement to park within the surrounding residential roads which are subject to residents permit parking. This lower level of on site parking would therefore not result in increased parking elsewhere and is in accordance with 'saved' policy T24 of the Watford District Plan 2000.
- 6.66 The allocation of the 159 parking spaces between the 192 dwellings has not been specified and this secured by condition to ensure that there is an

appropriate allocation between the dwellings in respect of the dwelling size and tenure.

6.67 Appropriate cycle parking is provided for the development to support cycling option in accordance with saved policy T10 of the Watford District Plan 2000.

6.68 (i) Environmental considerations

6.69 *Environmental Impact Assessment*

In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 it was determined that an EIA was required to consider the matters of ground conditions, water resources/flood risk assessment, air quality and socio economics and an appropriate Environmental Statement was submitted.

6.70 The relevant consultations for the EIA application and the Environmental Statement have been undertaken and no objections from technical consultees have been received.

6.71 *Contamination*

The Environment Agency raises no objection to the development in respect of ground water contaminations. The relevant conditions required by the EA in respect of ground water contamination are added to the recommendation.

6.72 The WBC Contamination officer has raised no objection in respect of ground contamination issues and the required measures are secured by conditions.

6.73 *Flooding/Surface water drainage*

The site is within flood zone 1 of low flood risk. Surface water drainage matters are to the satisfaction of the Lead Local Flood Authority and detailed requirements are secured by condition.

6.74 *Archaeology*

The application is accompanied by a Heritage Statement. This finds that there is a low potential of local value archaeological and recommends that a Written Statement of Investigation be submitted and approved prior to commencement of works. This is agreed by the heritage officer at Hertfordshire County Council and the relevant condition is added.

6.75 *Trees and landscaping*

There are no trees on site that are of value to retain. High quality landscaping will be critical to the success of the design of this scheme. Significant detail is

provided in the Design and Access Statement however full details are secured by condition.

6.76 *Biodiversity*

Natural England and Hertfordshire Ecology have made no objection to the development. It is noted that the development offers opportunity for enhancements to the biodiversity of the site and this is secured by condition.

6.77 (j) S106 Contributions and CIL

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. 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. Other sites within the development area (Waterside and Woodland) have secured a proportional share of contributions originally set out. As such it is appropriate for this development to include an appropriate proportional share of the contributions.

6.78 Having regard to this history the S106 will secure the contributions as set out in section 8 of this report. These requirements for 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 Consultation responses received

7.1 As well as the original consultations, all consultations were repeated following receipt of the amended plans of 2nd December 2019. The summaries below include the details of any updated/amended responses.

7.2 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Secretary of State (EIA notification)	No objection	Noted
Environment Agency	No objection subject to conditions	Noted and conditions added.
HCC Lead Local Flood Authority	Initial objection however additional detail provided	Noted and conditions added.

	has overcome this objection. LLFA has now confirmed no objection subject to conditions.	
HCC Local Highway Authority	No objections subject to conditions. S106 contributions requested towards diversion of bus services to serve the development.	Noted. Conditions added. The case officer has requested HCC provide a figure of the S106 figure requested however this has not yet been provided. This cannot therefore be requested.
HCC waste and minerals	No response received	Relevant waste matters considered as part of the application.
HCC Growth and Infrastructure	Contributions required for primary and secondary education as already agreed with WBC. Updated figures for the revised scheme have been provided.	Noted and added.
Herts Constabulary Crime Prevention Design Service	They have been involved in design stages and there are no objections.	Noted
HCC Fire and rescue service	Fire Hydrants to be secured by s106	Noted and included in S106 heads of terms.
HCC Safety Advisory Group	No objection however here are concerns regarding emergency access/egress from the stadium on event days during construction and this should be protected by condition.	Noted and these are included in the Construction Management Plan
HCC Archaeology	There is potential for archaeological remains and conditions are required in respect of this.	Noted and condition added
Thames Water	No objection subject to condition re piling	Noted and condition added

Affinity Water	Objection to development due to potential harm and contamination to water supply	The Environment Agency have considered all relevant water contamination issues and they have recommended condition to secure this.
Hertfordshire Ecology	The site is now cleared with low ecological value however condition is requested to seek biodiversity improvements	Noted and agreed. Condition is added.
Natural England	No objection	Noted

