

PART A

Report of: **DEVELOPMENT MANAGEMENT SECTION HEAD**

Date of Committee

21st November 2013

Site address:

Charter Place Shopping Centre

Reference Number :

13/00972/FULM

Description of Development:

Part demolition/reconfiguration/change of use of existing Charter Place Shopping Centre, demolition of 37-57 and 67-69 High Street, and part retention of 63-65, High Street. Erection of new buildings within Classes A1(shops), A3 (restaurants) and D2 (including cinema), including provision of new covered market, together with associated plant and machinery, and ancillary facilities. Provision of new public realm. Alterations to existing pedestrian and cycle access and egress arrangements, highway alterations/ improvements and other ancillary works and operations.

Applicant:

WRP Management Ltd

Date received:

12th September 2013

13 week date(major):

12th December 2013

Ward:

CENTRAL

SUMMARY

This is an application for full planning permission for the redevelopment of the Charter Place Shopping Centre. The scheme secures many of the key objectives of the adopted Charter Place Planning Brief (2006) and will include new and refurbished retail units (providing an additional 10,000m² of floorspace), 10 new restaurant units, a 9 screen cinema (including an Imax screen), a leisure unit and a new indoor market, together with a high quality public realm. The proposal will enhance the vitality and viability of Watford as a regional shopping centre and will significantly enhance the character and appearance of this part of the town centre. The proposal accords with the policies of the adopted Core Strategy and the policies of the National Planning Policy Framework (NPPF). Following a formal design review of the scheme by the Shape East Design Panel, a number of amendments to the scheme have been requested to simplify and improve certain elements of the design. At the time of writing this report, the submission of amended drawings is still awaited.

The Development Management Section Head therefore recommends that the application be approved, subject to 1) the submission of acceptable amended drawings, 2) the completion of a section 106 planning obligation, and 3) the imposition of appropriate conditions, as set out in the report.

BACKGROUND

Site and surroundings

Charter Place is located in the town centre and covers an area of approximately 2.1 hectares. It comprises the Charter Place Shopping Centre (including the indoor market), Palace Charter car park (755 spaces) and the YMCA tower. It is bordered by Beechen Grove to the north, *intu Watford* to the east, High Street to the south and properties fronting High Street and Clarendon Road to the west. Pedestrian access is from High Street (Meeting Alley and Charter Way (adjacent to HSBC Bank)), *intu Watford* and Beechen Grove (Grove Walk). Vehicular access is from Beechen Grove to a basement servicing area and to Palace Charter car park. Limited servicing access is also available from High Street.

Proposed development

This application is for full planning permission. A separate application has been submitted for listed building consent in respect of the proposed alterations to and demolition of part of 63-65 High Street. The proposal is a complex scheme that incorporates a number of different elements. These can be summarised as follows:-

- Demolition of nos. 37, 39, 41, 41a, 43-45, 47-51, 55, 57, 67 and 69, High Street together with the central and rear sections of 63-65, High Street (listed building) with the front façade and roof being retained.
- Demolition of all the internal units at ground and first floor level within Charter Place with the exception of those units sited underneath the Palace Charter car park, the YMCA and the Women's Centre. The public toilets on Grove Walk will also be demolished.
- Stopping up of Meeting Alley and Charter Way (adjacent to HSBC Bank) and formation of new single pedestrian access to the north-west of Meeting Alley leading to a new central public space. The new build elements of the development will be sited to the north-west (Block A) and the south-east (Block B) of this new access.
- Block A – A mixed-use, multi-storey building comprising 2 storey units fronting High Street rising to 4 storey behind. The 2 storey units comprise 4 restaurants (fronting High Street and the new pedestrian access) with the 4 storey element comprising 2 retail units at ground level, 2 retail units at first floor level (with mezzanines) and a leisure use above.
- Block B – A mixed-use, multi-storey building comprising 2 and 3 storey units fronting High Street rising to 6 storeys behind. The building comprises 6 restaurants at ground and first floor (fronting High Street and the new pedestrian access), with 3 retail units fronting the new public space at ground level and 3 retail units at first floor level (with mezzanines). Above these units is the cinema comprising an Imax screen and 8 other screens (total capacity approx. 1540 seats).

- The existing retail units and indoor Market located underneath Palace Charter car park will be refurbished and reconfigured to form 7 new retail units at ground and first floor levels.
- A new covered market will be constructed off Grove Walk where the existing public toilets and small car park are located.
- The basement service area will be reconfigured to incorporate new retail floorspace in connection with the ground floor retail units.
- The existing Palace Charter car park will be refurbished internally and the external elevations, including the circular exit ramp, will be clad with terracotta batons to screen the existing concrete structure. A new canopy will also be constructed on the Beechen Grove frontage which will support and screen new plant and equipment for the retail units.

The table below details the changes in floorspace between the existing shopping centre and the proposed development by Use Class in square metres (m²). Overall, 11,297m² of floorspace will be demolished and 30,481m² of new floorspace constructed.

	Existing	Proposed	Change
Class A1 Retail	17,407	27,698	+10,291
Class A2 Financial	1,012	0	-1,012
Class A3 Restaurant	769	4,821	+4,052
Class B1 Office	128	0	-128
Class D2 Leisure	0	9,897	+9,897
YMCA	8,078	8,078	0
Palace Charter car park	19,902	19,902	0
Other	16,651	11,597	-4,694
Total	63,947	82,353	+18,406

Change in floorspace by Use Class (square metres GIA)

Planning history

Charter Place Shopping Centre, including the indoor market, opened in 1976. A limited

scheme of improvements was undertaken by the Council in the early 1990s but the centre remains essentially as originally constructed.

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 7 Requiring good design
- Section 8 Promoting healthy communities
- Section 10 Meeting the challenge of climate change, flooding and coastal change
- Section 12 Conserving and enhancing the historic environment

Hertfordshire Waste Core Strategy and Development Management Policies

Document 2011-2026

- 1 Strategy for the Provision for Waste Management Facilities
- 1a Presumption in Favour of Sustainable Development
- 2 Waste Prevention and Reduction
- 12 Sustainable Design, Construction and Demolition

Hertfordshire Minerals Local Plan Review 2002-2016

No relevant policies.

Watford Local Plan Core Strategy 2006-31

- WBC1 Presumption in favour of sustainable development
- SS1 Spatial Strategy
- SPA1 Town Centre
- SD1 Sustainable Design
- SD2 Water and Wastewater
- SD3 Climate Change
- SD4 Waste

- TLC1 Retail and Commercial Leisure Development
- EMP1 Economic Development
- T2 Location of New Development
- T3 Improving Accessibility
- T4 Transport Assessments
- T5 Providing New Infrastructure
- INF1 Infrastructure Delivery and Planning Obligations
- UD1 Delivering High Quality Design
- UD2 Built Heritage Conservation

Watford District Plan 2000

- SE7 Waste Storage and Recycling in New Development
- SE20 Air Quality
- SE22 Noise
- SE27 Flood Prevention
- T10 Cycle Parking Standards
- T21 Access and Servicing
- T22 Car Parking Standards
- S5 Non-Retail Uses in Prime Retail Frontage
- S11 Use Class A3 Food and Drink
- U15 Buildings of Local Interest
- U17 Setting of Conservation Areas
- U24 Shopfronts

Supplementary Planning Documents

- Charter Place Planning Brief (2006)
 - Watford Character of Area Study (2011)
 - Shopfront Design Guide (2013)
 - Streetscape Design Guide (2013)
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CONSULTATIONS

Neighbour consultations

Letters were sent to 167 properties in High Street, Market Street, Clarendon Road, Beechen Grove and Loates Lane. Four replies have been received from Mrs Forsyth (a local resident and historian), YMCA Watford, Central Town Residents Association and LCP Securities Limited (owners of 47-51, High Street). These are detailed below with brief comments from your officers:

i) Mrs Forsyth

- Several buildings on the High Street frontage may be of interest. A desk-based archaeological assessment should be carried out as a forerunner to possible excavation. *The Hertfordshire County Archaeologist has also requested a desk-based archaeological assessment and this has been included as a recommended condition.*
- Interested to know what English Heritage have to say about the removal of most of the listed building at 63-65, High Street. *English Heritage is not a statutory consultee so far as this planning application is concerned, but has been consulted in respect of the application for listed building consent; nevertheless, further information has been requested from the applicant.*
- Are the entry points from High Street adequate? The realigned Meeting Alley looks cluttered with seating outside the restaurants. *The extent of seating in the public realm, if this is to occur, will need to be the subject of a separate application by the future tenant.*

ii) YMCA Watford

- The YMCA welcomes intu's proposals to regenerate Charter Place.
- The application does not propose any improvements to Charter House [*the YMCA tower*]; as a result, it will be in stark contrast to the new development. The YMCA would welcome discussions with intu to improve the visual appearance of the Charter House structure. *Charter House is not part of the*

development nor is it within intu's ownership. Any discussions between the YMCA and intu are not relevant considerations for this application.

