

PART A

Report of: **DEVELOPMENT MANAGEMENT SECTION HEAD**

Date of Committee: **29th August 2013**
Site address: **73-75, Gammons Lane**

Reference Number: **13/00709/FUL**
Description of Development: **Conversion of existing retail, office and storage space into 9 no. flats involving removal of rear section of building, alteration to roof including an increase to its height at rear, installation of rooflights to front and rear, installation of dormers with balconies at rear and alterations to elevational treatment including new windows and doors.**

Applicant: **AS Property Developers Limited**
Date received: **10th July 2013**
8 week date (minor): **4th September 2013**
Ward: **Callowland**

SUMMARY

This application is for the alteration of this commercial building and its conversion into 9 self-contained flats. The provision of new flats on this site is acceptable in principle in this residential area. It will have no adverse impact on the local shopping frontage and will enhance the appearance of the building and the wider street scene. Subject to the imposition of appropriate conditions, it will have no

adverse impact on surrounding residential properties. All of the proposed flats will have acceptable internal areas and layouts and will provide a good level of amenity for future occupiers. Although the scheme only includes 7 on-site parking spaces for the 9 flats proposed, it is not considered that this shortfall of 2 spaces will lead to any significant increase in on-street parking on surrounding roads. Overall, the proposal will bring a largely vacant commercial building into use and is considered to be acceptable.

The Development Management Section Head therefore recommends the application be approved, subject to conditions and the completion of a planning obligation, as set out in the report.

BACKGROUND

Site and surroundings

The site is located on the western side of Gammons Lane between the junctions with Brighton Road and Ashby Road. The surrounding area is characterised by terraced and semi-detached post-war housing to the north and east (Harebreaks Estate) and terraced Victorian housing to the west and south. To the north of Ashby Road is Callowland Recreation Ground.

The site itself has an area of 500m² and comprises a detached, two storey building in commercial use, built in 1908, known as Graphic House. The ground floor comprises two units. No.73 is currently vacant but was formerly a printing shop (Class A1 use) with ancillary storage. No.75 is currently occupied by a launderette (sui generis use). The first floor comprises offices (Class B1 use) which are partially occupied at the present time.

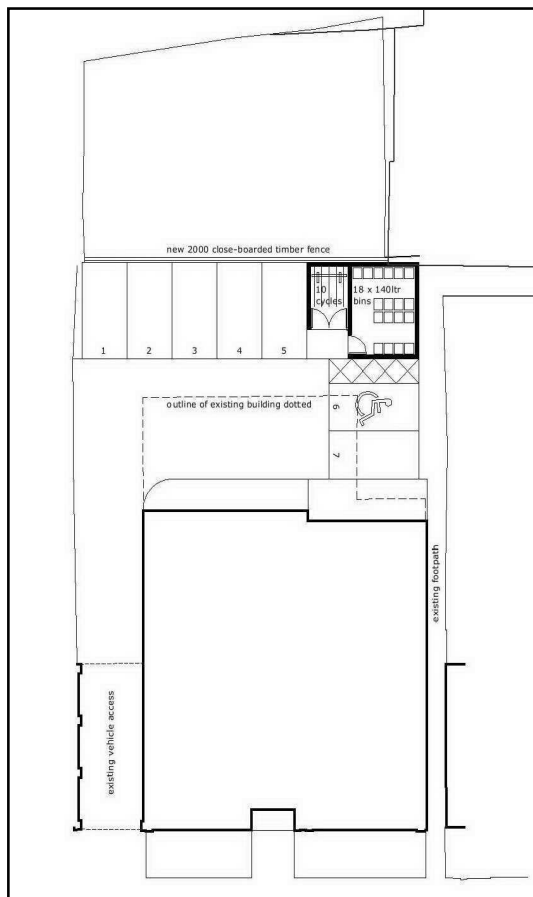
The building has a pitched roof with gable ends fronting Gammons Lane, incorporating two distinctive, steeply pitched gable features on the front

elevation. To the rear, the building has two 2 storey rear projections of differing depths and widths, both with pitched roofs which sit slightly below the ridgeline of the front roof. A car park to the rear of the building is accessed via an archway on the southern side of the building and can accommodate 11 cars. Approximately two-thirds of this rear car park is leased from the adjoining Merryfields flats and does not form part of the application site.