7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Planning Policy WBC	Previously raised concerns remain in respect of the quality of the public realm, the lack of activity/surveillance to the gable ends, the number of single aspect units and the poor amenity for some dwellings	Noted and discussed in detail in the report
Head of Housing WBC	The affordable housing offer is compliant with policy in respect of quantity and tenure split. Noted that it does not make up the shortfall of previous phases. Also some concern regarding the tenure arrangements and genuine affordability.	Noted and discussed in detail in the report
Waste & Recycling Team, WBC	Bin allocation requirements provided.	Bin storage is provided.
Environmental Health: Contamination Officer, WBC	No objection subject to conditions. To note these conditions from Watford	Noted and added. Although there is some overlap between the

	Environmental Health is relevant to human health implications from contamination whereas Environment Agency is specific to ground water contamination issues. Amended details have overcome the requirement for the remediation strategy previously required.	conditions from the EA and Environmental Health, as there is a difference of why the conditions are required, these have been maintained as separate conditions.
Environmental Health, WBC	No comment in respect of noise attenuation issues	Unfortunately no advice from EH has been provided in respect of noise issues however the case officer has reviewed the noise matters in the report.
Arboricultural Officer, WBC	No objection – Trees to be removed are of low value and these removals are offset by the replacement planting.	Noted and agreed. Replacement trees secured under landscaping conditions.
Economic development officer, WBC	No comments	Noted

7.4 Interested parties

Letters were sent to 310 properties in the surrounding area. Responses have been received from 3 properties. The main comments are summarised below, the full letters are available to view online:

Comments	Officer response
The houses backing onto Occupation Road will be too close to the Road and Liverpool Road properties resulting in loss of privacy and light to the Liverpool Road properties	The houses would have a minimum distance of 29m to the first floor rears of the houses at Liverpool Road. This exceeds the minimum standard of 27.5m and will ensure there is no unreasonable loss of privacy to these properties. The three storey height of these buildings, at this distance, would not create loss of light or overshadowing to the gardens at Liverpool Road.

<p>The houses backing onto Occupation Road would be too close to the Road and would be too close to each other creating the appearance of one large block.</p>	<p>The rear of these houses are close to Occupation Road with unusually small rear gardens. Occupation Road is however by nature a rear road to the Liverpool Road properties and this relationship is not harmful or dominant. The houses are set in blocks of terraces which is consistent with the form of houses in the area. These blocks will be separated by gaps but also with a gradual stagger in height as the group step up the hill.</p>
--	---

8 Recommendation

That, pursuant to a planning obligation under s.106 of the Town and Country Planning Act 1990 having been completed to secure the following Heads of Terms, planning permission be **granted** subject to the conditions listed below:

Section 106 Heads of Terms

- i) To secure a minimum of 67 units of the development to be Affordable Housing units comprising a minimum of:
 - 7No. x 4 bed 7 person social rented house units
 - 6No. x 3 bed 5 person social rented house units
 - 36No. x 3 bed 5 person affordable rented house units
 - 8No. x 2 bed 4 person affordable rented house units
 - 5No. x 2 bed 4 person low cost home ownership flat units
 - 5No. x 2 bed 3 person low cost home ownership flat units

- ii) To secure a financial payment to Hertfordshire County Council of £1,101,400 (index linked) for the provision of primary school education services, subject to recalculation in accordance with Hertfordshire County Council's table for education contributions for the final Affordable Housing provision.

- iii) To secure a financial payment to Hertfordshire County Council of £320,091 (index linked) for the provision of secondary school education services, subject to recalculation in accordance with Hertfordshire County Council's table for education contributions for the final Affordable Housing provision.