- *The proposed wall to the indoor market off Grove Walk will obscure office windows within the Charter House building that overlook this area. This was not the intention and the drawings have been amended accordingly.*
- *The proposed indoor market will be sited on land where scaffolding is erected for maintenance purposes. This is a property matter and is being discussed with the applicant.*

iii) Central Town Residents Association

- *Once demolition commences, will part of the High Street be closed to pedestrians and traffic (blue badge holders, buses, delivery lorries)? Full access for pedestrians, buses and deliveries will need to be maintained in the High Street. Whilst there will be some disruption, the preliminary demolition and construction plans show this to be kept to a minimum. Any significant closures or diversions will need to be agreed with Hertfordshire County Council as the Highway Authority and, where necessary, the bus companies, but this is not currently intended to occur.*
- *Once completed, will the existing infrastructure be able to cope with the increased demand? During the daytime, it is predicted that additional traffic will not be significant (less than 5%) but that the dwell time of visitors (how long they stay in the town centre) will increase. The cinema, leisure use and restaurants are predicted to generate additional traffic in the evenings when demand on the highway network and the car parks is at its lowest.*
- *Will the toilets at Church car park be re-opened? This is a decision for the Council and is separate from the consideration of this planning application, although the Council is not currently intending to re-open these toilets.*
- *Will the new Charter Place be washed down every day to keep it looking clean and tidy? The street cleaning regime is separate from the consideration of this planning application and is a matter for the Council and Veolia Environmental Services.*

- Will buses still be coming into the High Street? *The only potential change to the bus stops is the moving of Bus Stop E from the High Street to Beechen Grove, but this will need to be agreed with Hertfordshire County Council and the bus companies as a separate matter. Otherwise, there are no changes proposed.*

iv) LCP Securities Limited (LCP)

Do not object to the principle of the improvements to Charter Place but consider that:-

- There is no compelling need in the public interest for the premises at 47-51, High Street to be demolished to serve the wider regeneration of the area. *The site is included in the Charter Place Planning Brief 2006 for a comprehensive redevelopment of the existing Charter Place Shopping Centre. It is not a listed building and is of no architectural merit. It is necessary to include this building and all other buildings fronting the High Street in order to achieve the aims of the Planning Brief.*
- There is no documentation that appropriate and imaginative alternative proposals were considered that would have retained the premises.
- The process by which these premises have been selected for demolition has been arbitrary and unfair. *The site is included in the Charter Place Planning Brief 2006 for a comprehensive redevelopment of the existing Charter Place Shopping Centre. It is not a listed building and is of no architectural merit. It is necessary to include this building and all other buildings fronting the High Street in order to achieve the aims of the Planning Brief.*
- The subject premises are in good condition and beneficial use. LCP have firm proposals to continue to invest in the building and create further beneficial use. *The building is of no architectural merit and detracts from the streetscene. Whilst it is currently occupied, this does not outweigh the need to redevelop Charter Place. Although LCP submitted a planning application in 2004 to redevelop the site with a ground floor retail unit and 12 flats, this was refused. No appeal was submitted and no further application for the redevelopment of this site has been submitted subsequently.*

- LCP will vigorously defend any Compulsory Purchase Order that is served against the premises. *This is a separate matter and is not relevant to the determination of the planning application.*

Advertisements in local paper/ site notices

A public notice was published in the Watford Observer on 20th September 2013. Fifteen site notices were placed within Charter Place and on the roads surrounding Charter Place, also on 20th September 2013.

Consultations

Environment Agency

We object to the proposed development as submitted because there is insufficient information to demonstrate that the risk of pollution to groundwater is acceptable.

There are two strands to this objection:

- We consider the level of risk posed by this proposal to be unacceptable.
- The application fails to provide assurance that the risks of pollution are understood, as a PRA [*preliminary risk assessment*] has not been provided.

Reason: The site is in source protection zone 2. This means that the groundwater beneath the site reaches a public drinking water abstraction point between 50-400 days. As such, it is vital to protect this groundwater from contamination.

In response to these comments, a preliminary risk assessment was submitted. At the time of preparing this report, the PRA was still under consideration by the Environment Agency.

Thames Water

Waste Comments - Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application.

Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed. "Development shall not commence

until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.”

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage.

“No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.”

Supplementary Comments - A developer funded impact study will be required for this development, to assess the impact of the foul water flows on the network. A drainage strategy would then be produced in consultation with Thames Water to show that capacity exists in both the on and off site infrastructure or that it can be provided ahead of occupation. Where additional infrastructure is required the strategy would go on to identify what infrastructure is required, where and funded by who.

The applicant has challenged the request by Thames Water that they should fund the impact study and any mitigation measures required, arguing that recent case law confirms that it is the responsibility of Thames Water to ensure adequate capacity exists. Discussions between Thames Water and the applicant are on-going. However, it is a material planning consideration that adequate capacity exists to serve the development.

Hertfordshire County Council – Highway Authority

The County Council as Highway Authority has considered the detailed Transport Statement and has raised no objection to the application subject to the completion of the proposed off-site highway improvement works, environmental improvements along the High Street and Beechen Grove frontages, the Travel Plan, the Delivery and Servicing Plan and a contribution towards wider public realm improvements. It is considered that this package of measures is sufficient to mitigate any adverse impacts of the proposal.

Hertfordshire County Council - Archaeology

The site lies within the historic core of Watford. The Planning Statement submitted with this application does not appear to consider archaeology, rather it seems to be concerned with Listed buildings and impact to the conservation area. A Heritage Townscape and Visual Impact Assessment has some description of the interior of buildings, but again appears to be primarily concerned with Listed buildings and impact to the conservation area.

Information received from the South West Herts Archaeological and Historical Society (SWHAHS) notes the archaeological potential of the site, in particular from the medieval period and that there are some areas of open yard with archaeological potential. Many buildings on the High Street have been found to have surviving earlier and even medieval origins.

The proposed development is therefore likely to have an impact on heritage assets, and I recommend that the following provisions be made, should you be minded to grant consent:

1. A rapid archaeological desk based and impact assessment of the proposed development site before *any* development/demolition/site preparation commences.
2. A historic buildings assessment of the site before *any* development/demolition/site preparation commences.

I recommend that these reports are submitted for consideration and approval before *any* development/demolition/site preparation commences so that an appropriate programme of archaeological work can be implemented (if necessary).

3. Such appropriate mitigation measures indicated as necessary by those assessments.

The standard archaeological investigation condition is recommended.

Hertfordshire Constabulary Crime Prevention Officer

The Crime Prevention Design Advisor has confirmed that discussions are continuing regarding matters of security and design both with regard to local issues and wider counter terrorism measures that may need to be included with the design. Some detailed comments at this stage include:

- I will be looking for bollards or street furniture along the Parade/High Street positioned along the edge of the pavement so as to prevent vehicular movement on to the footpath. I will also be looking for bollards or something similar on the building line and entrance from the Parade/High Street in to the covered shopping area. The bollards etc. to be the subject of further discussion.
- I note the DAS [*Design and Access Statement*] talks about getting staff of the tenanted units to be able to cycle to work and therefore there is a need for secure cycle storage either near or within each unit. I would prefer not to have one large cycle storage area as this may well reduce security.
- There will be a need for CCTV to cover both the basement and the public areas and this could be linked to the existing system covering the current Harlequin

centre. *Intu have confirmed that there will be full CCTV coverage for Charter Place and the cameras will be linked to the existing intu Watford control centre.*

- I will be looking for a Lux Plan in due course.
- Further detailed discussions to be had around the security of the basement area. *Intu have confirmed a full security team will be employed for the basement with a manned entrance between 7am and 11pm.*
- I have spoken to the local CI and Inspector in view of the increase in the number of people in Watford [cinemas estimated to hold in the region of 2000 people] and they will be looking for S106 or even CIL monies for a couple more PCSOs. *Intu have confirmed a full 24 hour security team will be provided for Charter Place and that of Palace Charter car park and the cinema. They don't therefore anticipate any additional requirement for PCSO's over and above the current provision within the town centre.*

Environmental Health

Contaminated land

Charter Place has been placed on the Council's prioritisation list for further investigation as part of the Council's contaminated land strategy (forming part of the site known as 'Harlequin Centre, High Street'). The site has been ranked as a medium priority for further investigation. Potentially contaminative uses of the site include: coal, garages, textiles & dyes, timber and warehouses. A contaminated land investigation will be required via a planning condition as part of this redevelopment.

Noise

The proposal includes significant quantities of plant, some of which is to be installed in the proximity of noise sensitive premises. As part of the application an Environmental Noise Survey Report, reference 19403/ENS1 Revision 2 dated September 2013, was submitted. This report sets out the requirements for plant noise emissions as well as entertainment noise.

Conditions should be attached to the permission, if granted, which require all plant to comply with the requirements set out in the Noise Survey Report and additionally require full details of any such plant (including extraction systems) serving each unit, restaurant, common parts or similar to be provided to and agreed by Watford Borough Council prior to each unit, restaurant, common parts or similar being opened to the public.

A further condition covering the emission of entertainment noise should be attached requiring all entertainment units to comply with the requirements set out in the Noise Survey Report. This condition should require details of the building fabric of each entertainment unit to be provided to and agreed by Watford Borough Council prior to each entertainment unit opening to the public. This detail should include details of the noise generated in the entertainment units, the attenuation offered by the building fabric and a calculation showing the predicted levels, from the operation of the entertainment unit, at the 3 monitoring locations.

Odour

There is no detail provided as to the position or specification of the extraction systems to be provided to the restaurants. I am concerned that there is the possibility of odour nuisance being generated should the extraction systems discharge close to residential properties. A condition should be attached requiring full details of the extraction system for each restaurant, including noise and odour control, to be submitted to and approved by Watford Borough Council prior to each restaurant being opened to the public.

Sustainability

Watford Borough Council requires BREEAM 'Very good' for developments in Special Policy Areas. The BREEAM Pre-Assessment states that the contractor aims to achieve 'Very Good' where feasible; however, the Pre-Assessment scores the development at 55.29% which is lower end of the spectrum (55-70%). To allow the contractor some flexibility at later stages of construction I would suggest that more of the credits are targeted, such as:

- Man 05 Ensuring that Life Cycle Cost Analysis is carried out at the appropriate stage.
- Ene 01 Aim for better a EPR_{NC} (BREEAM Excellent rating would be appropriate here).
- Ene 04 Investigate other sources of renewables in developments in Watford. Can Charter Place benefit from other Low Carbon technologies being implemented in the borough?
- Wat 03 As the East of England is the driest region in the country and Hertfordshire uses 12 more litres per day per person water efficiency is a high priority for Hertfordshire, an appropriate leak detection system should be implemented.
- Mat 03 BREEAM Very good should be aimed for here.

Urban Design and Conservation

Generally the scheme is acceptable in terms of its scale and massing and design approach. It also delivers what the Council required in terms of additional retail floorspace and leisure based activities. A Design Review took place on 14th October 2013 and formal views were received in a letter dated 28th October. [See below]

The main issues highlighted in the Design Review are:

- quality of the pedestrian link through the scheme;
- quality and extent of improvements to public realm on High Street;
- architectural treatment of the High Street elevation.

