

PART A

Report of: **DEVELOPMENT MANAGEMENT SECTION HEAD**

Committee date: **28th August 2014**

Site address: **7, 9, 15 Bridle Path**

Reference number: **14/00555/OUTM**

Description of development: **Outline application for a mixed-use development of up to 30 residential units (Class C3) and up to 1,728m² of office floorspace (Class B1a) in a building up to 8 storeys high**

Applicant: **Keay Homes Limited**

Date received: **4th June 2014**

13 week date (major): **3rd September 2014**

Ward: **Central**

SUMMARY

Outline planning permission is sought, with all matters reserved except for access to the site, for a mixed-use development of the site with up to 30 dwellings and 1,728m² of office floorspace (Class B1a) in a building up to 8 storeys high. The application site has an area of 0.085 hectare and is currently occupied by a series of single and two storey workshops.

The site is located in the Town Centre SPA in the Core Strategy and within an allocated employment area (E7a) in the Watford District Plan 2000. These policies identify Clarendon Road/Station Road employment area as a prime office area and development proposals should be for Class B1 office use. The proposed mixed-use scheme will result in an increase in the quantity and quality of office floorspace on the site and will contribute towards providing new employment within the Borough, in accordance with the Core

Strategy. Although the residential element is not strictly in accordance with the land allocation, the scheme remains employment led and is considered to accord with the overall objectives of the Core Strategy.

The submitted illustrative drawings show an 8 storey building at the western end of the site and a 5 storey building at the eastern end, linked by a 2 storey element. Illustrative floorplans show how the proposed number of flats and amount of office floorspace could be accommodated on the site, within a car-free scheme. These drawings allow an assessment of the proposal to be made against the policies of the Core Strategy and the saved policies of the Watford District Plan 2000. Overall, this is considered to be an acceptable level of development for the site.

The applicant has agreed to enter into a Section 106 planning obligation to secure financial contributions towards the provision or improvement of a range of community facilities and services and 35% affordable housing provision, in accordance with the policies of the Core Strategy.

The Development Management Section Head recommends that outline planning permission be granted, subject to the completion of the Section 106 planning obligation and appropriate conditions, as set out in the report.

BACKGROUND

Site and surroundings

The application site has an area of 0.085 hectare and is rectangular in shape, measuring 55m long by 15m wide. It has an east-west orientation with a frontage to Bridle Path at both ends due to the U-shaped layout of Bridle Path. The site is currently occupied by a series of single storey and two storey buildings located along the northern and southern boundaries of the site, with a central access in between. The buildings are used as workshops, principally for car repairs and maintenance.

The immediate area of Bridle Path contains a variety of different commercial buildings. Immediately to the north of the site is the 8 storey Holiday Inn hotel with the 3 storey Clarendon House office building beyond. Immediately to the south of the site is the 2 storey Shire House office building. Beyond this, on the southern side of Bridle Path, are the 2/3 storey office buildings fronting Station Road. Most of these are former detached and semi-detached residential properties that have been converted to office use over many years. To the west are the two, 4/5 storey Egale House office buildings which front St Albans Road. Finally, to the east is Benskin House occupied by The Flag public house. This is a listed building comprising the 3 storey original hotel building facing Watford Junction Station and the 2 storey former stables range fronting Station Road and extending along the eastern side of Bridle Path.

Proposed development

Outline planning permission is sought, with all matters, except for access, reserved for future approval (appearance, landscaping, layout and scale), for a mixed-use development of the site with up to 30 dwellings and 1,728m² of office floorspace (Class B1a) in a building up to 8 storeys high. The development has no car parking provision. Pedestrian access to the building will be from the eastern and western sections of Bridle Path.

Planning history

13/00328/OUTM - Outline planning permission for mixed-use development of up to 78 flats (Class C3) and 585m² of gym (Class D2) in a building up to 9 storeys high with ancillary parking. Application withdrawn.

14/00013/OUTM - Outline application for a mixed use development of 30 residential units as 4 x 2 bed flats, 8 x 1 bed flats and 18 x studio flats (Class C3) and 1,728m² of office space (Class B1) in a building up to 8 storeys high. Application invalid.

Relevant policies

National Planning Policy Framework

- Section 1 Building a strong, competitive economy
- Section 2 Ensuring the vitality of town centres
- Section 4 Promoting sustainable transport
- Section 6 Delivering a wide choice of high quality homes
- Section 7 Requiring good design
- 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 Part 1 - 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
- HS1 Housing Supply and Residential Site Selection
- HS2 Housing Mix
- HS3 Affordable Housing

- EMP1 Economic Development
- EMP2 Employment Land
- 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
- SE27 Flood Prevention
- SE39 Tree and Hedgerow Provision in New Development
- T10 Cycle Parking Standards
- T21 Access and Servicing
- T22 Car Parking Standards
- T24 Residential Development
- T26 Car Free Residential Development
- E1 Employment Areas
- L8 Open Space Provision in Housing Development
- L9 Children's Playspace
- U17 Setting of Conservation Areas

Supplementary Planning Guidance and Supplementary Planning Documents

- SPG6 Internal Space Standards
 - SPG10 Open Space Provision
 - Residential Design Guide Volume 1: Building New Homes (2008)
 - Watford Character of Area Study (2011)
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CONSULTATIONS

Neighbour consultations

Letters were sent to 91 properties in Bridle Path, St Albans Road and Station Road. One letter has been received on behalf of the owners of the adjoining office building at Shire House. The objections can be summarised as follows:

- Proposal represents a serious overdevelopment of the site. Building will dwarf Shire House.
- Building covers 100% of the site and will be difficult to construct and create serious difficulties and inconvenience to the occupiers of Shire House.
- Prime office windows on the rear elevation of Shire House facing the site. The proposed building will be only 3m from the rear elevation resulting in an impact on Right to Light and quality of use.
- Proposed access and egress would compromise the current amenities and access to Shire House.
- Design creates overlooking of Shire House.