The building is not listed or locally listed and the site does not adjoin any listed or locally listed buildings. The site is also not situated within a conservation area.

Proposed development

Full planning permission is sought to alter the existing building and convert it into 9 self-contained flats.



Site layout plan



Street view



Rear view

The main alterations comprise the following elements:

- i) demolition of the rear 6m of the existing two storey rear projections and formation of new rear elevation;
- ii) removal of the existing roofs and replacement with a new roof 0.8m higher, to match the ridgeline of the front roof, incorporating new rooflights and dormer windows/balconies;
- iii) removal of the existing shopfronts at ground floor level and formation of a new ground floor elevation incorporating a communal entrance.

The conversion of the building into flats will provide the following units:

Ground floor	2 no. one bed flats and 1 no. two bed flat
First floor	3 no. one bed flats and 1 no. two bed flat
Second floor	2 no. one bed flats

To the rear of the building, 7 car parking spaces are provided together with a combined bin and cycle store. The parking spaces will be accessed via the existing archway on the southern side of the building. There are no changes to the existing access arrangements from Gammons Lane.



Front elevation as proposed and as existing



Rear elevation as proposed and as existing

Planning history

77/00244/FUL Planning permission granted 6 July 1977 Continuation of use of land as a car park and surfacing operations to the entire site.

77/00452/FUL Planning permission granted 9 November 1977 Continuation of present use as a car park and resurfacing of whole area.

80/00544/COU Planning permission granted 4 December 1980 Change of use from a retail shop to production and sale of photocopies, printing and dyelines.

81/00255/FUL Planning permission granted 1 July 1981 New shop front.

84/00498/FUL Planning permission granted 14 November 1984 Continuation of use as a car park.

91/00058/FUL Planning permission granted 4 April 1991 Continued use of land as a car park.

09/00127/COU Planning permission granted 28 April 2009 Change of use of ground floor storage area to vehicle garages.

09/00735/COU Planning permission granted 4 December 2009 Change of use of retail area at No. 73 to storage and rear storage area into vehicle garage and installation of a roller shutter to front entrance doors.

Relevant Policies

National Planning Policy Framework

- Section 1 Building a strong, competitive economy
- Section 2 Ensuring the vitality of town centres
- Section 4 Promoting sustainable transport
- Section 6 Delivering a wide choice of high quality homes
- Section 7 Requiring good design

Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026

No relevant policies.

Hertfordshire Minerals Local Plan Review 2002-2016

No relevant policies.

Watford Local Plan Part 1 - Core Strategy 2006-31

- SS1 Spatial Strategy
- SD1 Sustainable Design
- SD2 Water and Wastewater
- SD3 Climate Change
- HS1 Housing Supply
- HS2 Housing Mix
- HS3 Affordable Housing
- T2 Location of New Development
- T3 Improving Accessibility
- T5 Providing New Infrastructure
- INF1 Infrastructure Delivery and Planning Obligations
- UD1 Delivering High Quality Design

Watford District Plan 2000

- SE7 Waste Storage and Recycling in New Development
- T10 Cycle Parking Standards
- T21 Access and Servicing
- T22 Car Parking Standards
- T24 Residential Development
- T26 Car Free Residential Development
- H10 Educational and Community Facilities
- H13 Conversions
- S9 Non-retail uses in North Watford Shopping Centre/Local Shopping Frontages
- L8 Public Open Space
- L9 Children's Play Space

Supplementary Planning Guidance Notes and Supplementary Planning Documents

- SPG6 Internal Space Standards
- SPG10 Open Space Provision

CONSULTATIONS

Neighbour consultations

Letters were sent to 31 properties in Gammons Lane, Ashby Road and Brighton Road. Eight letters have been received, raising the following objections:

- Loss of privacy to adjoining properties from first floor kitchen window of Flat 6.
- Inadequate car parking provision. Will exacerbate existing on-street parking problems.
- Increased traffic generation close to busy junction and a bus stop and across the footpath.
- Loss of launderette.
- Loss of sunlight to garden areas due to increased height of roof.
- Accommodation in the roofspace with result in a loss of privacy to surrounding properties.
- Further loss of family character of the area.