I have some concerns regarding these issues as well:

Public realm

I would concur that more attention should be paid to the High Street public realm with a more holistic view regarding the role the High Street will play in the perception of *Intu Watford* as an attractive place to visit. All the messages regarding delivery of successful town centres refer to the role of the public realm in providing a high quality back drop against which all the activities take place. In addition, *Intu Watford* will have to rely heavily on public transport to convey customers to the town centre and the quality of the routes to the key public transport nodes.

Every effort should be made to secure a significant contribution to the cost of delivering an improved public realm for the High Street beyond the site boundary. Attention should be paid to the pedestrian crossing at Beechen Grove to wards the Watford Junction Station; and in the future the access to the High Street Station should be addressed.

Pedestrian link

I agree that it is important to make this as attractive as possible and to ensure that the new indoor market area functions well. It is suggested that we place conditions requiring that the elevation of the shop unit facing the market hall area is preferably active – i.e. has exits and entrances and, if not, is clear glass looking into the store and not used for display or blocked off with advertisements, etc. Also, the design and appearance of the market hall is important, particularly in relation to the methods proposed for security of the area once the stalls have ceased trading. I suggest that we use conditions requiring details concerning this to be submitted and agreed.

High Street elevation

This is the area where there is most concern and it is important to get the scheme right first time as it will not be possible to change it once constructed.

Key issues are:

- How the gables are used – can this be improved?
- Upper storeys – degree of set back for the cinema box
- Upper storeys – materials for cladding the cinema
- Ground floor glazing arrangements for restaurants 3,7 and 9.

Gables: the principle of this architectural device to link the new scheme with existing parts of the High Street and to house the plant needed for the restaurants is accepted.

However, there is one area where relatively minor changes would result in a much improved scheme:

- restaurant 9 has 3.5 gables which is a little odd - the gables themselves are attractive and, to my mind, work at roofline level but the half gable looks like the building is unfinished. It is suggested that the gables be reduced in number to 3 with the central one lining up with the centre of the elevation at lower levels. See comments below regarding possible changes to other parts of this unit.

The gables on restaurants 3 and 7 are bigger than that on the listed building – restaurant 8 - which may be an issue; however, if the back drop is simplified as suggested below, the need for change may be removed as the overall frontage will be less complex, with fewer elements competing for attention, which allows the gables to sit more comfortably in the street scene as a stronger design feature. This is the approach adopted for the relationship between the leisure box and the High Street elevation and results in a much cleaner and clearer appearance for that elevation.

Upper Storeys: the degree of set back is an issue; much work has been done in the pre-application period to reduce the scale and massing of the building and to set the cinema box as far back as possible. It is important that, as the scheme develops, this degree of set back is retained and, if possible, the cinema box is set further back.

Upper Storeys: cladding to cinema box – the method chosen to clad this section is different to that selected for the rest of the leisure box elevations. There are two issues to my mind:

- materials and colours chosen;
- the block pattern used.

The Design Review suggested that the approach to cladding should be simplified; after discussion the preferred route for this is:

- to use the same materials but to simplify the manner in which they are used;
- to limit the area of grey brick to that behind restaurant 7;
- the remainder should be treated as for the leisure box with copper colour mix cladding.

Another point is that the range of colours shown on the materials board for material 8 – the cladding - does not really match the copper colour shown on all the rendered drawings. It would be preferable to have a mix of colours which more closely match that shown on the rendered drawings; the range chosen is too muddy and will look very dull.

Glazing to restaurant units 3, 7 and 9: the issue here is whether the upper floors of the building should be rooted more directly to the ground, as for restaurant unit 10. There are two clear reasons for doing this:

- to allow the buildings to meet the ground with a solid material rather than appear to float above the glass ground floor;
- to allow some continuous vertical lines from the roof line down to the ground which would add some strength to the buildings and would emphasise the vertical rhythms set up by the strong gables along the roof line which has all but disappeared by the time the buildings meet the ground.

It is suggested that the solid areas be brought down on units 3 and 7 in line with the end of the first bay (end of the half gable) and that for restaurant unit 9 in line with the centre line of a revised 3 bay roofline or two verticals in line with the two points where the bays join.

Additional points: the off set blocks on restaurant unit 9 create a messy and cluttered elevation which has no vertical lines to speak of. It is suggested that the first and second floor elevations should be simplified and a vertical pattern reflecting the gables be adopted. This would allow the complex elevation of the listed building to be celebrated without competition from this poorly conceived elevation.

It would be preferable to go for a 'less is more' approach along the High Street; at the moment the buildings are all trying too hard to compete with one another and do not create a very coherent whole. A little simplification would remove some of the competing elements and still allow the variation needed to be retained.

Heritage Issues: the applicants were asked to provide additional justification for the loss of the locally listed buildings (Nos 37, 39, 41 and 41A High Street) and the loss of some fabric to the listed building (Nos 63-65 High Street) and the impact on its setting. Additional information has now been submitted and elaborates on the extent of the public benefit to be achieved from the scheme. The benefits set out show clear improvements in terms of social and economic areas but it is not so clear in terms of the environmental benefits, which includes the built environment. Generally it can be shown from the visual assessment that there is an overall improvement, but, as set out above, there are some areas where there could be further improvement. It is our view that the changes required would not impact on the viability of the scheme and would bring additional environmental benefits in terms of the quality of the new buildings. This would allow a stronger case to be made for the public benefit in terms of the loss and damage to designated and undesignated heritage assets.

If these changes can be made we will have a scheme to be proud of; at present the scheme falls short of the standards required in townscape terms to justify the impact on the townscape and heritage of the town and to provide a high quality development which will signal a new era for the town centre.

Community Involvement

A public exhibition of the proposed scheme was held in the *intu Watford* centre on 19th and 20th July 2013. This was preceded by the distribution of a leaflet/questionnaire to 5,666 households and 944 local businesses on 15th July 2013 in addition to key stakeholders including Charter Place and *intu Watford* tenants, amenity groups and elected officials. A website was also created to allow the proposals to be viewed and commented on online. The exhibition was attended by 632 members of the public. By 3rd August (the closing date for responses) a total of 427 completed questionnaires had been received (236 leaflets and 191 online).

In response to the question 'Do you think Charter Place needs to change?', 91% of respondents were in favour. In response to the question 'Are you in favour of our proposals for new shops and leisure facilities at Charter Place?', again 91% were in favour.

Shape East Design Panel Review

The proposed development was reviewed by the Shape East Design Panel on 14th October 2013. This review included a visit to the site and a presentation of the scheme by the applicant's architects. Extracts from the review are given below:

Summary

The existing Harlequin Centre [*Charter Place*] has a number of serious deficiencies and the Panel recognises the need for redevelopment with a more intensive scheme. We think the scale of the development is acceptable and that the proposed scheme is generally sound. We also support the strategy of mixed uses including leisure that will help the vitality of the town centre.

We have three main observations. We think the important pedestrian route between Beechen Grove and the High Street has been underplayed and more could be done to make this an inviting thoroughfare, both day and night. Secondly, we consider that the architectural treatment of the High Street frontage needs further thought and possibly simplification, reinforcing the intrinsic character of the street rather than copying some of its superficial attributes. Lastly, we would like to see the public realm being given more attention so that the new development seamlessly integrates with the High Street, helping to stimulate a wide range of outdoor uses and activities that can support the life of the town.

Design principles, uses, scale and massing

The principle of mixed use development in this location is sound The High Street is the most sensitive location but the stepping back of the upper floors will help assimilate the extra height. Whilst we acknowledge the development will change the urban form

adjacent to the High Street, we do not believe these changes will be detrimental to the form and function of the street. The plan is rational but we question whether the indoor market, much reduced from its present size and rather awkwardly shaped, will be able to operate satisfactorily in the allocated space.

Other considerations

We welcome the aspiration for high performance, adaptable units but we think the development overall could be more ambitious in its sustainability targets. We ... commend the proposed Green Building Guide for tenants. We are not persuaded by the architectural approach to the High Street, which at the moment draws heavily on various historicist motifs and risks appearing rather contrived. In this respect, we find the more cubic form of the southernmost building ("restaurant 10") more appropriate to its context than the more random cluster of gables that flank the main entrance."

Higher up, there is a case for treating the walls of the multiplex much more simply: the subdivision of the wall into multi-coloured panels creates an unduly restless appearance. The glazed canopy over the central space could be elegant and dramatic, as could the first floor walkways and balustrades, but in both cases they call for very well engineered and detailed designs with emphasis on how the structure and glazing are resolved.

In response to the Design Review, your officers have requested a number of design changes to the scheme, specifically relating to the design of restaurant units 3, 7 and 9 and the treatment of the high level façade of the cinema unit fronting High Street. At the time of writing this report, amended drawings incorporating these changes have not been received. The report has therefore been written on the basis that the requested amendments will be received by the time of the Committee meeting.

APPRAISAL

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

- (a) the *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.

Environmental Impact Assessment Screening Opinion

Two screening opinions have been issued by the Council, dated 6th December 2012 and 4th September 2013. The latter opinion relates to the submitted scheme which differs from the scheme assessed in December 2012.

The development constitutes an urban infrastructure project within Schedule 2, Class 10(b) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and involves the development of a site exceeding 0.5 hectares within an urban area. The proposal therefore falls within Schedule 2 of the Regulations and was therefore considered against the criteria in Schedule 3.

Having regard to the criteria in Schedule 3 and the provisions of Circular 2/99 it was concluded that an Environmental Impact Assessment was required in this case. The Council’s reasoning for this conclusion was as follows:

- The proposal is of a nature and scale that is similar to the existing use of the land and is not considered to be of more than local significance.

- The proposal is not considered likely to have any significant environmental impacts in the vicinity of the site or the wider area.
- The proposal will not incorporate any industrial or potentially harmful processes.
- The site does not incorporate any environmentally sensitive land and is not considered likely to support any protected species.
- The site is not within a conservation area and is not considered likely to contain remains of archaeological interest.