Advertisements in local paper/site notices

Four site notices were placed outside the site on 13th June 2014. The application was advertised in the Watford Observer on 20th June 2014.

Statutory consultations

Hertfordshire County Council (Highway Authority)

The Transport Statement states that the proposals are for a car-free development with no vehicles access for the proposed development. In section 6 of the application form indicates that there will be new vehicular and pedestrian access arrangements to the site. The access arrangements shown on Site Plan drawing (ref I4026/006) show there to be a 'Public Highway' area, this will have to be clarified as part of the design checking and

approval process necessary to obtain the Section 278 agreement in order to make changes to the public highway adjoining the site.

Parking: “car-free” developments are likely to result in parking on street which will lead to over-spill on to surrounding residential roads. Nevertheless the development site has good public transport accessibility level. The site is in a Controlled Parking Zone which is a designated area in which all parking places are restricted in order to impact positively on the safety and efficiency of the public highway and protect parking for around the Town Centre.

Planning Obligation: It is the policy of the County and Borough Councils to seek planning obligations to mitigate the effects of development. HCC’s requirements in respect of highways of transport are set out in section 11 of the document ‘Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements)’. Planning obligations so derived would be used on schemes and measures identified in the Southwest Hertfordshire Transport Plan. As an indication of the minimum level that would be sought HCC would require a second strand (pooled) contribution of £11,750. This is based on the rates for 30 flats in accessibility zone 2.

Conclusion: The Site is located in the Town Centre and approximately 600 metre from Watford Junction Station. The development has good connection to passenger transport routes and acceptable walking distance to shops and other local amenities. In this case, “car-free” development would be acceptable. As a consequence Hertfordshire County Council as the Highway Authority does not recommend refusing this application.

Four standard conditions are recommended relating to construction.

Hertfordshire County Council (Property)

I am writing in respect of planning obligations sought towards education, library and fire and rescue services to minimise the impact of development on Hertfordshire County Council Services for the local community. Based on the information received to date for a

development of 30 residential units (comprising 4 x 2-bed flats, 8 x 1-bed flats and 18 studio flats) we would seek financial contributions towards primary and secondary education, nursery education, childcare, youth and library services, together with fire hydrant provision, as set out within HCC's Planning Obligations Toolkit.

When applications are made in outline, HCC's standard approach is to request Table 2 of the Toolkit is referred to and included within any Section 106 deed following identification of service requirements. This approach provides the certainty of identified contribution figures with the flexibility for an applicant/developer to determine the dwelling mix at the reserved matters stage with the financial contribution being calculated accordingly, without the need to enter into a deed of variation in respect of these contributions. This ensures the contributions remain appropriate to the development and thereby meet the third test of Regulation 122 of the Community Infrastructure Levy Regulations 2010: "fairly and reasonably related in scale and kind to the development".

Fire hydrant provision is also sought and should be secured by the standard form of words in a planning obligation.

Thames Water

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. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.

No impact piling shall take place until a piling method statement (detailing the 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.

Environment Agency

We request that the conditions below are added to any planning permission granted. Without these conditions, the proposed development on this site could pose an unacceptable risk to the environment and we would need to object to the application. If you have any queries about this response, please do not hesitate to contact me.

Condition 1

No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the local planning authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A site investigation scheme, based on the submitted *Phase I Desk Study Report* (prepared by: BSP Consulting; dated: 22 March 2013; reference: 13109) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Condition 2

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Condition 3

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Condition 4

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Condition 5

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant

unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Police Architectural Liaison/Crime Prevention Officer

Has given general comments relating to Secured by Design standards.

Environmental Health

Land Contamination

The site has a number of potentially contaminative uses, as such the standard contamination condition would be required should planning permission be granted.

Noise

The position of the proposed development is such that the future residents may be disturbed by noise and/or odour from existing sources. I believe the following conditions could control this and ensure that the residents are not disturbed:

1. Plans will be submitted to and agreed by the local planning authority prior to construction demonstrating that the standard for indoor ambient noise levels for dwellings defined in BS 8233:2014 is achieved in the living rooms and bedrooms of all units in the development. This standard must be met while provisions for rapid cooling and ventilation are functioning.

Any assessment must take into account noise sources including (but not limited to) railway noise and plant in Egale House, the Holiday Inn and The Flag.

2. A ventilation stack was noted on Mitchells & Butlers Training Kitchen, Bridle Path, Watford. Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems published by DEFRA states that flues must not discharge within 20 metres of any building. Plans must be submitted to and agreed by the local planning authority prior to construction demonstrating that the eastern elevation of the development is provided with such ventilation and provision for rapid cooling as to prevent disturbance from odour.

Conservation and Design

The application is in outline form so the elevation and layout details are indicative only.

The two main issues for comment are the impact on the setting of the listed building, The Flag PH, and the proportion of office and residential in an area where employment uses are encouraged.