- iv) To secure a financial payment to Hertfordshire County Council of £6,000 for the long term monitoring of the proposed Travel Plan for the site;
- v) To secure the provision of fire hydrants to serve the site as required by Hertfordshire County Council;

Conditions

1. Time Limit

The development to which this permission relates shall be begun within a period of 3 years commencing on the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Approved Drawings

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

147_TPE_0004 – Rev 03- Location Plan
147_TPE_0011 - Rev 03- Existing Site Plan
147_TPE_3001 - Rev 03- Existing Sections A-A / B-B
147_TPE_3011 - Rev 03- Existing Section C-C
147_TPE_3021 - Rev 03- Existing Sections D-D / E-E
147_TPE_3031 - Rev 03- Existing Section F-F
147_TPE_3041 - Rev 03- Existing Section G-G
147_TPP_0011 - Rev 03- Proposed Site Plan
147_TPP_0021 - Rev 03- Proposed Block Plan
147_TPP_1001 - Rev 03- Proposed Plans 3B5P Dual Aspect
147_TPP_1011 - Rev 03- Proposed Plans 3B5P Single Aspect
147_TPP_1021 - Rev 03- Proposed Plans 2B4P Single Aspect
147_TPP_1031 - Rev 03- Proposed Plans 4B6P Single Aspect
147_TPP_1041 - Rev 03- Proposed Plans - Flats and Community Centre - Ground Floor
147_TPP_1051 - Rev 03- Proposed Plans - Flats and Community Centre - First Floor
147_TPP_1061 - Rev 03- Proposed Plans - Flats and Community Centre - Second Floor
147_TPP_1071 - Rev 03- Proposed Plans - Flats and Community Centre - Third Floor
147_TPP_1081 - Rev 03- Proposed Plans - Flats and Community Centre - Fourth Floor

147_TPP_1091 - Rev 03- Proposed Plans - Flats and Community Centre - Fifth Floor
147_TPP_1101 - Rev 03- Proposed Plans - Flats and Community Centre - Sixth Floor
147_TPP_1111 - Rev 03- Proposed Plans - Flats and Community Centre - Seventh Floor
147_TPP_1121 - Rev 03- Proposed Plans - Flats and Community Centre - Service Floor
147_TPP_1131 - Rev 03- Proposed Plans - Flats and Community Centre - Roof Plan
147_TPP_1141 - Rev 03- Proposed Plans - 3B5P Dual Aspect Gable 1
147_TPP_1151 - Rev 03- Proposed Plans - 3B5P Dual Aspect Gable 2
147_TPP_1161 - Rev 03- Proposed Plans - 3B5P Dual WFC
147_TPP_1171 - Rev 03- Proposed Plans - 3B5P Dual Aspect WFC Gable 1
147_TPP_1181 - Rev 03- Proposed Plans - 3B5P Dual Aspect WFC Gable2
147_TPP_1191 - Rev 03- Proposed Plans – 3B5P Dual Aspect Occupation Road
147_TPP_1201 - Rev 03- Proposed Plans – 3B5P Dual Aspect Occupation Road Gable 1
147_TPP_1211 - Rev 03- Proposed Plans – 3B5P Dual Aspect Occupation Road Gable 2
147_TPP_1221 - Rev 03- Proposed Plans – 3B5P Dual Aspect Occupation Facing Brick Gable 1
147_TPP_1231 - Rev 03- Proposed Plans – 3B5P Dual Aspect Occupation Facing Brick Gable 2
147_TPP_1241 - Rev 03- Proposed Plans – 3B5P Dual Aspect Occupation Facing Brick Gable 3
147_TPP_1251 - Rev 03- Proposed Plans – 3B5P Single Aspect Gable 1
147_TPP_1261 - Rev 03- Proposed Plans – 2B4P Single Aspect Gable 1
147_TPP_1271 - Rev 03- Proposed Plans – 2B4P Single Aspect Gable 2
147_TPP_1281 - Rev 03- Proposed Plans – 4B7P Single Aspect Gable 1
147_TPP_2001 - Rev 03- Proposed House Type Elevations 01
147_TPP_2011 - Rev 03- Proposed House Type Elevations 02
147_TPP_2021 - Rev 03- Proposed Elevation - Flats and Community Centre - South East