Land allocation

On the Proposals Map of the Watford District Plan the site is located within the prime retail frontage of the town centre. In the Core Strategy it is located within the primary shopping area of the Town Centre Special Policy Area (SPA1). The objectives of the Town Centre SPA are to strengthen and consolidate Watford's position as a regional centre in the retail hierarchy; seek a more balanced provision of town centre facilities and infrastructure, including retail, leisure, entertainment and other town centre uses; seek access improvements for people of all ages, interest and backgrounds; redevelop the existing shopping centre at Charter Place to achieve a net gain in retail floorspace in the order of 10,000m and to create a modern, balanced retail offer for the town centre; and deliver around 3,300-4,200 additional jobs in the wider town centre area.

The Charter Place Planning Brief was adopted in 2006 and sets out key planning and development principles for the site. It should be noted that the Brief covers an area larger than the current application site (principally, the inclusion of properties at 27-35, High Street and 2-16, Clarendon Road which are not part of the application site). The key planning and development principles can be summarised as follows:

- New retail floorspace, re-provision of covered market, cinema, improved "town square" and public spaces.
- No additional car parking provision.
- Improved accessibility, new pedestrian access from Clarendon Road, enhance YMCA entrance, cycle and motorcycle parking provision, servicing from basement.

- Improved bus facilities, contribution to Urban Traffic Control and Information System, environmental improvements to Ring Road, promoting Green Travel Plan, contributing to achieving sustainable transport objectives.
- Retention of town centre CCTV control room facility.
- Full public access to Charter Place (not enclosed mall).
- Reprovision of public toilets.
- Retention of Women's Centre.
- Detailed design appraisal.

Principle of development

The proposed development, comprising new and improved Class A1 retail, Class A3 restaurant and Class D2 leisure uses, within the primary shopping area of the town centre is fully in accordance with the NPPF, the policies of the Core Strategy and the Charter Place Planning Brief.

All of the proposed uses are main town centre uses as defined in the NPPF and should, accordingly, be directed to town centre sites first. In the Core Strategy, Policy SPA1 states that the redevelopment of Charter Place is a key objective in order to strengthen and consolidate Watford's position as a regional shopping centre, which should deliver an additional 10,000m² of retail floorspace, as well as a multi-screen cinema, new restaurants, an indoor market and a refurbishment of Palace Charter car park. This also accords with the objectives of other policies, such as TLC1, to achieve a 'family friendly' town centre.

The development will make a very significant contribution to the identified needs for additional retail floorspace in the town, updated in 2012 to a figure of 18,035m² by 2020/21. The proposal will deliver 55% of this floorspace by 2017. It will also contribute significantly to meeting the identified need for additional leisure and restaurant floorspace set out in the Core Strategy; fully meeting the need for a new 9 screen cinema by 2025 (delivered by 2017); delivering a 1,973m² leisure unit (by 2017) towards meeting the strong sector growth forecast in leisure (30%) and health and fitness to 2025; and

delivering 10 new restaurants towards meeting the strong sector growth forecast in restaurants (43%) to 2025.

The proposal also achieves many of the key planning and development principles set out in the Charter Place Planning Brief:-

- i) *New retail floorspace, reprovision of covered market, cinema, improved “town square” and public spaces* – These objectives will be achieved. A new, smaller covered market will be provided off Grove Walk to complement the outdoor market the Council is proposing to provide to the rear of the TJ Hughes site.
- ii) *No additional car parking provision* – This objective is met.
- iii) *Improved accessibility, new pedestrian access from Clarendon Road, enhance YMCA entrance, cycle and motorcycle parking provision, servicing from basement* – Pedestrian access from Beechen Grove and the High Street will be improved as will cycle parking provision for employees and visitors. All servicing will continue from the basement. No pedestrian link from Clarendon Road has been provided as it would prove prohibitively expensive and not viable to acquire properties in third party ownership with no gain in new floorspace. As part of an earlier scheme the formation of a link to Clarendon Road adjacent to The Palace Theatre was proposed. However, on investigation it was found that the change in levels through this part of the site meant that this could not be achieved. No direct works are proposed to the YMCA (which does not form part of the scheme) although the approaches to the entrance through Charter Place and along Grove Walk will be significantly improved.
- iv) *Improved bus facilities, contribution to Urban Traffic Control and Information System, environmental improvements to Ring Road, promoting Green Travel Plan, contributing to achieving sustainable transport objectives* – A number of these improvements have already been undertaken by the County Council. There are no current proposals to undertake environmental improvements to Beechen Grove; however, the proposal does involve a re-cladding of Palace Charter car park which will significantly improve the street scene on Beechen Grove. The applicants will

revise and extend their current Travel Plan to include Charter Place and this will promote sustainable modes of travel to employees and visitors. The Borough Council is also currently working with the County on a review of subways within the Town Centre.

- v) *Retention of town centre CCTV control room facility* – The Council is currently in the process of relocating this facility to the Police Station on Shady Lane.
- vi) *Full public access to Charter Place (not enclosed mall)* – This will be achieved. The main public square in the centre of the development will have a high level glazed roof to give weather protection but the centre will not be enclosed. It will remain accessible 24 hours a day.
- vii) *Reprovision of public toilets* – The existing toilets on Grove Walk are not being reprovided. The *intu Watford* centre has public toilets open during shop trading hours and some of the larger retail units in the development are also likely to have customer toilets. During the evening period, the restaurants, cinema and leisure use will also be required to have customer toilets.
- viii) *Retention of Women's Centre* – This is being retained as existing.
- ix) *Detailed design appraisal* – The scheme has been subject to a formal design appraisal by the South East Regional Design Panel managed by the Kent Architecture Centre.

Impact on vitality and viability of the town centre

The NPPF and the Core Strategy recognise the need for town centres to accommodate a greater diversity of main town centre uses in order to remain vibrant places for people to visit. Although the focus of town centres will remain comparison goods shopping, it is increasingly recognised that the retail market is undergoing significant changes as a result of the growth of online shopping and other factors and that, in order to remain competitive, town centres need to offer a greater range of services and facilities. Prime amongst these are the growing leisure sectors and the increasing demand for restaurants. The recently completed 'Met Quarter' at the junction of High Street and King Street, incorporating 7 new restaurants, has proven to be highly successful and is a good example of the changing demands being placed upon the town centre.

The proposed development will strengthen the town centre's comparison goods offer by replacing the many outdated and poorly configured retail units with new retail units that will meet the demands of successful modern retailers in respect of their size, configuration and quality. The units have been designed using the applicant's extensive knowledge of, and experience in meeting, the needs of modern retailers both at *intu Watford* and their portfolio of shopping centres across the country. The units are aimed at comparison goods retailers who are not yet represented in Watford but who would normally be found in a regional centre such as Watford.

The new restaurant units will meet the growing demand for eating out that is evidenced at the 'Met Quarter' and where demand for the new units was high. As with the comparison goods retailers, there are many national restaurant chains that are not represented in Watford but which are normally found in other regional centres. These units, together with the cinema and the other leisure use (not yet defined), will create a new, family orientated evening economy in the centre of town that will complement the Palace Theatre and the 'Met Quarter' and offer a very real alternative to the nightclub culture that exists in the Café Quarter.

The proposed development will increase significantly the range and choice of retail, leisure and restaurant facilities in the town and will enhance the vitality and viability of Watford as a regional destination. This will help Watford to compete more effectively with other regional centres such as Milton Keynes, Brent Cross and Westfield Shepherd's Bush and improve its national ranking in the retail hierarchy. (Based on one ranking source, Javelin Venuescore, Watford has dropped from 37th in 2008 to 45th in 2013). The Council has recognised for many years the importance of redeveloping the increasingly outdated Charter Place. If the current redevelopment proposal does not take place, not only would Charter Place continue to decline and have an increasingly negative impact on the town centre but the town centre as a whole would not benefit from the investment needed for it to remain a vibrant and competitive centre able to meet the changing needs of the public.

In the context of the changing role of the town centre which the proposed development seeks to address, the proposal is not in accordance with some of the detailed 'saved' policies of the Watford District Plan, particularly Policy S5, which seeks to achieve a balance between retail and non-retail uses within the prime retail frontage and maintain the vitality and viability of the town centre. This policy is now outdated, does not reflect the significant changes that are occurring within the town centre and is not strictly applicable to a major redevelopment scheme of this nature, being designed to address changes to individual units. Notwithstanding this, as has been discussed above, it is considered that the proposed development will significantly enhance the vitality and viability of the town centre.

Watford Market

The existing market at Charter Place will be lost as part of the proposed development; the space currently occupied by the market will be refurbished and reconfigured to provide a new retail unit for an anchor store. The proposal will include a partial reprovision of the market in the form of a new indoor market alongside Grove Walk, where the current public toilets/small car park/cycle parking is located. It is anticipated that this will accommodate up to 24 stalls (depending on size) and will be aimed at attracting specialist, niche, independent traders to complement the new retail provision in the proposed development. The remainder of the market is proposed to be relocated to the T J Hughes site, to the side and rear of the existing building, in the form of a partially enclosed market comprising portable units under a roof canopy structure. This will be aimed at more traditional market traders. Together, these two markets will ensure the existing level of market provision is retained in the town centre. A planning application for the new market adjacent to T J Hughes is currently under consideration. This is scheduled to be reported to the Committee on 12th December 2013.

Other economic considerations

In addition to enhancing the vitality and viability of the town centre, the proposed development will generate a number of other direct and indirect economic benefits:-

- Investment of approximately £100 million over two years.
- Up to 500 temporary construction jobs over two years.
- Once completed, the proposed development will provide up to 1,125 additional new jobs in the retail, hospitality and leisure sectors.
- Including existing jobs on the site, the development will provide up to 2,150 jobs in total.
- It is estimated a further 830 “spin-off” jobs will be indirectly supported elsewhere in the region through wage and supplier spending.

Layout and design

A detailed Design and Access Statement has been submitted with the application analysing the context of the site, the constraints and opportunities of the site, its linkages to the town centre and surrounding areas, the requirements of the Planning Brief and how they can be accommodated on the site, and the evolution of the proposed design.