In terms of the impact on the setting of the listed building, the proposed scheme has been reduced in height towards the building to reduce the impact. It is difficult to tell without views showing the outline of the proposed building superimposed onto the views of the listed building – I am surprised that the heritage statement does not include such images. I have tried to do this myself and feel that generally efforts have been made to reduce the impact on the setting and it is only views such as that shown in image 1.2 of the appendix that the proposed building would impact on the listed building where it would be seen above the roofline of the wing to the main section of the listed building. As the heritage statement notes, the listed building already has an urban back drop but at the moment there is clear sky above the roofline of the building apart from the hotel. The proposed building would fill part of this clear sky to the left of the hotel still leaving clear sky above the remainder; it would be unfortunate for all of the roofline to be subsumed by taller buildings behind it; this would represent a more significant change to the setting but may be difficult to resist if this proposal is permitted. It would be preferable to reduce the height of the residential section of building unless additional information can be supplied to show the quantum can be delivered without filling in the skyline above the roofline of the wing to The Flag.

On this basis it is clear that there will be a negative impact on the setting of the listed building; this would constitute less than substantial harm in terms of the NPPF and should be weighed up against the public benefit of the scheme (para 134). It is difficult to be more precise as we have no clear indication in visual terms from the heritage statement of how the proposed building will impact on the setting (view 1.2). Clearly one of the mitigating arguments regarding quality of the application cannot apply here as this is an outline application.

I am still uncomfortable with an outline approach for a building of this size and where there are issues regarding the setting of a heritage asset. Instinct says that the outline approach being used here is not the right one.

In terms of the proportion of residential floorspace to employment – as submitted there is more employment than residential floorspace (58.7% office to 41.3% residential); generally in what is predominantly an employment area we would expect more office space (as a proportion of the total). The principle of the mixed use is acceptable (check how this compares with other mixed schemes we have approved) and the scheme will provide a net uplift in employment floor space.

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 Part 1 - 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*.

Land allocation

On the Proposals Map of the Watford District Plan the site is located within Employment Area E7a (Clarendon Road/Station Road). In the Core Strategy it is located within 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; and deliver around 3,300-4,200 additional jobs in the wider town centre area in the retail, leisure, office and service sectors. Within the wider town centre, Clarendon Road is identified as the focus for office use.

Principle of development

The site is within the wider Town Centre SPA in the Core Strategy and within an allocated employment area (E7a) in the Watford District Plan 2000. The Core Strategy sets out the requirement for the provision of at least 7000 new jobs by 2031 to meet strategic objectives and maintain Watford's role as a regional employment centre.

The GVA Employment Study 2010 (forming part of the evidence base for the Core Strategy) identifies potential demand for up to 90,000sqm of B1a office floorspace to 2031. Even if all existing vacant floorspace was taken up, there would still be a demand for 34,600 sqm of new floorspace. This study also highlights the fact that the quality of floorspace is equally important as the quantity. Clarendon Road/Station Road is identified as needing improvement in the quality of stock to compete effectively and attract occupiers. It is important to have not only the right quality and quantity of floorspace but also the right type of space to meet the future employment needs of the Borough and generate new jobs. As a regional centre, it is important that Watford remains an employment destination and does not become merely a commuter town.

Clarendon Road/Station Road is identified as a prime office location and a focus for new office development within the spatial strategy (Policies SS1 and EMP1) . A major strength is its location and proximity to Watford Junction (sustainable access) and the town centre core (other services). It is important that this area remains the focus for new job creation and that opportunities for this are recognised and taken. Replacing redundant and outdated building stock (such as the buildings currently on the application site) that no longer meets the requirements of modern employers represents a prime opportunity to achieve this. The Council expects approximately 3,300-4,200 new jobs to be created within the wider town centre area. Any development proposals in Clarendon Road/Station

Road employment area will therefore need to demonstrate clearly that they will contribute to growth in employment in the medium and longer term to 2031.

The office element of the proposed mixed-use scheme is in accordance with the employment land allocation of the Watford District Plan and the wider employment objectives of the Core Strategy. It will increase not only the quantity of office floorspace on the site but also the quality, delivering modern, high quality floorspace to replace the current out-dated floorspace. However, the residential element of the proposed scheme is not strictly in accordance with either the land allocation or the Core Strategy, where the focus is on employment generating uses in Clarendon Road/Station Road employment area and office uses in particular. The inclusion of the residential element in the scheme therefore needs careful consideration.

The site is within the wider town centre area where an element of new residential development is considered appropriate and is expected (Policy SS1). However, any residential development that is provided must not undermine the key objectives of the Core Strategy and the Town Centre SPA to deliver the range of town centre uses and facilities necessary to consolidate and strengthen Watford's position as a regional centre and a significant number of additional jobs. In this respect, the Council's Employment Market Assessment (which also forms part of the evidence base for the Core Strategy) acknowledges that demand for office space in Watford has been reduced in recent years, in part due to the change in demand for large scale office buildings and also the difficult economic conditions. As a result, funding for large, speculative office buildings is very difficult to secure.

The proposed mixed-use scheme for the application site will ensure that new employment opportunities are still provided and that the overall scheme remains employment led, whilst the residential element will help to secure funding and make efficient use of the land. The residential element is compatible with the office use within the scheme as well as the office and hotel uses adjoining the site. In conclusion, it is considered that the proposal does accord with the overall objectives of the Core Strategy.