The Committee will be advised of any additional representations received after the date this report was written.

Advertisements in local paper/site notices

None.

Consultations

Hertfordshire County Council - Highway Authority

No objection is raised to the proposal subject to a contribution being secured towards sustainable transport measures in accordance with the County Council's Planning Obligations Toolkit.

Police Architectural Liaison/Crime Prevention Officer

Has made detailed comments regarding Secured By Design and measures to reduce the risk of crime.

APPRAISAL

In accordance with s.38 of the Planning and Compulsory Purchase Act 2004, the Development Plan for Watford comprises:

- (a) *Watford Local Plan Core Strategy 2006-31;*
- (b) *the continuing “saved” policies of the Watford District Plan 2000;*
- (c) *the Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026; and*
- (d) *the Hertfordshire Minerals Local Plan Review 2002-2016.*

The East of England Plan 2008 and the “saved” policies of the Hertfordshire Structure Plan 1991-2011 were revoked on 3rd January 2013.

Land allocation

The site is located within a primarily residential area on the Proposals Map of the Watford District Plan 2000. It also forms part of a small local shopping frontage comprising Nos. 69-75, Gammons Lane. There is no objection in principle to the introduction of residential dwellings on this site subject to satisfying the relevant policy relating to the local shopping frontage. Similarly, there is no objection in principle to the loss of the first floor office use in this location.

Shopping policies

The small local shopping frontage on Gammons Lane, which includes the application site, comprises only 4 properties. The two properties within the application site are not in retail use (Class A1) with the former printing shop being changed to storage use in 2009 and the existing launderette being a sui generis

use. The other two properties within the frontage, nos. 69-71, comprise a Londis convenience store.

Saved Policy S9 of the Watford District Plan 2000 seeks to resist the loss of retail uses and only allow non-retail uses when certain criteria are met. In this case, the proposal will not result in the loss of any Class A1 use, will not diminish local shopping facilities (the Londis store provides a wide range of local convenience goods) and will not result in more than 2 adjacent non-retail uses or more than 50% of the frontage in non-retail use. The appearance of the frontage will also be significantly improved and the relationship with the upper floors improved with a new communal entrance.

The proposal therefore satisfies saved Policy S9 and is acceptable.

Housing policies

The principle of new residential dwellings within a primarily residential area is acceptable. As the proposal involves the alteration and conversion of an existing commercial building, there is no objection to the provision of flats in this case. There will be no loss of family housing as a result of the proposal. The proposal will provide a mix of one and two bedroom flats which is acceptable.

All of the proposed flats exceed the Council's internal space guidelines and have acceptable internal layouts. All of the flats will provide a good level of residential amenity in terms of outlook, privacy and natural light. No communal amenity area has been provided as the area to the rear of the building has been used to provide 7 car parking spaces and for the provision of the bin/cycle store.

However, the 3 ground floor flats have been provided with small patio areas and the 4 flats facing to the rear of the site each have a private balcony. Only the two first floor flats at the front of the building have no private space. Overall, having regard to the nature of the proposal and the location of the site, it is considered that this is an acceptable and appropriate compromise.

As the proposal is only for 9 dwellings, there is no requirement to provide affordable housing in this case.