The site is located within the centre of the High Street and comprises the existing Charter Place Shopping Centre, YMCA tower and Palace Charter car park, all built in the 1970s. The predominant facing material is textured brown concrete although significant areas of the shopping centre have been painted white as part of a relatively recent refurbishment. The site is very much of its time and is now looking very outdated. There is a large variation in the scale of buildings both within and adjacent to the site. The YMCA tower is the tallest building in the town centre at 14 storeys, with the adjoining Palace Charter car park 6 storeys high. The shopping centre itself is predominantly 2 storey and the buildings fronting on to High Street are 2 and 3 storeys. These are of generally poor quality with the exception of the listed building at 63-65, High Street and, to a lesser extent, the locally listed buildings at 39-41a, High Street. To the south, the site is adjoined by the *intu Watford* centre which extends up to 8 storeys high with a particularly massive appearance to Beechen Grove.

The site is subject to a number of significant constraints, whilst the objectives of the Planning Brief are challenging. The YMCA tower and Palace Charter car park have to be retained as existing. The *intu Watford* centre adjoining the site along its southern boundary cannot be built over for structural reasons and the buildings to the north fronting High Street and Clarendon Road are in third party ownership and do not form part of the site. The development is also required to maintain the existing access to the YMCA. Although some of the existing rights of way and areas of public highway are to be stopped up, other rights of access need to be retained as does the link between High Street and Beechen Grove via Grove Walk. These constraints have had a significant influence on the layout of the site and, together with the requirements of the Planning Brief, the scale of buildings proposed.

In terms of layout, this is relatively simple. The link from the existing entrance to *intu Watford* across the site to Grove Walk has been maintained with the development focused around a new central public space in essentially the same location as the existing open space. The main change is the closure of the Charter Way access from High Street (although part of this at its western end has to be retained as a limited access to the BHS store) and the provision of only a single access into the site from High Street via a realigned Meeting Alley. This divides the new build elements into 2 blocks, a southern block and a northern block, either side of this new access. A new first floor level walkway will be included within the scheme around the new open space, similar to the existing. This will maintain the direct link at first floor level with the *intu Watford* centre, the Palace Charter car park, the YMCA and the Women's Centre. It will also provide direct access to the cinema and the leisure unit. New escalators will provide access to the new open space at ground floor level. All servicing will continue to take place from the retained basement servicing area.

The most significant changes arising from the proposal relate to the scale and quality of the proposed buildings and the quality of the public realm. The scale of buildings is largely dictated by the quantity of floorspace and range of uses required by the Planning Brief. In order to achieve the required increase in quantity (and quality, to meet modern retailer

requirements) of retail floorspace and the provision of new restaurants, the new development needs to be at least 2 storeys with the inclusion of some mezzanine floorspace and the creation of additional floorspace in the basement. The proposed new buildings fronting the High Street are 2 and 3 storeys, respecting the scale of the retained listed building at No. 63-65 and the adjoining building to the north and south. This means that the cinema can only be accommodated above the retail and restaurant uses, and this is located on the larger, southern block. This takes the development up to 7 storeys and significantly higher than the existing shopping centre and the retained Palace Charter car park. By its very nature, the cinema takes the form of a large solid box which sits above and slightly behind the new High Street buildings. The proposed leisure use is located on the northern block and is of a smaller scale, up to 5 storeys, and the same height as the Palace Charter car park. This also, by its nature, takes the form of a solid box sitting above the retail units.

The overall scale of the proposed buildings in both the southern and northern blocks marks a significant change for this part of the site and this part of the High Street where the existing buildings are no more than 3 storeys high. However, buildings of this scale are not inappropriate for a regional town centre; moreover, they would be in close proximity to the YMCA tower immediately to the rear of the northern block. Furthermore, buildings of a similar scale can already be found in the town centre. One example of a 5 storey building, located on the very edge of the highway, is at 26-34, High Street (with McDonalds and Santander at ground floor) sited opposite the large 4 storey, former TJ Hughes building. This building is a similar scale to the proposed northern block although in this case, the leisure unit which forms the highest part is set back significantly from the highway frontage. In the lower part of the High Street, the significant bulk of Kings car park sits above and behind the two and three storey listed buildings fronting the High Street at this point. This is not a dissimilar relationship to that of the cinema and the 3 storey buildings fronting the High Street in the proposed southern block. It is therefore considered that the overall scale of the proposed buildings in both the southern and northern blocks is not inappropriate, subject to a more detailed assessment of their impact on the wider townscape and on heritage assets.

The most sensitive element of the design is the High Street frontage and this is also where the greatest opportunity exists to make significant improvements to the High Street and the wider town centre. The design approach has been influenced by a number of historic buildings within the High Street that act as significant landmark buildings and are remnants of its historic character; buildings such as nos. 63-65 within the site, the former TJ Hughes building, Monmouth House in The Parade, and the concentration of locally listed buildings around the old market place opposite the site. In order to reflect and complement this historic character, the proposed buildings have been designed as 2 and 3 storey individual buildings with strong gabled features, with the exception to this being the 'pavilion' building sited opposite the listed HSBC bank building. These buildings are to use facing brick or reconstituted stone as their main facing material but will be modern interpretations of historic building forms rather than pastiche copies. The two 'gateway' buildings either side of the new Meeting Alley will also incorporate innovative roof forms comprising terracotta batons in place of traditional roof tiles. This will allow plant and equipment to be accommodated within the 'roof void' whilst still being naturally ventilated and screened from view. These buildings will add a new richness and variety to this part of the town centre but their success will be dependant on the quality of materials used, the patterning of brickwork and the detailed treatment of window reveals and parapets. These details can all be secured by conditions.

The main elements of the cinema and leisure unit will be treated in a different way. Given their scale and form, the approach taken is simply to clad the buildings in a high quality anodised metal cladding. This approach does not try to disguise or hide the scale of the buildings or give them a superficial and false elevation to make them appear as something they are not; instead, it is intended that they will be seen as distinct high quality elements in contrast to the richness and detail of the High Street buildings. The proposed anodised metal cladding will, through its arrangement and installation, create a variation of light across its surface. This approach to the cinema and leisure unit also gives a dramatic effect to the internal open space under the high level glazed roof.

Finally, the existing Palace Charter car park, including the spiral exit ramp, will be clad with the same terracotta batons used for the roof forms of the 'gateway' buildings. These batons will effectively screen the existing brown concrete structure from view whilst maintaining the natural ventilation required to the car park. This will significantly improve the appearance of the car park from the public realm in Beechen Grove and will also add to the visual quality and drama of the new open space within the development.

Overall, it is considered that the proposed development deals with the scale and design of the proposed buildings in an appropriate and positive way, using different design approaches and both traditional and innovative materials to achieve a high quality development that will make a significant contribution to the High Street and create a dramatic new public space in the heart of the town centre.

The proposal is in accordance with the various criteria set out in Policy UD1 including an appropriate response to its context, its legibility and connectivity, safety and inclusive design, and the quality of the buildings and the public realm.

Heritage assets

The site includes a number of designated heritage assets:

Listed building at 63-65, High Street

This is a grade II listed building built in 1889 for the Bucks and Oxon Bank which subsequently became part of Lloyd's Bank. This is a 3 storey building with 4 bay elevation and free Gothic detailing, now painted. The ground floor of the building is currently occupied by Poundworld with the upper two floors occupied by Lloyd's Bank. The listing description refers only to the front façade of the building, the roof and end wall chimneys. Internally, there is no evidence of any original features of architectural or historic interest other than the roof trusses, suggesting significant internal alterations and possible rebuilding in the past. The building is therefore considered to be of medium significance. The proposed development will retain the front façade, roof and end gable walls and chimneys of the building but the remainder of the building will be removed. In the absence

of any original internal features remaining, this will retain the architectural and historic interest of the building.

Locally listed buildings at 39, 41 and 41a, High Street

These properties form a small terrace of two storey buildings in retail use, albeit nos. 39 (formerly Poundland) and 41a (formerly Paperbox) are vacant. No. 41 is occupied by Greggs. These 3 properties form part of a single development constructed in 1922, each with a triple window range at first floor level. The building has been significantly extended and altered to the rear, particularly no.39. All three properties have modern shopfronts at ground floor and have been significantly altered internally, with no visible features of architectural or historic interest, although there is a potential for decorative covings to be concealed by the suspended ceilings. These buildings are therefore considered to be of low significance. The proposed development will result in the loss of these buildings which, given their low significance, is considered acceptable providing the replacement buildings are of a suitably high quality in terms of design and materials. As discussed in the previous section, it is considered that this can be achieved, subject to the final detailing of the buildings and materials being submitted for approval.

Other heritage assets

There are also other designated heritage assets adjacent to the site or in close proximity to the site:

- i) Listed buildings at 58 and 73, High Street, Palace Theatre and St Mary's Church;
- ii) Locally listed buildings at 2, Clarendon Road; 44, 46, 48, 50-52, 54-56, 62-70 and 84, High Street; The One Bell PH;
- iii) St Mary's Conservation Area.

These assets will not be directly affected by the proposed development but the impact on their setting will be assessed in the following section on townscape and visual impacts.

Townscape and visual impacts

In order to assess the impact of the proposed development on the local townscape and the setting of heritage assets a Heritage, Townscape and Visual Impact Assessment has been undertaken, based on objective and subjective assessment techniques. This assessment has considered three main character areas - Charter Place, High Street and St Mary's Conservation Area - and nine views along the High Street and Market Street and from within the St Mary's Conservation Area. Each character area and view has been assessed with regard to the sensitivity to and magnitude of change and whether in each case the proposal is considered to have a positive, negative or neutral effect.