Layout and design

The site is relatively small and rectangular in shape with a frontage to Bridle Path at its eastern and western ends. The proposed building covers 100% of the site area with a new frontage to Bridle Path at each end. At its western end the building has 8 storeys of accommodation and is a similar height to the adjacent Holiday Inn building to the north and the Egale House office buildings to the west fronting St Albans Road. The ground and first floor is proposed as office use with the upper 6 floors for residential use. At its eastern end, the building has 5 storeys of accommodation, all for office use, with the top storey set back from the frontage. This element of the building is lower in order to reflect the lower scale of the listed Benskin House, occupied by The Flag public house, to the east. In between these two elements, the central section of the building is 2 storeys high, both for office use. Overall, the scale of the building is considered appropriate for this location, subject to a more detailed assessment of its impact on adjoining buildings.

As the application is in outline with appearance a reserved matter, the actual design of the building is not for approval at this stage. However, an illustrative design has been submitted which shows the applicant's current intentions for the building. Due to the narrow width of the site, the building has a strong vertical emphasis with the windows shown to be arranged in 3 vertical columns on both the western and eastern elevations. The different uses within the building can be distinguished by the different window designs, with the office windows being pairs of narrow vertical windows and the windows to the flats being horizontal windows. The indicative materials are brick and render. This is considered to be an acceptable design approach for the site.

Townscape and visual impacts

The immediate area of Bridle Path contains a variety of different commercial buildings. These vary in scale from single storey to 8 storey. The 8 storey element at the western end of the site will be seen in the context of the 8 storey Holiday Inn and the 4/5 storey office buildings of Egale House. It will also close off the view between the two Egale House buildings from St Albans Road and form a new frontage to Bridle Path. In this

context, the proposed building will have a limited but positive impact on the streetscene of St Albans Road and will enhance the streetscene of Bridle Path. The 5 storey element at the eastern end of the site will primarily be seen as a 4 storey building due to the set back of the top floor. On this eastern side of Bridle Path, this element of the building will be seen in the context of the 2 storey Shire House building and the parking areas to the rear of the Holiday Inn hotel and Benskin House. This section of Bridle Path has a poor streetscene and environment and the proposal will enhance this. The building will have a limited impact on Station Road and Clarendon Road due to it being set back behind existing buildings.

The building will also be visible in some more distant views of the site, principally from the south. From the north, views of the building will be screened by the existing Egale House and Holiday Inn buildings. From the south, the building will be visible, from limited vantage points, from St Albans Road, Station Road, Clarendon Road and Woodford Road. In each case, the building will be seen alongside the existing Holiday Inn and Egale House buildings. In this context, the building will sit comfortably alongside these buildings as part of a cluster of taller buildings and will not appear unduly prominent or overbearing in these views.

Heritage assets

There are no heritage assets on the application site but the site is in close proximity to the listed building of Benskin House to the east. This has a grade II listing and comprises the 3 storey former hotel building facing Watford Junction station and the 2 storey former stables range fronting Station Road and extending along Bridle Path to the rear, although the listing description refers only to the 3 storey former hotel building. The site also includes an open car park at the rear, accessed off Bridle Path, opposite the eastern end of the application site.

The closest part of the proposed building to the listed building is the office element at the eastern end of the site. This is sited only 13m from the 2 storey stable block at its closest point. This will change the immediate setting of the listed building although the 2 storey

Shire House (with mansard roof) adjoining the application site is only 8m away at its closest point. The proposed building will face directly towards the open rear car park. The stable block is the less important part of the listed building and is not referred to in the listing description. Its setting and context is very different to that of the main 3 storey building.

The main listed building, the former hotel, is sited 64m to the south-east of the application site with the 2 storey stable range sited in between. Views of this building are principally from Station Road, its junction with Clarendon Road and from Woodford Road to the east. In each of these views, the listed building is seen in the context of taller buildings. To the front, adjacent to the building, is the Iveco House building sited above Watford Junction station. It is part 6 storeys, part 9 storeys in height with a large plant room, and visually dominates the junction of Clarendon Road and Station Road. To the rear, the tall buildings of the Holiday Inn and Egale House form the backdrop to views of the listed building. The proposed building, in particular the 8 storey element, will be an additional tall building within this context, seen alongside the Holiday Inn to the rear of the listed building. The lower 5 storey element will be significantly less visible behind the listed building. In views from Woodford Road and the junction with Clarendon Road, the existing Holiday Inn building is actually screened from view by the main building of Benskin House. As such, it is not considered that the proposed building will have any significant adverse impact on the setting of the listed building. Having regard to the land allocation of the site and the policies of the Core Strategy to encourage higher density development in the town centre and other highly sustainable locations, it is considered that this minor level of harm is outweighed by the benefits of the proposed scheme.

General housing policies

The application site is located within the Town Centre Special Policy Area of the Core Strategy. Policy SS1 states that within the town centre higher density homes will be delivered. The proposal accords with this wider strategic aim and is acceptable.

Although the details of the proposed units are not for approval at this stage, floor plans have been submitted that allow an assessment to be undertaken. The illustrative plans show 20 studio flats, 6 one bed flats and 4 two bed flats. Although schemes would normally comprise primarily one and two bed units with relatively few studio units, there is no objection in principle to studio flats being provided. This is therefore considered to be an acceptable mix of units for a scheme of this nature and accords with aims of Policy HS2 of the Core Strategy. Policy HS3 of the Core Strategy requires 35% of the units to be provided as affordable units. The policy requires these to be provided as a mix of tenures comprising 65% affordable rent, 20% social rent and 15% intermediate tenures. In practice, it is often difficult to achieve this mix, especially within a single block of this nature and where relatively small numbers of units are involved. On a number of other schemes, single tenure affordable housing has been considered acceptable, either as affordable rent or intermediate tenures (shared ownership). For example, on recently approved schemes at 32, Clarendon Road and 36, Clarendon Road, the units were all provided as intermediate tenures. In this case, it is considered acceptable that the required affordable units (11 units if 30 units are to be provided) could be single tenure, either for affordable rent or intermediate tenures.