147_TPP_2031 - Rev 03- Proposed Elevation - Flats and Community Centre - North West
147_TPP_2041 - Rev 03- Proposed Elevations - Flats and Community Centre - South West & North East
147_TPP_2051 - Rev 03- Proposed Elevations - House Block 1
147_TPP_2061 - Rev 03- Proposed Elevations - House Block 2
147_TPP_2071 - Rev 03- Proposed Elevations - House Block 3
147_TPP_2081 - Rev 03- Proposed Elevations - House Block 4
147_TPP_2091 - Rev 03- Proposed Elevations - House Block 5
147_TPP_2101 - Rev 03- Proposed Elevations - House Block 6
147_TPP_2111 - Rev 03- Proposed Elevations - House Block 7
147_TPP_2121 - Rev 03- Proposed Elevations - House Block 8
147_TPP_2131 - Rev 03- Proposed Elevations - House Block 9
147_TPP_2141 - Rev 03- Proposed Elevations - House Block 10
147_TPP_2151 - Rev 03- Proposed Elevations - House Block 11 - A
147_TPP_2161 - Rev 03- Proposed Elevations - House Block 11 - B
147_TPP_2171 - Rev 03- Proposed Elevations - House Block 11 - C
147_TPP_2181 - Rev 03- Proposed Elevations - House Type Gable Elevations – A
147_TPP_2191 - Rev 03- Proposed Elevations - House Type Gable Elevations – B
147_TPP_2201 - Rev 03- Proposed Elevations - House Type Gable Elevations – C
147_TPP_2211 - Rev 03- Proposed Elevations - House Type Gable Elevations – D
147_TPP_3001 - Rev 03- Proposed Sections A-A / B-B
147_TPP_3011 - Rev 03- Proposed Section C-C
147_TPP_3021 - Rev 03- Proposed Sections D-D / E-E
147_TPP_3031 - Rev 03- Proposed Section F-F
147_TPP_3041 - Rev 03- Proposed Section G-G
147_Land North of Thomas Sawyer Way_Design & Access Statement_REV 03
Design & Access Statement Addendum 15/01/2020 Accommodation Schedule

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

3. Phasing plan

The development shall be undertaken in accordance with the phasing plan shown in section 3.2.11 of the Design and Access Statement.

Reason: To secure 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.

4. EA 1 Remediation

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified: · all previous uses · potential contaminants associated with those uses · a conceptual model of the site indicating sources, pathways and receptors · potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reasons: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework. The site is located in our most vulnerable groundwater area in a Source protection zone 1 and the previous site uses present a high risk of contamination that could be mobilised during construction to pollute controlled waters.

Section 3 of the '*Outline Remediation Strategy – Construction Works*' confirms that the conceptual site model will be refined following completion of the ground investigation on site and the results reported in a Generic Quantitative Risk Assessment (GQRA).

Part 2 and 3 require the completion of a ground investigation report and remediation strategy. This is in line section 4 of the '*Outline Remediation Strategy – Construction Works*' which confirms '*The remediation strategy will be updated following the completion of the*

works'. Section 4.2 of the same report also states *'Where potentially unacceptable risks to controlled waters are identified a DQRA will be undertaken to establish if remediation is required'*.

5. EA 2 Verification report

Within 3 months of the occupation of each phase of development, 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: 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 170 of the National Planning Policy Framework.

This condition is in line with Section 5 of the *'Outline Remediation Strategy –Construction Works'* where *'A Validation Report providing a record of the works described above will be prepared upon the completion of the enabling works and associated groundwater monitoring'*.

6. EA 3 Monitoring

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

Reasons: To ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 170 of the National Planning Policy Framework.

This condition is in line with Section 4.7.12 of the *'Environmental Impact Assessment'* whereby boreholes will be monitored during and following the completion of the construction works

7. EA 4 Unexpected Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (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, and 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. This is in line with paragraph 170 of the National Planning Policy Framework.

8. EA 5 Surface Water Drainage

No drainage systems for the infiltration of surface water to the ground are permitted other than with the prior written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reasons: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework.

9. EA 6 Boreholes

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: The reports submitted to date confirm that monitoring wells have been installed across the site. Additionally, installation of further monitoring wells is required to investigate groundwater resources issues. If these boreholes are not decommissioned correctly they 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.

This condition is in line with Section 4.2.4 of the 'Outline Remediation Strategy – Construction Works' whereby boreholes will be decommissioned in line with Environment Agency Guidance.