Character Areas

i) Charter Place

Due to its overall poor design quality, the presence of the YMCA tower and Palace Charter car park, general lack of high quality buildings (other than the listed building and, to a lesser extent, the locally listed buildings) and poor public realm, this area is considered to have a low-medium sensitivity to change. The magnitude of change experienced will be high in respect of the extent of change, the scale and quality of new buildings and the quality of the public realm. The scale of buildings proposed is appropriate in the context of the site with a significant improvement in architectural quality and consistency through design and the use of materials. The public realm will also be significantly improved to create a dramatic new public space within the site. Overall, it is considered that the proposal will have a positive impact on this character area.

ii) High Street

The buildings are predominantly 2, 3 and 4 storeys with some remnants of the historic character surviving in the number of listed and locally listed buildings present. However, there are many modern buildings that make no positive contribution to the area and there is little consistency in the design, style or materials of buildings. This character area is considered to have a medium sensitivity to change. The magnitude of change experienced will be high in respect of the replacement of all the existing buildings fronting the High Street with the exception of the listed building at 63-65, High Street. The façade,

gable ends and roof of this building, considered to be the only original elements of significance, will be retained and the setting of the building improved. The locally listed buildings at 39-41a, High Street will be lost but they are considered to be of low significance. The proposed 'pavilion' building opposite HSBC bank steps down in scale and is sympathetic to this listed building, improving its setting. The proposed new buildings will add visual interest and richness to the High Street through their design, use of materials, architectural consistency and quality. Overall, it is considered that the proposal will have a positive impact on this character area.

iii) St Mary's Conservation Area

St Mary's Church is a Grade I listed building and the conservation area also contains two other listed buildings, the Elizabeth Fuller Free School (Grade II*) and the Bedford Almshouses (Grade II) together with 12 Grade II listed tombs. The conservation area also contains a number of locally listed buildings fronting the High Street. As such, this character area has a high sensitivity to change. The conservation area is located to the south of Charter Place on the opposite side of the High Street and no development will directly affect the conservation area. The magnitude of change is therefore low and the proposed development is considered to have a neutral impact on this character area.

Townscape views

Due to the linear nature of the High Street and the limited views towards Charter Place from adjacent roads (principally Market Street), the proposed development will not be widely visible. Views from the east will be screened by the existing YMCA and Palace Charter car park whilst views from the north and south along High Street will be largely screened by existing buildings. For the more significant of the nine views considered, accurate visual representations have been prepared to show the appearance of the proposed development superimposed on the existing view. These are the views where the magnitude of change is considered to be high.

In four of the views (1, 3, 4 and 9) the magnitude of change is low due to distance from the site and the effect of the development is considered to be neutral as a result. In two of the views (5 and 7) closer to the site, the magnitude of change is medium. In view 7, along Market Street, the view of the development will be narrow and largely obscured by existing trees sited in front of 63-65, High Street. The effect on this view is considered to be neutral. In view 5, from outside St Mary's Church, the cinema element will be visible in the middle distance sited above and behind the existing and proposed buildings fronting High Street. It will screen the existing YMCA tower from view and give greater enclosure to the High Street. This change is considered to be beneficial.

In three of the views closest to and directly opposite the site (2, 6 and 8) the magnitude of change is considered to be high. It is from these viewpoints that the extent of change can be more fully appreciated. In each case, the proposed development will transform the view of this part of the High Street adding interest, variety and richness. The 2 and 3 storey buildings will enhance the High Street with the larger cinema and leisure units stepping back behind them. The cinema will be seen at its full height adjacent to the new entrance along Meeting Alley and will form a strong visual landmark at the entrance to the development. The greatest increase in scale occurs at the widest part of the High Street, the former market place, where it can most easily be accommodated and gives a new sense of enclosure to this space. Overall, the change is considered to be beneficial.

Design Review

As paragraph 62 of the National Planning Policy Framework (NPPF) points out, "local planning authorities should have local design review arrangements in place to provide assessment and support to ensure high standards of design". This paragraph concludes with the advice that "in assessing applications, local planning authorities should have regard to the recommendations from the design review panel".

As noted above, the scheme has had the benefit of an external design review, as a result of which a number of amendments to the scheme have been requested in order to simplify and improve certain elements of the design, principally affecting the High Street

elevations. At the time of writing this report, the applicants have not responded to the outcome of the design review, and the submission of amended drawings is still awaited.

Paragraph 64 of the NPPF says that “permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”. Whilst it is not the case that the overall design of the Charter Place proposals is poor, it is clear (from the Urban Design and Conservation comments above) that significant improvements could be made to the High Street elevations by incorporating the suggested amendments.

Transport and highways

A Transport Assessment has been submitted with the application and has been agreed by Hertfordshire County Council as the Highway Authority.

The site, being situated in the middle of the town centre, is highly accessible by sustainable modes of travel. There are 13 bus stops, served by 27 bus routes, within a 5 minute walk of the site on High Street, Market Street, Clarendon Road and Beechen Grove. The applicants are currently undertaking a study with the County Council into the possibility of moving Bus Stop E from High Street but this will not result in any reduction to the accessibility of the town centre. Watford High Street station is located 500m to the south-east (6 minutes walk) and Watford Junction 750m to the north (10 minutes walk) giving access to the town centre via the Abbey Line, London Overground, London Midland, Southern and West Coast Mainline services. This provision will be improved in 2016 with the extension of the London Metropolitan Underground service to Watford High Street and Watford Junction stations.

The town centre is also highly accessible by foot and cycle from large parts of the Borough (acceptable distances being 2km for pedestrians and 5km for cyclists) and the town centre itself is pedestrian and cycle friendly with restricted vehicle access, vehicle free areas and flush surfacing. Public cycle racks are also located throughout the town centre. Pedestrian access to Charter Place will continue to be from Beechen Grove (via

Grove Walk), the *intu Watford* centre, and High Street (via a repositioned Meeting Alley) as existing, although the existing Charter Way route alongside HSBC bank will be closed off as a through route and will give access only to the BHS store. New cycle parking facilities will be provided on Beechen Grove (to replace those lost from Grove Walk) and 82 cycle spaces will also be provided in the basement for employees. These spaces will be monitored by CCTV and on-site management personnel to improve security and safety.

The existing *intu Watford* Travel Plan will be reviewed and extended to include Charter Place, to promote sustainable modes of travel to staff and visitors.

In addition to the potential relocation of Bus Stop E, to reduce clutter and congestion on the High Street, other highway improvements are also proposed. These include footpath resurfacing and de-cluttering on the High Street and Beechen Grove frontages in accordance with the Council's adopted Streetscape Design Guide, improvements to the pedestrian crossing on Beechen Grove, closure of the existing access to the small car park adjacent to Grove Walk (which will be lost to accommodate the new covered market) and minor improvements to the exit from Palace Charter car park. The latter two improvements will facilitate better pedestrian links between Charter Place and the new outdoor market proposed for the TJ Hughes site.

The Transport Assessment includes an assessment of the potential impact of the development on traffic flows on the adjoining highway network and the impact on the existing car park provision. Other than the minor highway improvements referred to above, no other changes to the highway will be undertaken. The existing car park provision will also remain unchanged. Palace Charter car park has 755 spaces forming part of the combined total of 2,811 spaces directly serving *intu Watford* and Charter Place (Kings, Queens, Palace *intu* and Palace Charter). The overall car park provision in the town centre will remain at approximately 5,100 spaces.

The proposed development will increase the Class A1 retail floorspace by 10,291m² as well as providing an increase of 4,052m² of Class A3 restaurant use and 1,973m² of Class D2 cinema/leisure use. Although this represents a 56% increase in retail floorspace compared to the existing Charter Place, it is less than 10% of the existing combined Charter Place and *intu Watford* floorspace of approximately 112,000m². The transport consultants refer to research by other retailers that suggests a 10% increase in floorspace is likely to result in a 2% increase in trips generated. This research suggests that the majority of the additional trade generated is from existing customers staying longer in store and consequently spending more per trip. This is considered to be the most likely outcome from the additional retail floorspace provision. This is supported by other research into the average length of time cars are parked in car parks. The length of time increases proportionately with the size of the shopping centre, with a 10% increase in floorspace equating to a 10% increase in duration of stay.

During the daytime, the additional restaurant provision will tend to result in more 'linked trips' (i.e. use by people who are already in the town centre shopping) and increased dwell time in the town centre rather than new 'primary trips' (i.e. specific journeys not linked to shopping) and the same is likely to be the case for the leisure uses. The restaurant and leisure uses are most likely to generate new 'primary trips' during the evening period when the *intu Watford* centre and most other shops in the town centre are closed. These uses will generate a new evening economy in the central part of the town centre to complement the evening economy of the Café Quarter, the Palace Theatre and existing restaurant provision.

The predicted 2% increase in traffic generation during the daytime, resulting from the increase in retail floorspace, will have no significant impact on the local highway network. Only increases of 5% or more are considered to be significant in highway terms, particularly so if this occurs at peak times. The predicted increased traffic generation during the evening period will occur when the traffic flows are lowest and will not impact on peak time traffic flows.

With regard to car park capacity, parking receipts and the number of parking transactions in the four centre car parks (Kings, Queens, Palace *intu* and Palace Charter) indicate that these car parks operate at well below capacity during a normal week. Only on a busy Saturday are the Kings, Queens and Palace *intu* car parks full or near capacity. Even at this time, Palace Charter retains significant capacity and tends to operate as an overflow car park for the other three. The new development of Charter Place will attract additional parking visits to Palace Charter as it becomes more of a destination and is likely to spread the parking demand more evenly across the four centre car parks. It is predicted that the current spare capacity at Palace Charter would be sufficient to accommodate a 10% increase in trips and a 10% increase in duration of stay. The existing car park capacity of the four centre car parks is therefore considered to be sufficient to meet the parking demand from the proposed Charter Place development.

The existing basement servicing area will be retained and modified as part of the development. Some of the space will be converted into basement level floorspace for the ground floor retail units above whilst retaining full delivery and servicing access to all units in Charter Place as well as some of the High Street units that are currently serviced from the basement. It is proposed that a Delivery and Servicing Plan will be implemented to ensure that all deliveries and servicing is undertaken efficiently and to avoid congestion within the basement area. This will be overseen by on-site management.

Sustainability, energy and waste

Policy SD1 of the Core Strategy expects all new development to comply with the updated national standards on sustainable development as set out in the Code for Sustainable Homes (residential) and BREEAM (non-residential). Policy SD3 requires all development within the Special Policy Areas to exceed the current national standards. These policies were written on the basis of the Government's stated intention that the national standards would become mandatory in its drive to achieve zero-carbon development by 2016. This has not materialised and, consequently, the Council's draft Development Management Policies document, which went out to public consultation on 4th November, now sets out the standards the Council will expect new development to achieve. For non-residential

development within SPAs, this is a BREEAM rating of 'Very Good' and this is the relevant standard that the proposed development of Charter Place should achieve.