Design and appearance

The proposed external alterations to the building will significantly improve the appearance of the building and the wider street scene. The existing poor quality shopfronts will be replaced by a new communal entrance and windows/doors to the ground floor flats, framed in a cream render with grey render infill panels. The existing window openings at first floor level will be retained but with modern windows inserted. The side and rear elevations will be rendered in cream to give the rear of the building a uniform appearance. Cream and white painted render is commonly seen along Leavesden Road to the south, particularly on prominent corner buildings and on commercial buildings. The use of cream render will therefore not be out of character with the wider area. The existing corrugated rear roof will be replaced by a new roof covered in grey slate tiles to match the main roof on the front of the building.

Impact on neighbouring properties

The depth of the two storey rear element of the building will be reduced by 6m as part of the proposal. This will significantly reduce the visual impact of the building when viewed from surrounding properties. The appearance of the building at the rear will also be significantly improved.

On the south facing side elevation, the number of first floor windows will be reduced from 3 to 2. As they overlook the roof of the adjoining Londis store, there will, in any event, be no adverse impact on amenity. On the north facing side elevation, the number of windows will be reduced from 3 to 1 (excluding small windows to toilets). The remaining window will serve the kitchen of Flat 6 and will allow directly overlooking of the rear windows and garden areas of the adjoining properties. To overcome this, it is recommended that this window should be fitted with obscure glazing.

On the rear elevation, the number of windows will be increased with the introduction of two balconies at first floor level and two dormer windows with balconies at roof level. These windows and balconies will directly overlook the car parking area of the adjacent Merryfields flats and will also give more oblique views towards the flats and the houses in Brighton Road. However, this is no different to the existing situation and is a common relationship between properties in urban areas. The balconies do have the potential to give rise to direct overlooking of the garden areas of properties to the north on Gammons Lane and it is therefore proposed that the north side of each of the balconies should be fitted with obscure glazed privacy screens. This is considered acceptable and can be secured by condition.

Transportation, access and parking

The existing vehicular access to the site is via an archway on the southern side of the building directly from Gammons Lane. This will remain unchanged. The access is sited between a bus stop, sited directly outside the site, and a pedestrian crossing sited a short distance to the south outside No.67, Gammons Lane. Whilst this is not an ideal situation, and care will need to be used when entering and leaving the site, this has been the case for many decades. The current car park can accommodate 11 cars and commercial uses will generally generate a greater number of peak time vehicle movements than residential use. The reduction in the number of spaces on the site to 7 and the proposed residential use will not result in any increase in vehicle movements at peak times and is likely to result in a reduction. Although the overall number of vehicle movements may increase as a result of the residential use, they will be spread across the day. Hertfordshire County Council, as the Highway Authority, has raised no objection to the proposal.

The provision of 7 parking spaces on the site maximises the number of spaces within the area available. This will mean that 2 of the flats will be car-free. As the

site is not within a controlled parking zone there will not be the normal powers available to restrict entitlement to permits and minimise the likelihood of additional on-street parking occurring. The proposal could, therefore, give rise to additional on-street parking. One factor mitigating against this is the bus stop outside the site which is on the W10 bus route and directly serves Watford Junction, the town centre and the hospital and therefore provides good accessibility for the site. Another factor is that car ownership in Callowland ward is 1.1 cars per household, with the vast majority of dwellings being family houses. It is unlikely, therefore, that the two proposed car-free flats will generate any significant additional on-street parking.

The level of parking provision accords with the Council's maximum standards and is therefore considered to be acceptable in this case.

The proposal incorporates a secure, communal cycle store for 9 cycles in the rear parking area which will further encourage sustainable non-car travel. The applicant has also agreed to a contribution of £5,875 towards wider sustainable transport measures in Watford.

Sustainable development

The conversion of the existing building rather than its demolition is a sustainable form of development. The conversion will also need to satisfy the current Building Regulations which will significantly improve the thermal properties of the building and its energy efficiency. A sustainable drainage scheme can be secured for the rear car parking area.