Policy UD1 of the Core Strategy sets out the design principles for achieving high quality design. There is no reason why these criteria cannot be achieved at detailed design stage.

With regard to internal floor areas, the application was submitted before the adoption of the new Residential Design Guide and the updated standards this contains. The table below shows the illustrative floorareas compared to the minimum standards of SPG6 and the recently adopted (23rd July 2014) Residential Design Guide.

	Proposed (illustrative)	SPG6 (excluding bathrooms and storage)	RDG 2014
Studio	34-36m ²	29.5m ²	37m ²
1 bed (2 person)	50m ²	29.5m ²	50m ²
2 bed (3 person)	68m ²	38m ²	61m ²

The proposed floor areas are significantly in excess of the minimum standards of SPG6. The floor areas of the 1 and 2 bed units meet or exceed the increased standards of the RDG 2014. The studio units are slightly below the RDG standards by 1-3m².

Impacts on adjoining properties

All of the surrounding properties are in commercial use, either as offices or a hotel. As such, the levels of outlook, privacy and natural light are not considered as important as for residential properties. Whilst the proposed building will be directly visible from one of the Egale House office buildings and the Holiday Inn hotel, it will not have any significant adverse impact on these properties. With regard to Shire House, this building has windows on its rear (northern) elevation sited only 3m from the boundary of the site. These windows will suffer a loss of outlook and natural light as a result of the proposal. However, notwithstanding any Right to Light that may apply (which is not a material planning consideration), it is not reasonable for the outlook and light to these windows over the application site to be maintained at the expense of prejudicing the development of the application site.

Residential amenity

The illustrative flats will have adequate internal floor areas to ensure sufficient internal space for future occupiers and acceptable layouts. All of the proposed flats are shown to be in the 8 storey, western element of the building, located at 2nd-7th floor levels above the ground and first floor office floorspace. The studio and 1 bed flats are shown to be single aspect and the 2 bed flats to be multi-aspect. These details may change at reserved matters stage but allow an initial assessment to be made.

The majority of the studio flats will have a western aspect within the main front elevation of the building. The majority of the flats will face between the two Egale House buildings towards St Albans Road. This will ensure good outlook and natural light. The flats at the southern end of this elevation will face one of the Egale House office buildings at a distance of 18.5m. This is less than the 22m minimum normally required for facing

buildings and will mean that these units will have a lower level of outlook, natural light and privacy. However, this relationship occurs across a public highway (Bridle Path) and is not an unusual relationship in this respect. With regards to privacy, the office building has dark tinted glass and those windows directly facing the site are to a main stair core. The offices will also generally be unoccupied during evenings and weekends when the flats will be occupied, thereby ensuring no significant loss of privacy.

The 1 bed flats will have an eastern aspect, looking across the site towards the 5 storey office element at a distance of 16.5m. This is also less than the normal minimum distance of 22m. In this case, the rear (western) elevation of the office element is shown as not containing any windows and will, therefore, not give rise to any loss of privacy. The lower height of the office element will mean that the flats will receive acceptable levels of outlook and natural light.

The 2 bed flats are located within a projecting wing and have windows facing south, east and north. The principal windows face south and are shown to be angled in a south-easterly direction in order to avoid prejudicing the potential development of the adjoining Shire House site. This is acceptable. All of the flats will have adequate levels of outlook, natural light and privacy.

Due to the site being located close to the railway lines (32m to the north-east), all of the proposed flats could potentially suffer noise nuisance from rail traffic. Environmental Health have also identified other potential sources of nuisance from the plant rooms of the adjacent office and hotel buildings (noise) and the kitchens of the public house (odours). Although a noise assessment has been submitted with the application, this is considered to be inadequate and Environmental Health have requested further survey work and analysis to be undertaken and appropriate mitigation measures to be incorporated into the design of the flats. As the application is only in outline, it is appropriate to secure this by condition.

Transportation, access and parking

The site is in a highly accessible location with Watford Junction station and its associated bus interchange located just 130m to the east. This gives access to a wide range of rail and bus services. Further bus services are accessible within the town centre located 800m to the south together with a full range of town centre shops, services and facilities. The site is also easily accessible by foot and cycle. In light of this high level of accessibility and the small site area, the development is proposed to be car-free. This is acceptable in this location.

The proposed flats will need to be excluded from the local controlled parking zone to ensure that future residents will not be entitled to parking permits, thereby preventing any additional on-street parking on the surrounding roads. This will require a payment of £2,000 to cover the costs of varying the local Traffic Regulation Order and will be secured by a Section 106 planning obligation.

The existing site has two vehicular access points from Bridle Path, one at its eastern end and one at its western end. These will be closed off as part of the development and the details can be secured by condition. At the western end of the site, the public highway currently forms an unmade apron between the edge of the carriageway and the site boundary. Adjoining this is an unmade strip of land over which the application site has a right of access. It is proposed that these two areas of land will be resurfaced as part of the proposal. This area is of sufficient size to accommodate a 10m service vehicle which will allow servicing of the offices and residential flats clear of the carriageway.