The application is accompanied by a design stage BREEAM pre-assessment which sets out how the proposed development is intended to achieve a rating of 'Very Good'. It should be noted that the applicant will only have direct control over those elements of the scheme that comprise the shell and core structure of the development. The individual retail and restaurant units, cinema and leisure use will be fitted out by the individual tenants. This makes a definitive assessment very difficult. However, under the BREEAM assessment scheme there are different mechanisms that can be used for a Shell and Core development. The chosen route of the applicant is to produce a Green Building Guide for Tenants which will set out specific guidance on the measures that the tenants should endeavour to incorporate within their fit-out in order to achieve the credits sought under the assessment. Using this assessment method, the applicants' consultants consider a rating of 'Very Good' can be achieved for the completed development.

An Energy Strategy has also been produced to demonstrate how the proposed development can maximise the use of energy efficiency and energy conservation measures in its design to reduce overall energy demand. Again, this will largely be limited to the shell and core structure of the buildings. In this respect, it is intended that the shell and core structure will incorporate an energy efficient design ('Be Lean' approach) that will target a reduction in CO2 emissions of approximately 9% below the Building Regulations Part L 2010 in order to comply with the proposed Part L 2014 regulations.

Waste management during the construction and operational phases form part of the BREEAM assessment. During the construction phase, a Site Waste Management Plan will be operated with the aims of reducing waste generation, maximising the levels of recycling both on-site, for re-use, and off-site at recycling centres, and minimising the amount of waste sent to landfill. Once the development is operational, all waste and recycling will be managed through a site wide Delivery and Servicing Management Plan. These measures will accord with the requirements of the County Council's Waste Core Strategy and Development Management Policies.

Flood risk and drainage

The site is located within Flood Zone 1, defined as an area which has a low probability of flooding from tidal, fluvial and groundwater sources. The site could be susceptible to surface water flooding along its southern edge (High Street) in extreme rainfall events to a depth of approximately 0.3m. In the northern part of the site (comprising the retained YMCA, Palace Charter car park and the retained retail units) surface water currently discharges northwards, unattenuated, to public sewers in Beechen Grove. This will remain as existing. The southern part of the site, to be redeveloped, discharges to public sewers in High Street. This discharge is currently unattenuated. As part of the redevelopment, a sustainable drainage system will be introduced to reduce these surface water flows. Measures will include a 1,000m² green roof on the roof of the leisure unit and an attenuation tank of approximately 200m³ located beneath the new Meeting Alley footpath. These measures will attenuate the flows from 50 litres per second to 25 litres per second. This sustainable drainage system has been agreed in principle with the Environment Agency, subject to final detailed design.

Noise impacts

The development is to be registered with the Considerate Constructors Scheme and will be managed in accordance with this Scheme. This, together with the normal restrictions on the hours of construction work, will help to minimise any adverse noise impacts on adjoining commercial properties and nearby residential properties within the town centre. An Environmental Noise Survey has been submitted with the application that establishes the background noise levels within the town centre. This will be used to inform the specification of externally mounted plant and equipment to ensure background noise levels do not increase significantly as a result of the proposal.

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.

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 and/or the County Council 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 contribution sought in the case of this application is £100,000 towards the improvement of the public realm in High Street. The Council is currently undertaking public realm improvement works in The Parade to the north of the site. The County Council are also due to undertake improvement works in Clarendon Road between Beechen Grove and High Street in the near future. As part of the application proposal, the footway on High Street adjoining the site will be improved. The proposed contribution will enable improvement works to be undertaken in High Street between the site and The Parade/Clarendon Road to the north, linking these works together, and also to enable improvement works on the opposite side of High Street. This will ensure a continuity of works and a consistent level of quality within this part of the High Street.

Conclusion

The existing Charter Place Shopping Centre is now outdated by modern retail standards and, as it is, will continue to decline. It will increasingly have a detrimental impact on the vitality and viability of the town centre and provide a poor quality visitor experience. The application comprises a comprehensive redevelopment of Charter Place to provide a modern centre with new retail floorspace and a mix of restaurant and leisure uses that will significantly enhance the vitality and viability of the town centre and the public realm. It secures many of the key objectives of the adopted Charter Place Planning Brief and accords with the policies of the Core Strategy and the National Planning Policy Framework. Following a formal design review of the scheme by the Shape East Design Panel, a number of amendments to the scheme have been requested to simplify and improve certain elements of the design. At the time of writing this report, the submission of amended drawings is still awaited.

HUMAN RIGHTS IMPLICATIONS

The grant of permission, subject to a planning obligation and conditions, will have an impact on the human rights of the applicant to develop the land. However, this is considered justified in order to protect the human rights of third parties and to accord with the policies of the development plan. With appropriate conditions, it is not considered that any impacts on third parties will be sufficient to override the human rights of the applicant in this instance.

RECOMMENDATIONS

Three recommendations, (A), (B) and (C), are set out below, depending on whether or not satisfactory amended drawings and a completed planning obligation are received.

If satisfactory amended drawings are received by the date of the Committee meeting, then Recommendations (A) and (C) will apply. In the event that satisfactory amended drawings

have not been received by the date of the Committee meeting, then Recommendations (B) and (C) will apply.

- (A) That, subject to acceptable drawings having been received incorporating the requested design changes to the scheme, conditional planning permission be granted subject to the completion of a planning obligation under section 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 a financial payment to the Council of £100,000 towards the cost of environmental improvements in the public realm on High Street, in accordance with Policy SPA1 of the Watford Local Plan Core Strategy 2006-31.

Conditions

Time Limit

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

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

Approved Drawings

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

AP (02) 0999 P02, 1000 P02, 1001 P02, 1002 P01, 1003 P01, 1004 P01,
1150 P01, 1151 P01, 1010 P01, 1011 P01, 1012 P01, 1015 P01

AP (04) 1152 P04, A0249 P04, 0250 P07, 0251 P06, 0252 P07, 0253 P08,
0254 P08, 0255 P08, 0256 P07, 0257 P07

AP (05) 1600 P09, 1601 P05, 1602 P07, 1603 P04

AP (06) 1700 P04, 1701 P01, 1702 P04, 1703 P04

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

Hours of Construction

3. No demolition works or 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, unless otherwise agreed in writing by the Local Planning Authority. This shall exclude any internal fit-out works of the individual units by tenants.

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

Considerate Constructors Scheme

4. The construction of the development shall be registered with the Considerate Constructors Scheme and shall be carried out in accordance with the requirements of this Scheme at all times.

Reason: To minimise the impacts of construction on the amenities of neighbouring properties, the general public and the wider locality during the time that the development is being constructed.

Construction Method Statement and Phasing Plan

5. No development shall commence until a Construction Method Statement and Phasing Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include the phasing of the development and, for each phase, details of contractors' parking, the delivery and storage of materials, any temporary access/egress points to adjoining highways, and wheel washing facilities. The Plan as approved shall be implemented throughout the construction period.

Reason: To minimise the impacts of construction on the amenities of neighbouring properties, the general public and the wider locality and on the local highway network during the time that the development is being constructed.

Site Waste Management Plan

6. No development shall commence until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan as approved shall be implemented throughout the construction period.

Reason: To ensure measures are in place to minimise waste generation and maximise the on-site and off-site reuse and recycling of waste materials, in accordance with Policy SD4 of the Watford Local Plan Core Strategy 2006-31.

External Materials

7. No construction works shall commence until details of all the materials to be used for the external surfaces and finishes of each of the buildings within the development (new buildings and refurbished existing buildings), the existing Charter Palace car park elevations and the first floor walkways 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.

Waste and Recycling Storage

8. No construction works shall commence until a basement level plan detailing the siting and size of storage facilities for waste and recycling for all of the proposed units within the development has been submitted to and approved in writing by the Local Planning Authority. No unit shall be occupied until these facilities have been provided in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the servicing of the development and the storage and collection of waste and recycling is carried out from the basement wherever possible and in a manner that does not impact on the highway network.

Delivery and Servicing Management Plan

9. No unit within the development shall be occupied until a Delivery and Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be operated in accordance with the approved Plan at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure all deliveries to the units and the servicing of the development is carried out from the basement wherever possible and in a manner that does not impact on the highway network.

BREEAM Assessment and Green Guide for Tenants

10. No construction works shall commence until an Interim (Design Stage) certificate issued by or on behalf of The Building Research Establishment has been submitted to the Local Planning Authority to demonstrate that the shell and core design of the development will achieve a BREEAM 'Very Good' Rating. This shall be supplemented by details of any measures that would need to be secured by the tenant fit out and a mechanism by which these will be secured. The development shall be carried out in accordance with the approved details.

Reason: To ensure the development achieves high standards of sustainability in accordance with Policies SD1 and SD3 of the Watford Local Plan Core Strategy 2006-31.

Sustainable Drainage Scheme

11. No construction works shall commence until details of a sustainable urban drainage system for surface water has been submitted to and approved in writing by the Local Planning Authority. This shall be based upon the measures contained within Section 3 and Appendix F of the Flood Risk Assessment dated September 2013 by Waterman Transport and Development Limited. The development shall only be implemented in accordance with the approved details.

Reason: To ensure that the development mitigates surface water discharges in accordance with Policies SD1, SD2 and SD3 of the Watford Local Plan Core Strategy 2006-31.

Foul Water Impact Assessment and Drainage Strategy

12. No construction works shall commence until an impact study to assess the impact of the development on foul water flows on the sewerage network has been undertaken and a drainage strategy, based upon the findings of this study and incorporating any additional on or off-site infrastructure necessary to provide the required capacity, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved drainage strategy has been undertaken in full.

Reason: To ensure adequate foul sewer capacity exists to serve the development and does not result in flooding from the sewerage network.

Impact Piling

13. No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage and other infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. All piling shall be undertaken in accordance with the terms of the approved piling method statement.

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

Shop front Design

14. No shop front shall be installed on any retail unit within the development (new buildings or refurbished existing buildings), the cinema or the leisure unit until a detailed shop front design guide has been submitted to and approved in writing by the Local Planning Authority. The shop front design guide shall include details of materials, signage zones, lighting, windows and

doors. All shop fronts to the retail units, cinema and leisure unit shall be installed in accordance with the approved design guide and shall be retained at all times, unless otherwise agreed in writing by the Local Planning Authority.