Planning obligation

The development proposed in this application is one where, in accordance with Policy INF1 of the Core Strategy, the Council will normally require the applicant to enter into a planning obligation to provide contributions towards the provision or improvement of community facilities and infrastructure. Under Regulation 122

of the Community Infrastructure Levy Regulations 2010, where a decision is made which results in planning permission being granted for development, a planning obligation may only constitute a reason for granting planning permission for that development if the obligation is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

Policies T3, T4, T5 and INF1 of the Watford Local Plan Core Strategy and saved Policies L8, L9 and H10 of the Watford District Plan 2000, together with *SPG 10: Open Space Provision*, recognise that cumulative small developments within the urban area of Watford can produce significant additional demands for services and facilities in the same way that a smaller number of larger developments would. However, unlike larger developments which can often accommodate some provision of these services and facilities within the site, smaller developments are clearly unable to do so and it would be unreasonable to expect them to. It is therefore reasonable to expect the applicant in such cases to make a financial contribution towards improved services and facilities within the Borough.

Most new residential developments within Watford comprise fewer than 50 dwellings. The Council seeks financial contributions on a per unit basis from all new residential developments. This is considered to be a reasonable approach as it ensures that all such developments make contributions on an equal basis, with actual payments determined by the number and, in some cases, the size of the units proposed. This approach therefore does not disadvantage applicants proposing larger developments within the Borough, but rather ensures that all applicants make payments in proportion to the additional demand on services and facilities that their development will generate.

The Council's approach to seeking financial contributions by means of a planning obligation is fully in accordance with the advice set out in paragraphs 203 to 205 of the National Planning Policy Framework. In each case, the contributions received are pooled together in order to accumulate sufficient funds for the Council, the County Council and the Primary Care Trust to undertake capital works within the Borough. Given the small size of the Borough, this is considered to be a reasonable and acceptable approach to the provision of new or improved services and facilities and accords with paragraphs 203 to 205 of the national Planning Policy Framework.

The contributions in the case of the development proposed in this application are set out below. As these contributions have been calculated in accordance with the County Council's Planning Obligations Toolkit (adopted January 2008) and the relevant saved policies of the Watford District Plan 2000, they are directly related to the proposed development, are fairly and reasonably related in scale and kind to that development and are necessary to make the development acceptable in relation to those policies. Accordingly, the requirement for such contributions meets the tests in Regulation 122 of the Community Infrastructure Regulations 2010, and, consequently, the planning obligation can be taken into account as a material planning consideration in the determination of the application.

i) Community facilities

- Secondary education £1,217
- Primary education £2,283
- Nursery education £614
- Childcare £170
- Youth £47
- Libraries £797

ii) Open space and children's playspace

As the site is located in an area where there is no deficit in open space a 50% reduction in the normal contribution set out in SPG10 is applicable. As the site is within 200m of an existing children's playspace at Callowland Recreation Ground, which has recently been expanded and improved, no contribution towards children's playspace facilities is required.

- Open space £11,124

iii) Sustainable transport

- Sustainable transport £5,875

A planning obligation is being prepared to secure these financial contributions towards the provision or improvement of facilities within the Borough of Watford. The agreement will also secure the provision of any necessary fire hydrants to serve the development.

Consideration of objections received

Objections	Officer's response
Loss of privacy to adjoining properties from first floor kitchen window of Flat 6.	A condition is recommended to secure obscured glazing to this window.
Inadequate car parking provision. Will exacerbate existing on-street parking problems.	The provision of 7 spaces for 9 flats accords with the Council's maximum parking standards. The average car ownership in Callowland ward is 1.1 cars per household with the predominant housing type being 2 and 3 bed houses. This level of provision is therefore considered acceptable.