The development will also be required to make a payment towards the provision or improvement of sustainable transport measures in the Borough, in accordance with Policies T5 and INF1 of the Core Strategy and the County Council's Planning Obligations Toolkit. As the application is in outline, the actual payment will be dependent on the number and size of flats and the amount of office floorspace proposed at reserved matters stage.

Flood risk and drainage

The site is within Flood Zone 1 with minimal risk of flooding from all sources. It is also located within a Source Protection Zone 2, indicating that groundwater beneath the site will directly feed a public drinking water abstraction point. As such, and having regard to the potential for land contamination, the Environment Agency has requested a condition to ensure no infiltration of surface water without the approval of the Local Planning Authority. In order to minimise the risk of flooding post-development, a surface water drainage strategy can be secured by condition.

Sustainability, energy and waste

The site is within Special Policy Area 1 Town Centre and, as such, will be expected to exceed current best practice for sustainable design. The Council's emerging Development Management Policies SPD, which underwent a first stage public consultation in November-December 2013, requires all development within Special Policy Areas to achieve Code Level 4 of the Code for Sustainable Homes for residential development and a BREEAM rating of Very Good for commercial development. Design stage interim certificates and post-construction final certificates to confirm that these levels have been achieved can be secured by condition.

Both the Code for Sustainable Homes and BREEAM assessments have waste management as an integral component and the Council's policies also require adequate bin storage provision for waste and recycling as part of all new development. Separate bin stores for the office and residential elements of the development can be secured by condition. These measures will ensure that the development is of a sustainable construction and will encourage waste to be managed and reduced on site, in accordance with the policies of the County Council's Waste Core Strategy and Development Management Policies.

Open space and children's play space

The site is unable to provide any open space or children's playspace due to the 100% site coverage and the high density nature of the proposal. The site lies within an area of deficit

of open space on the Proposals Map of the Watford District Plan 2000 and is not within 200m of a children's play area. As such, financial contributions are sought of £2,472 per unit for open space and £985 per unit of 2 or more bedrooms, in accordance with policies L8 and L9 of the District Plan and the contributions set out in SPG 10.

Planning obligation

The development proposed in this application is one where, in accordance with Policy INF1 of the Watford Local Plan Core Strategy, the Council will normally require the applicant to enter into a planning obligation to provide contributions towards the provision or improvement of community facilities and infrastructure. Under Regulation 122 of the Community Infrastructure Levy Regulations 2010, where a decision is made which results in planning permission being granted for development, a planning obligation may only constitute a reason for granting planning permission for that development if the obligation is:

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

Policies T3, T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31 and saved policies H10, L8 and L9 of the Watford District Plan 2000, together with *SPG 10: Open Space Provision*, recognise that cumulative small developments within the urban area of Watford can produce significant additional demands for services and facilities in the same way that a smaller number of larger developments would. However, unlike larger developments which can often accommodate some provision of these services and facilities within the site, smaller developments are clearly unable to do so and it would be unreasonable to expect them to. It is therefore reasonable to expect the applicant in such cases to make a financial contribution towards improved services and facilities within the Borough.

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

The Council's approach to seeking financial contributions by means of a planning obligation is fully in accordance with the advice set out in paragraphs 203 to 205 of the National Planning Policy Framework. In each case, the contributions received are pooled together in order to accumulate sufficient funds for the Council and 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.

As the application is in outline at this stage, the actual contributions relating to the proposed development will be calculated at reserved matters stage having regard to the number and size of dwellings, in accordance with the Hertfordshire County Council's Planning Obligations Toolkit (adopted January 2008) and the relevant policies of the Watford Local Plan Core Strategy 2006-31 and Watford District Plan 2000. As such, the contributions will be directly related to the proposed development, will be fairly and reasonably related in scale and kind to that development and will be necessary to make the development acceptable in relation to those policies. Accordingly, the requirement for such contributions meets the tests in Regulation 122 of the Community Infrastructure Regulations 2010 and, consequently, the planning obligation can be taken into account as a material planning consideration in the determination of the application.

The scheme will also need to secure the provision of necessary fire hydrants, as required, to serve the development.

Consideration of objections received

Objections	Officer's response
<p>Proposal represents a serious overdevelopment of the site. Building will dwarf Shire House.</p>	<p>The proposed building is of a similar scale to surrounding buildings, including Egale House and the Holiday Inn.</p>
<p>Building covers 100% of the site and will be difficult to construct and create serious difficulties and inconvenience to the occupiers of Shire House.</p>	<p>Other buildings cover 100% of their site, this is not in itself inappropriate. Construction matters are not a material planning consideration.</p>
<p>Prime office windows on the rear elevation of Shire House facing the site. The proposed building will be only 3m from the rear elevation resulting in an impact on Right to Light and quality of use.</p>	<p>Right to Light is a private matter. Any windows overlooking the site should not prejudice the development of the site. None of the windows are to residential units.</p>
<p>Proposed access and egress would compromise the current amenities and access to Shire House.</p>	<p>The proposed development is car-free and has no vehicular access. The access and amenities of Shire House will not therefore be compromised by the proposal.</p>
<p>Design creates overlooking of Shire House.</p>	<p>Some overlooking of Shire House will occur but as this is in office use, it is not considered that this will give rise to any harm.</p>

Conclusion

The office element will result in the provision of new office floorspace on the site and will contribute towards providing new employment within the Borough, in accordance with the Core Strategy. Although the residential element is not strictly in accordance with the land allocation, the scheme remains employment led and is considered to accord with the overall objectives of the Core Strategy.