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

15. No shop front shall be installed on any restaurant unit within the development or any unit fronting on to High Street until the details of the design and materials of the shop front and the signage zone has been submitted to and approved in writing by the Local Planning Authority. The shop front shall only be installed in accordance with the approved details and shall be retained at all times, unless otherwise agreed in writing by the Local Planning Authority.

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

Hard Landscaping and Street Furniture

16. Within 12 months of the commencement of construction works, a hard landscaping and street furniture scheme for all areas within the public realm, based upon the Council's adopted Streetscape Design Guide, shall be submitted to the Local Planning Authority. This shall include samples of the materials to be used for all pedestrian routes, public squares and areas of public highway at ground and first floor level and details of all street furniture to be used. No hard landscaping works shall be carried out until a scheme has been approved in writing by the Local Planning Authority. The

development shall only be implemented in accordance with the approved scheme.

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

Lighting Scheme (buildings and spaces)

17. Within 12 months of the commencement of construction works, a comprehensive lighting scheme for the development (to include the new and existing buildings, the existing car park elevations, the pedestrian routes at ground and first floor levels and the new public spaces), shall be submitted to the Local Planning Authority. No lighting works shall be carried out until a scheme has been approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved scheme.

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.

Detailed drawings of buildings

18. No construction works shall commence until detailed drawings of each of the proposed new buildings have been submitted to and approved in writing by the Local Planning Authority. These drawings shall show relevant extracts of each building at a scale of 1:20 of the detailing of the buildings (i.e. window reveals, treatment of gables and parapets, brickwork patterns, etc.). The development shall only be constructed in accordance with the approved details.

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

Details of Grove Walk elevations

19. Within 12 months of the commencement of construction works, detailed drawings of the elevations to Grove Walk pedestrian walkway (to include details of shop fronts and all other treatments to the elevations, and materials) and the underside of the roof (to include any cladding, materials and lighting), shall be submitted to the Local Planning Authority. No works shall be carried out until details have been approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved details.

Reason: To ensure this pedestrian walkway is of a high quality and provides a visually attractive and safe environment for pedestrians, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

Details of glazed canopy

20. Within 12 months of the commencement of construction works, details of the design and materials of the high level glazed canopy and its supporting structures shall be submitted to the Local Planning Authority. No works relating to the glazed canopy shall be carried out until details have been approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved details.

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

Travel Plan

21. No part of the development shall be occupied until the existing intu Watford Travel Plan has been updated, submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented as approved at all times.

Reason: To promote travel to the site by sustainable transport modes, in accordance with Policy T3 of the Watford Local Plan Core Strategy 2006-31.

Cycle Parking

22. No construction works shall commence until ground level and basement level plans detailing the siting of the proposed cycle parking provision for employees and visitors within the site has been submitted to and approved in writing by the Local Planning Authority. This provision shall comprise a minimum of 40 spaces at ground level for visitors and a minimum of 82 spaces at basement level for employees.

Reason: To encourage travel to the site by cycle for employees and visitors, in accordance with Policy T10 of the Watford District Plan 2000 and Policy T3 of the Watford Local Plan Core Strategy 2006-31.

23. No unit within the development shall be occupied until details of the design of the cycle parking facilities for employees and visitors have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be installed in accordance with the details approved pursuant to Condition 22.

Reason: To encourage travel to the site by cycle for employees and visitors, in accordance with Policy T10 of the Watford District Plan 2000 and Policy T3 of the Watford Local Plan Core Strategy 2006-31.

Off-site highways improvement works

24. No part of the development shall be occupied until the following highway improvement works, as shown in principle on drawing nos. 2013-1325-DWG-205B and 210A (ttp consulting), have been completed:-

- i) Realignment of pedestrian crossing across bus lane on Beechen Grove.
- ii) Improvements to pedestrian crossing on Beechen Grove.
- iii) Improvements to exits from basement and Charter Palace car park.

Reason: To improve pedestrian access and safety to the development and in the interests of highway safety and the free flow of traffic.

Archaeology

25. (a) No works of demolition or construction shall commence until an Archaeological Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of archaeological significance and research questions and the following details:

- i) the programme and methodology of site investigation and recording;
- ii) the programme for post investigation assessment;
- iii) the provision to be made for analysis of the site investigation and recording;
- iv) the provision to be made for publication and dissemination of the analysis and records of the site investigation;
- v) the provision to be made for archive deposition of the analysis and records of the site investigation;
- vi) the nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

- (b) Works of demolition or construction shall only take place in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under (a) above.
- (c) The development shall not be occupied 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 (a) above and the provision made for analysis and publication where appropriate.

Reason: To ensure that any archaeological remains and the buildings of local interest to be demolished are properly recorded, in accordance with Policy UD2 of the Watford Local Plan Core Strategy 2006-31.

External plant noise levels

26. No unit within the development shall be occupied until details of all externally mounted air handling plant serving that unit, including its acoustic performance, have been submitted to and approved in writing by the Local Planning Authority. All such plant, including any associated mitigation measures, shall achieve the noise levels set out in the Environmental Noise Survey Report, reference 19403/ENS1 Revision 2 dated September 2013, unless otherwise agreed in writing by the Local Planning Authority. Before any unit is opened to the public, the plant and any associated mitigation measures shall be installed, and thereafter shall be maintained, in accordance with the details approved by the Local Planning Authority. For the purposes of this condition, a unit shall be construed as including any part of any building to which the public are admitted and that is capable of being occupied independently of any other part and, for the avoidance of doubt, shall include any part used as a restaurant, shop or for leisure purposes.

Reason: To safeguard the amenities and quiet enjoyment of the residential occupiers in the vicinity the development, pursuant to Policy SE22 of the Watford District Plan 2000.

27. No common parts of the development shall be occupied until details of all externally mounted air handling plant serving those parts, including its acoustic performance, have been submitted to and approved in writing by the Local Planning Authority. All such plant, including any associated mitigation measures, shall achieve the noise levels set out in the Environmental Noise Survey Report, reference 19403/ENS1 Revision 2 dated September 2013, unless otherwise agreed in writing by the Local Planning Authority. Before any of the common parts of the development are opened to the public, the plant and any associated mitigation measures relating to that part shall be installed, and thereafter shall be maintained, in accordance with the details approved by the Local Planning Authority. For the purposes of this condition, the common parts of the development shall be construed as including any part of the development to which the public are admitted which do not fall within the definition of "unit" in Condition 26.

Reason: To safeguard the amenities and quiet enjoyment of the residential occupiers in the vicinity the development, pursuant to Policy SE22 of the Watford District Plan 2000.

Noise emission from leisure uses

28. No construction works shall commence until details of the acoustic performance of the building fabric of the cinema and leisure units, demonstrating compliance with the requirements set out in the Environmental Noise Survey Report, reference 19403/ENS1 Revision 2 dated September 2013, have been submitted to and approved in writing by

the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: To safeguard the amenities and quiet enjoyment of residential occupiers in the vicinity the development, pursuant to Policy SE22 of the Watford District Plan 2000.

Fume extraction from restaurant uses

29. Before any restaurant unit is occupied, details of the equipment to be provided for the extraction and filtration of fumes and/or odours produced by cooking and food preparation shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, no fume extraction equipment shall be externally mounted on the vertical facades of any part of the development. Before any restaurant unit is opened to the public, such equipment shall be installed as approved, and thereafter maintained in full working order at all times, in accordance with the details approved by the Local Planning Authority.

Reason: To ensure the equipment is not detrimental to the appearance of the development and to safeguard the amenities of residential occupiers in the vicinity the development, pursuant to Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and Policy S12 of the Watford District Plan 2000.

Palace Charter car park opening hours

30. Palace Charter car park shall open for use by the public at all times during which any retail unit, restaurant unit, the cinema or the leisure unit are open and it shall not be closed to the public until at least one hour after the closure of the last unit within the development.

Reason: To ensure adequate and convenient car parking is available for visitors to the development.

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 environmental improvements in the public realm on High Street.
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.

Drawing numbers

AP (02) 0999 P02, 1000 P02, 1001 P02, 1002 P01, 1003 P01, 1004 P01, 1150 P01, 1151 P01, 1010 P01, 1011 P01, 1012 P01, 1015 P01

AP (04) 1152 P04, A0249 P04, 0250 P07, 0251 P06, 0252 P07, 0253 P08, 0254 P08, 0255 P08, 0256 P07, 0257 P07

AP (05) 1600 P09, 1601 P05, 1602 P07, 1603 P04

AP (06) 1700 P04, 1701 P01, 1702 P04, 1703 P04

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- (B)** In the event that no acceptable drawings incorporating the requested design changes to the scheme have been received by the date of the committee meeting, and subject to 1) acceptable drawings being received by 10th December 2013 and,

2) a section 106 planning obligation being completed by 10th December 2013 in respect of the Heads of Terms set out in Recommendation (A), the Development Management Section Head, in consultation with the Chair of the Committee, be authorised to grant planning permission for this application, in accordance with Recommendation (A).

(C) In the event that 1) no acceptable amended drawings incorporating the requested design changes to the scheme have been received by 10th December 2013 and/or, 2) no section 106 planning obligation has been completed by 10th December 2013 in respect of the Heads of Terms set out in Recommendation (A), the Development Management Section Head be authorised to refuse planning permission for this application for the following reasons:

1. The proposed design of the buildings fronting the High Street, when viewed in conjunction with the treatment of the high level façade of the cinema unit fronting the High Street, is considered to be overly complicated, to lack appropriate rhythm at ground level and to result in a cluttered composition that fails to achieve an appropriate level of design quality for a scheme of this size and importance. As such, the proposal is considered to be contrary to Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and to the provisions of paragraphs 56-58 of the National Planning Policy Framework.

and/or

2. The proposal fails to secure environmental improvements in the public realm on the High Street, in accordance with Policy SPA1 of the Watford Local Plan Core Strategy 2006-31.

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