Increased traffic generation close to busy junction and a bus stop and across the footpath.	It is not considered that the proposal will result in any significant increase in traffic. Commercial uses tend to generate higher levels of peak time traffic than residential.
Loss of launderette.	The Council has no power to retain a launderette on this site.
Loss of sunlight to garden areas due to increased height of roof.	The increase in the height of the roof by 0.8m will have no adverse impact on the amount of sunlight received by the adjacent garden areas.
Accommodation in the roofspace with result in a loss of privacy to surrounding properties.	The new windows and balconies at second floor level will give rise to some oblique overlooking of surrounding properties but this is no different to the existing situation and is common in urban areas.
Further loss of family character of the area.	There is no loss of family housing. The introduction of flats on the commercial site will enhance the residential character of the area.

Conclusion

The proposed alteration of this commercial building and its conversion into 9 self-contained flats is acceptable in principle in this residential area. There will be no adverse impact on the local shopping frontage and the proposal will enhance the appearance of the building and the wider street scene. Subject to the imposition of appropriate conditions, there will be no adverse impact on surrounding residential properties. All of the proposed flats will have acceptable internal areas and layouts and will provide a good level of amenity for future occupiers. Although the scheme only includes 7 on-site parking spaces for the 9 flats

proposed, it is not considered that this shortfall of 2 spaces will lead to any significant increase in on-street parking on surrounding roads. Overall, the proposal will bring a largely vacant commercial building into use and is considered to be acceptable.

HUMAN RIGHTS IMPLICATIONS

The Local Planning Authority is justified in interfering with the applicant's Human Rights in order to alleviate any adverse effect on adjoining properties and their occupiers and on general public amenity. With regard to any infringement of third party Human Rights, these are not considered to be of such a nature and degree as to override the Human Rights of the applicant and therefore warrant refusal of planning permission.

RECOMMENDATIONS

- (A) That planning permission be granted subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990 to secure the following contributions and subject to the conditions listed below:

Section 106 Heads of Terms

- i) To secure financial payments to the Council of:
 - a) £11,124 (index linked) towards the provision and improvement of public open space in the Borough in accordance with Policy L8 of the Watford District Plan 2000;

- ii) To secure financial payments to the County Council of:

- a) £5,875 (index linked) towards the implementation of the South West Hertfordshire Transport Strategy and sustainable transport measures in Watford in accordance with Policies T3 and T5 of the Watford Local Plan Core Strategy 2006-31;
 - b) £1,217 (index linked) towards the provision of secondary education in accordance with Policy H10 of the Watford District Plan 2000;
 - c) £2,283 (index linked) towards the provision of primary education in accordance with Policy H10 of the Watford District Plan 2000;
 - d) £614 (index linked) towards the provision of nursery education in accordance with Policy H10 of the Watford District Plan 2000;
 - e) £170 (index linked) towards the provision of childcare facilities in Watford in accordance with Policy H10 of the Watford District Plan 2000;
 - f) £47 (index linked) towards the provision of youth facilities in Watford in accordance with Policy H10 of the Watford District Plan 2000;
 - g) £797 (index linked) towards the provision of library facilities in accordance with Policy H10 of the Watford District Plan 2000;
- iii) To secure the provision of fire hydrants as required by the County Council in accordance with Policy H10 of the Watford District Plan 2000.

Conditions

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

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

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

9335/PL/001, 002A, 003A, 004, 005, 006, 007, 008A, 009, 010, 011, 012A.

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

3. Construction of the development hereby permitted shall not take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturdays and not at all on Sundays and Public Holidays.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties during the time that the development is being constructed, pursuant to saved Policy SE22 of the Watford District Plan 2000.

4. No development shall commence within the site until a Construction Environmental Management Plan has been submitted to and approved by the Local Planning Authority. This Plan shall include details of temporary access for construction vehicles, contractors parking, the delivery and storage of materials, measures to mitigate noise and dust, wheel washing

facilities, plant and equipment and a contact procedure for complaints.
The Plan as approved shall be implemented throughout the construction period.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties and prevent obstruction of the adjoining highway during the time that the development is being constructed.

5. No development shall commence until details of the materials to be used for all the external finishes of the building, including all external walls, roofs, doors, windows, fascias, and balconies have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved 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.