The submitted illustrative drawings show an 8 storey building at the western end of the site and a 5 storey building at the eastern end, linked by a 2 storey element. Illustrative floorplans show how the proposed number of flats and amount of office floorspace could be accommodated on the site, within a car-free scheme. These drawings allow an assessment of the proposal to be made against the policies of the Core Strategy and the saved policies of the Watford District Plan 2000. Overall, this is considered to be an acceptable level of development for the site.

HUMAN RIGHTS IMPLICATIONS

The Local Planning Authority is justified in interfering with the applicant's Human Rights in order to alleviate any adverse effect on adjoining properties and their occupiers and on general public amenity.

RECOMMENDATIONS

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

Section 106 Heads of Terms

- i) To secure financial payments to the Council of:
 - a) A payment of £2,472 (index linked) per dwelling towards the provision and improvement of open space in the Borough in accordance with Policy L8 of the Watford District Plan 2000;
 - b) A payment of £985 (index linked) per dwelling of 2 or more bedrooms towards the provision and improvement of children's play space in the Borough in accordance with Policy L9 of the Watford District Plan 2000;
 - b) £350 towards the monitoring of the agreement.

- ii) To secure financial payments to the County Council based upon the charges in Table 1 and Table 2 of 'Planning Obligations Guidance – Toolkit for Hertfordshire' (January 2008) as follows:
 - a) A payment (index linked) based upon Table 1 towards the implementation of the South West Hertfordshire Transport Strategy and sustainable transport measures in Watford in accordance with Policies T3, T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31;
 - b) A payment (index linked) based upon Table 2 towards the provision of secondary education facilities for Watford in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and Policy H10 of the Watford District Plan 2000;
 - c) A payment (index linked) based upon Table 2 towards the provision of primary education facilities for Watford in accordance with Policy INF1 of the

Watford Local Plan Core Strategy 2006-31 and Policy H10 of the Watford District Plan 2000;

- d) A payment (index linked) based upon Table 2 towards the provision of nursery education facilities for Watford in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and Policy H10 of the Watford District Plan 2000;
 - e) A payment (index linked) based upon Table 2 towards the provision of youth facilities for Watford in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and Policy H10 of the Watford District Plan 2000;
 - f) A payment (index linked) based upon Table 2 towards the provision of childcare facilities for Watford in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and Policy H10 of the Watford District Plan 2000;
 - g) A payment (index linked) based upon Table 2 towards the provision of library facilities for Watford in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and Policy H10 of the Watford District Plan 2000.
- iii) To secure the provision of 35% of the dwellings as affordable dwellings, which shall be for affordable rent and/or for intermediate tenures, in accordance with Policy HS3 of the Watford Local Plan Core Strategy 2006-31.
- iv) To secure the provision of necessary fire hydrants as required to serve the development.

Conditions

1. Approval of the details of the appearance, landscaping, layout and scale (hereinafter called the 'reserved matters') shall be obtained from the Local Planning Authority before any development commences.

Reason: To comply with the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

2. Application(s) for approval of the 'reserved matters' must be made not later than the expiration of three years from the date of this permission.

The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matter to be approved.

Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

4. No development shall commence until the scheme has been registered with the Considerate Constructors Scheme and a certificate of registration has been submitted to the Local Planning Authority. The construction shall be carried out in accordance with the requirements of this scheme.

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

5. No construction works shall commence until design stage certificates to demonstrate that the proposal will achieve Code Level 4 of the Code for Sustainable Homes (residential element) and BREEAM Very Good (office element) have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until post-completion certificates, to certify that the respective Code Level 4 and BREEAM Very Good standards have been achieved, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To accord with Policies SD1, SD2 and SD3 of the Watford Local Plan Core Strategy 2013.

6. No development shall commence until detailed plans showing the existing and proposed ground levels within the site, the floor levels of each storey and the heights of the proposed building have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure that the proposed buildings and any other changes in level on the site maintain a satisfactory relationship between the development and existing properties to safeguard the character and appearance of the street and the privacy

and amenities of neighbouring uses in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

7. No development approved by this planning permission shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority:

- (1) A site investigation scheme, based on the submitted *Phase I Desk Study Report* (prepared by: BSP Consulting; dated: 22 March 2013; reference: 13109) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- (2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- (3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components shall require the express written approval of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: The development site itself and the surrounding area have included a number of potentially contaminative land uses over a number of years, including gas works, saw mills, railways works and car servicing. These uses may have lead to contamination of the site. The site is located in a Source Protection Zone 2, indicating that groundwater beneath the site will directly feed a public drinking water

abstraction point. It is therefore critical that any contamination is adequately characterised and remediated so that it does not pose a risk to this groundwater resource.

8. No part of the development hereby permitted shall be occupied until a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: The development site itself and the surrounding area have included a number of potentially contaminative land uses over a number of years, including gas works, saw mills, railways works and car servicing. These uses may have lead to contamination of the site. The site is located in a Source Protection Zone 2, indicating that groundwater beneath the site will directly feed a public drinking water abstraction point. It is therefore critical that any contamination is adequately characterised and remediated so that it does not pose a risk to this groundwater resource.

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

Reason: The development site itself and the surrounding area have included a number of potentially contaminative land uses over a number of years, including gas works, saw mills, railways works and car servicing. These uses may have lead to contamination of the site. The site is located in a Source Protection Zone 2, indicating that groundwater beneath the site will directly feed a public drinking water abstraction point. It is therefore critical that any contamination is adequately characterised and remediated so that it does not pose a risk to this groundwater resource.