10. EA 7 Piling

Piling, deep foundations and other intrusive groundworks using penetrative methods shall not be carried out other than with the prior written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reasons: To ensure that the proposed piling, deep foundations and other intrusive groundworks does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework and Position Statement N. Groundwater Resources of the 'The Environment Agency's approach to groundwater protection'.

11. WBC EH 2 Verification report

Following completion of measures identified in the approved Outline Remediation Strategy – Enabling Works (Report ref. WIE11284-102-R-12-4-2-RS) and the Outline Remediation Strategy – Construction Works (Report ref. WIE11284-102-R-16-4-1-RS) prepared by Waterman Infrastructure & Environment Limited 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.

Reason: To ensure that 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.

12. WBC EH 3 Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of 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.

Reason: To ensure that 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.

13. Highways 1: Construction Traffic Management Plan

No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

14. Highways 2: Servicing and Delivery Plan

Prior to first occupation of any part of the development, the applicant shall submit a Servicing and Delivery Plan. This plan is to be submitted and approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements (including refuse collection) for the proposed use, a scheme for

coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for loading and manoeuvring of delivery and servicing vehicles, and access to / from the site for delivery and servicing vehicles.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

15. Highways 3: Detailed Plans

Prior to the commencement of the development hereby permitted full details in the form of scaled plans and written specifications shall be submitted to and approved in writing by the Local Planning Authority to illustrate the following:

- i. Roads, footways, foul and on-site water drainage.
- ii. Existing and proposed access arrangements including visibility splays.
- iii. Parking provision in accordance with adopted standard.
- iv. Cycle parking provision in accordance with adopted standard.
- v. Servicing areas, loading areas and turning areas for all vehicles.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

16. Highways 4: New Access

Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan drawing number (MBSK20190306-1 Rev A). Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

17. Highways 5: Electric Vehicle Charging Points

Prior to the occupation of each dwelling hereby permitted, each car parking bay available to that dwelling shall incorporate access to an Electric Vehicle ready domestic charging point.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

18. Highways 7: Revised Travel Plan

At least 3 months prior to the first occupation of the approved development a revised detailed Travel Plan for the site, based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance', shall be submitted and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented at all times.

The revised Travel Plan should include the following:

- A named contact from the developer who HCC can contact if TPC details are not sent over. This person from the developer could act as the interim TPC until someone is officially appointed
- Other measures to maximise cycling and walking. The TP should include initiatives such as walk to work week, organise cycling competitions within this site and with the others.
- There is no mention of the provision of sustainable travel vouchers.
- Some amendments are advised in comparison to TPs and evaluations for other plots on the site.
- Monitoring, specifically the questionnaires, should be completed annually.
- The baseline survey should be completed at 50% occupancy level (97 dwellings) in either the October or March following this trigger.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

19. LLFA 1 Approved Drainage Strategy

The development permitted by this planning permission shall be carried out in accordance with the approved drainage strategy produced by Ramboll, project number 1620005572, version 5, dated November 2019:

1. Limiting the surface water runoff generated by the critical storm events so that it will not exceed the surface water runoff rate of 5.6 l/s for Phase 1 and 5.1 l/s for Phase 2 during the 1 in 100 year event plus 40% of climate change event.
2. Providing storage to ensure no increase in surface water runoff volumes for all rainfall events up to and including the 1 in 100 year plus climate change event providing storage of 335 m³ in permeable paving with sub-base and 474 m³ in two underground tanks (or such storage agreed with the LPA) for Phase 1 and 335 m³ in permeable paving with sub-base and 415 m³ in two underground tanks (or such storage agreed with the LPA) for Phase 2.

3. Discharge of surface water from the private drainage network into the existing Thames Water surface water sewer via two connections. 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.

Reasons:

1. To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site.
2. To reduce the risk of flooding to the proposed development and future occupants.

20. LLFA 2 Surface Water Drainage Scheme

No development approved by this planning permission shall take place until a detailed surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The surface water drainage scheme should include;

1. Final, detailed modelling for the propose drainage network to demonstrate how the system operates during up to and including the 1 in 100 year critical duration storm event including plus 40% allowance for climate change. This should include drain down times for all storage features.
2. Final, detailed drainage plan including the location of all SuDS features, pipe runs, invert levels and discharge points.
3. Full, detailed engineering drawings of all SuDS features including cross and long sections, their size, volume, depth and any inlet and outlet features connecting.