6. No development shall commence until a hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the approved hard landscaping works have been carried out. The approved soft landscaping works shall be carried out not later than the first available planting and seeding season after completion of the development. Any plants 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.

7. No development shall commence until details of a sustainable surface water drainage scheme for the development has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the approved drainage scheme has been implemented in full.

Reason: To ensure the surface water drainage is designed to minimise the likelihood of flooding downstream, to reduce the risk of flooding by ensuring the satisfactory storage of and disposal of surface water from the site, and to reduce the impact of flooding on the proposed development in accordance with Policy SD2 of the Watford Local Plan Core Strategy 2006-31.

8. The north facing first floor kitchen window to Flat 6 shall be permanently fixed closed below 1.7m internal floor level and shall be fitted with obscured glass at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent overlooking and a loss of privacy to the adjoining properties to the north.

9. The first and second floor balconies to Flats 5, 6, 8 and 9 shall be fitted with obscure glazed privacy screens on their northern side before the first occupation of any of these flats and these privacy screens shall be retained as such at all times thereafter.

Reason: To prevent overlooking and a loss of privacy to the adjoining properties to the north.

10. No part of the development shall be occupied until the 7 car parking spaces shown on drawing no. 9335/PL/002 have been laid out and constructed in full. These spaces shall be retained thereafter at all times for the parking of cars.

Reason: To ensure adequate parking facilities are provided on the site and to minimise any additional on-street car parking, in accordance with saved Policies T22 and T24 of the Watford District Plan 2000.

11. No part of the development shall be occupied until the bin/cycle store has been provided in accordance with approved drawing nos. 9335/PL/002 and 012 (unless otherwise approved in writing by the Local Planning Authority). The store shall be retained thereafter at all times for refuse/recycling and cycle storage only and shall not be used for any other purpose.

Reason: To ensure adequate facilities are provided for the occupiers of the site and in the interests of the visual appearance of the site and its impact on the street scene and character of the surrounding area, in accordance with Policies SD1 and UD1 of the Watford Local Plan Core Strategy 2006-31 and saved Policies T10 and T21 of the Watford District Plan 2000.

12. No gate shall be installed to the access to the rear parking area unless details shall previously have been submitted to and approved in writing by the Local Planning Authority. The gate shall only be installed in accordance with the approved details.

Reason: To ensure vehicles waiting to enter the site do not obstruct the adjoining public highway and the gates do not have an adverse impact on the amenities of the ground floor Flat 1.

Informatives

1. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure financial contributions towards the provision or improvement of public open space, education facilities, childcare, youth facilities, library facilities and sustainable transport measures within the Borough of Watford. The agreement also requires the provision of necessary fire hydrants to serve the development.

2. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended. The Council also gave pre-application advice on the proposal prior to the submission of the application and undertook discussions with the applicant's agent during the application process.

(B) In the event that an acceptable planning obligation under Section 106 of the Town and Country Planning Act 1990 has not been completed by 2nd September 2013 in respect of the Heads of Terms set out above, the Development Management Section Head be authorised to refuse planning permission for this application for the following reasons:

1. The proposed development fails to make provision for public open space, either in the form of on-site works or commuted payments, and as such is contrary to saved Policy L8 of the Watford District Plan 2000.
2. The proposed development fails to contribute towards the implementation of sustainable transport measures forming part of the South West Hertfordshire Transportation Strategy, either in the form of off-site highway works or commuted payments, and as such is contrary to Policies T3, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31.
3. The proposed development fails to contribute to the provision or improvement of education and community facilities (youth facilities, childcare and libraries) in the Borough and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.
4. The proposal fails to make provision for fire hydrants to serve the development and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.

Drawing numbers

9335/PL/001, 002A, 003A, 004, 005, 006, 007, 008A, 009, 010, 011, 012A

Case Officer: **Paul Baxter**
Tel: **01923 278284**
Email: paul.baxter@watford.gov.uk