10. No infiltration of surface water drainage into the ground shall take place except with the express written approval of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: The development site itself and the surrounding area have included a number of potentially contaminative land uses over a number of years, including gas works, saw mills, railways works and car servicing. These uses may have lead to contamination of the site. The site is located in a Source Protection Zone 2, indicating that groundwater beneath the site will directly feed a public drinking water abstraction point. It is therefore critical that any contamination is adequately characterised and remediated so that it does not pose a risk to this groundwater resource.

11. No piling or the construction of any foundation using penetrative methods shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and a piling methodology) has been submitted to and approved in writing by the Local Planning Authority. The piling method statement shall be designed to minimise the risk of pollution to groundwater and damage to

subsurface sewerage infrastructure. The development shall be carried out in only accordance with the approved details.

Reason: The development site itself and the surrounding area have included a number of potentially contaminative land uses over a number of years, including gas works, saw mills, railways works and car servicing. These uses may have lead to contamination of the site. The site is located in a Source Protection Zone 2, indicating that groundwater beneath the site will directly feed a public drinking water abstraction point. Piling or other penetrative methods can create preferential pathways for existing contamination to affect groundwater resources. Piling may also result in damage to subsurface sewerage infrastructure.

12. No plant or equipment shall be installed on the approved building until an acoustic assessment has been submitted to and approved in writing by the Local Planning Authority which demonstrates that the sound pressure level from the plant or equipment will be at least 10dB below the lowest LA₉₀ (15 minute) noise level measured at 1m from the adjoining residential units when all plant and equipment is operational. The assessment shall include appropriate noise mitigation measures. All plant and equipment shall be installed as approved and no plant or equipment shall be brought into operation until the approved mitigation measures have been installed.

Reason: To ensure the operation of the plant and equipment does not give rise to noise nuisance to the future residential occupiers of the development, in accordance with Policy SE22 of the Watford District Plan 2000.

13. No construction shall commence until an acoustic assessment has been submitted to and approved in writing by the Local Planning Authority which demonstrates that the standard for indoor ambient noise levels for dwellings defined in BS 8233:2014 is achieved in the living rooms and bedrooms of all units within the development. This standard shall be met whilst any equipment designed to provide for rapid

cooling and ventilation is functioning. Any assessment must take into account noise sources including (but not limited to) railway noise and plant situated at Egale House, the Holiday Inn and The Flag public house.

Reason: To ensure that the proposed residential units are not adversely affected by noise, in accordance with Policy SE22 of the Watford District Plan 2000.

14. The height of the buildings shall not exceed eight levels of accommodation above ground at the western end of the site and five levels of accommodation above ground at the eastern end of the site.

Reason: In the interests of the character and appearance of the area pursuant to Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

15. The gross internal floorspace of the office use shall comprise a minimum of 55% of the gross internal floorspace of the building.

Reason: To ensure the development is office led with office use comprising the primary use, in accordance with Policies SS1 and EMP1 of the Watford Local Plan Core Strategy 2006-31 and the employment land allocation on the Proposals Map of the Watford District Plan 2000.

16. All residential units shall have floor areas that accord with the minimum standards in the Residential Design Guide 2014.

Reason: To ensure the proposed units provide adequate internal floorspace for the future occupiers.

17. The development shall incorporate separate bin and cycle stores for the office use and residential units in accordance with the policies and standards of the Watford Local Plan Core Strategy 2006-31 and the saved policies of the Watford District

Plan 2000 (or any subsequent replacement policies and standards). The respective stores shall be retained at all times for bin storage and cycle storage only and shall not be used for any other purpose.

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

18. No part of the development shall be occupied until the existing vehicular access points on Bridle Path have been closed off and the adjacent footways and kerbs have been reinstated, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure safe and adequate pedestrian access to the development and in the interests of highway safety, in accordance with Policy T4 of the Watford Local Plan Core Strategy 2006-31.

Informatives

1. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure financial contributions towards the provision or improvement of open space, children's play space, education facilities, childcare facilities, youth facilities, library facilities and sustainable transport measures within the Borough of Watford. It also secures the provision of necessary fire hydrants to serve the development and the provision of 35% of the dwellings as affordable housing units.

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

Drawing numbers

L4026 023 (Survey)

L4026 005A (Location Plan)

L4026 006B (Site Plan)

(B) In the event that an acceptable planning obligation under Section 106 of the Town and Country Planning Act 1990 has not been completed by 1st September 2014 in respect of the Heads of Terms set out above, the Development Management Section Head be authorised to refuse planning permission for the application for the following reasons:

1. The proposal fails to contribute towards the implementation of sustainable transport measures forming part of the South West Hertfordshire Transportation Strategy, either in the form of off-site highway works or commuted payments and as such is contrary to Policies T3, T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31.
2. The proposal fails to contribute to the provision or improvement of community facilities (education, youth and childcare facilities, libraries and health facilities) in the Borough and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.

3. The proposed development fails to make provision for public open space or children's play space, either in the form of on-site works or commuted payments, and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved policies L8 and L9 of the Watford District Plan 2000.
 4. The proposal fails to make provision for affordable housing on-site and as such is contrary to Policy HS3 of the Watford Local Plan Core Strategy 2006-31.
 5. The proposal fails to make provision for fire hydrants to serve the development and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.
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Case Officer: **Paul Baxter**

Tel: **01923 278284**

Email: **paul.baxter@watford.gov.uk**