Reason:

1. To reduce the risk of flooding to the proposed development and future users.

21. LLFA 3 Surface Water Management and Maintenance

Upon completion of the drainage works for each phase, in accordance with the phasing arrangements, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority.

The plan shall include;

1. Provision of complete set of as built drawings including the final drainage layout for each phase for site drainage network.

2. Maintenance and operational activities for the period or the lifetime of the development.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason:

1. To reduce the risk of flooding to the proposed development and future users.

22. Piling Method Statement (Thames Water)

No 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 in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: As requested by Thames Water. 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. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

23. Archaeology

A No development shall commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

1. *The programme and methodology of site investigation and recording*
2. *The programme and methodology of site investigation and recording as suggested by the 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.*

B The development shall take place in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under part **(A)** of this condition

C The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under part **(A)** of this condition and the provision made for analysis and publication where appropriate.

Reason: There are likely archaeological implications of this development proposal and this condition is required to provide suitable provision and protection for archaeology pursuant to Policy 16 (para. 199, etc.) of the National Planning Policy Framework.

24. Facing Materials

No external facing materials shall be installed on the building until full details and samples of all the materials to be used for the external surfaces of the building have been submitted to and approved in writing by the Local Planning Authority.

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

25. Hard Landscaping

No part of the development shall be occupied until a detailed hard landscaping scheme for the site, including details of the gardens, boundary treatments and external lighting 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. The detailed scheme shall be based upon the Landscape Proposals of the approved drawings.

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.

26. Soft Landscaping

No part of the development shall be occupied until a detailed soft landscaping scheme for the site, appropriate irrigation systems, and a landscape management and maintenance plan, has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be based upon the Landscape Proposals of the approved

drawings. The approved soft 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.

27. Biodiversity

No part of the development shall be occupied until a Biodiversity and Landscape Plan has been submitted to, and approved in writing by the Local Planning Authority. This shall include details of how it is planned to incorporate biodiversity as part of the development, the species to be planted, and the location of habitat boxes/structures and how the site will be managed and maintained for the long term benefit of local wildlife.

Reason: As requested by Hertfordshire Ecology to ensure that biodiversity objectives and long term maintenance are realised.

28. Car Parking Allocation

No dwelling shall be occupied until the details of car parking allocation have been submitted to and approved in writing by the Local Planning. The provision shall include an agreed allocation of on site residential car parking spaces for use by the community centre, affordable housing dwellings and open market dwellings. The car parking spaces shall remain available for use by the community centre and allocated residential dwellings, in accordance with the agreed allocations, unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure a suitable allocation of car parking spaces for the affordable housing provision.

29. Bin storage – residential

Prior to the occupation of each dwelling, the bin storage for the use of the occupants of that dwelling shall be provided in accordance with the approved drawings and the bin strategy as detailed in sections 3.7.1 to 3.7.5 of the approved Design and Access Statement . These facilities shall be retained at all times for the use of the residential occupiers of the dwellings.

Reason: To ensure that adequate facilities exist for the future occupiers of the dwellings, in accordance with saved Policy SE7 of the Watford District Plan 2000, Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and the Residential Design Guide 2016.

30. Bin storage- Community centre

Prior to the use of the community centre, the bin storage for the use of the premises shall be provided in accordance with the approved drawings and the bin strategy as detailed in sections 3.7.1 to 3.7.5 of the approved Design and Access Statement. These facilities shall be retained at all times for the user of the community centre.

Reason: To ensure that adequate facilities exist for the future users of the community centre, in accordance with saved Policy SE7 of the Watford District Plan 2000, Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and the Residential Design Guide 2016.

31. Cycle storage

Prior to the occupation of each dwelling bicycle storage for the use of the occupants of that dwelling shall be provided in accordance with the approved drawings. These facilities shall be retained at all times for the use of the residential occupiers of the dwellings.

Reason: To ensure that adequate facilities exist for the future occupiers of the dwellings, in accordance with saved Policy T10 the Watford District Plan 2000, Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and the Residential Design Guide 2016.

32. Aerials/Satellite dishes

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 buildings of the development, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31

33. Noise insulation to flats above community centre

No flat of the mixed use building at west side of the development shall be occupied until a detailed scheme for sound insulation of all partitions separating the flats and adjoining community centre has been submitted to and approved in writing by the Local Planning Authority and all works which form part of the scheme have been completed.

Reason: The Noise Impact Assessment did not include consideration of this proposed mix of uses and this condition is required so as to protect the future occupiers of the development from noise disturbance,

pursuant to saved Policy SE22 of the Watford District Plan 2000 and Policy SS1 of the Watford Local Plan Core Strategy 2006-2031.

34. Community Centre Use

The premises shall be used only as a Community Centre within Use Class D1 and shall be used for no other purpose, including any other purposes within Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended by the Use Classes (Amendment) Order 2005.

Reason: Other uses including other D1 uses may not be suitable for the premises and would require consideration on their own merits pursuant to the 'saved' policy S9 of the Watford District Plan 2000 and policies SS1, SD1 and UD1 of Watford Local Plan, Part 1: Core Strategy 2006-31.

35. Community centre hours of use

The community centre premises hereby permitted shall not be operated on these premises before 7am or after 1am on weekdays and Saturdays and not before 8am or after 12 midnight on Sundays and Public Holidays.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties pursuant to Policy SS1 of the Watford Local Plan, Part 1: Core Strategy 2006-31.

36. Noise attenuation measures

The dwellings at the north and north west of the development (shown as sections 1, 3 and 6 of the phasing plan of section 3.2.11 of the Design and Access Statement) shall have a façade treatment of:

- Acoustically attenuated trickle vent- 38dB Dne,w/; and
- Standard thermal double glazing (6/12/6) – 32dB Rw.

Reason: To minimise potential noise impact of the stadium to proposed dwellings in its vicinity, as recommended in section 9.2 of the Noise Impact assessment and in accordance with Policy SS1 of the Watford Local Plan, Part 1: Core Strategy 2006-31.

37. Window treatments to protect 70 Cardiff Road

The 5 terrace houses in the south-east corner of the development, which back onto Occupation Road and 70 Cardiff Road, (identified as Location 5 in section 3.8.3 of the Design and access statement) shall have the windows of their rear (northeast) elevations installed and retained in accordance with the details of section 3.8.7 of the Design and Access Statement. Specifically, the rear facing first floor bedroom windows shall be a projecting bay with solid panels to the north-east and south-east faces. The north west side of the projecting bays shall be obscurely

glazed and non-opening other than in parts of the window which are more than 1.7 metres above the floor of the room in which the window is installed. All other windows on the rear (north-east) elevation of these 5 houses shall be installed and retained with obscure-glazing, which shall be non-opening other than in parts of the windows which are more than 1.7 metres above the floor of the room in which the window is installed. These windows shall be retained as specified unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring premises pursuant to Policy UD1 (Delivering High Quality Design) of the Watford Local Plan (Core Strategy) 2006-2031 and the Residential Design Guide (2016).

38. Terraces/Balconies

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

Reason: 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).

39. Removal of Permitted Development Rights (Extensions, alterations and boundary treatments)

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E or F, or under Schedule 2 Part 2 Class A of the Order shall be carried out to the dwellings hereby approved without the prior written permission of the Local Planning Authority.

Reason: The development design and layout adopts a form and layout of closely located dwellings. This will enable the Local Planning Authority to ensure that any extensions/alterations are carried out in a manner which will not be harmful to the amenity provision of the occupiers, character and appearance of the proposed development, and will not prove detrimental to the amenities of adjoining occupiers, in accordance with Policy UD1 (Delivering High Quality Design) of the Watford Local Plan Part 1 Core Strategy.

40. Exit only junction

The junction of the development to the south west of the site, adjacent to the community centre, shall be exit only from the development and shall be retained as such unless otherwise approved in writing by the Local Planning Authority

Reason: In accordance with the traffic assessment and to minimise traffic through the site.

Informatives

IN907 Consideration of proposal in a positive and proactive manner

IN909 Street Numbering and Naming

IN910 Building Regulations

IN911 Party Wall Act

IN912 Hours of Construction

IN915 Highway Works – HCC agreement required